

**ICANN
Transcription
Red Cross Identifier Protections
Monday 27 February 2017 at 20:00 UTC**

Note: Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. The audio is also available at: <http://audio.icann.org/gnso/gnso-red-cross-identifier-protections-27feb17-en.mp3>

Adobe Connect recording: <https://participate.icann.org/p4m8vt454bv/>

The recordings and transcriptions of the calls are posted on the GNSO Master Calendar page <http://gnso.icann.org/en/group-activities/calendar>

Coordinator: Recordings are started.

Terri Agnew: Thank you. Good morning, good afternoon and good evening and welcome to the first call on Red Cross Identifier Protections on Monday the 27th of February 2017 at 20 UTC. In the interest of time there'll be no roll call as we have quite a few participants. Attendance will be taken by the Adobe Connect Room. So, if you're only on the audio bridge could you please let yourself be known now?

Thomas Rickert: Hi. This is Thomas Rickert. I'm on audio only. I'm on the road so I'm not able to join the Adobe Connect.

Terri Agnew: Thank you Thomas. That is noted. Hearing no further names I would like to remind all to please state your name before speaking for transcription purposes and to please keep your phones and microphones on mute when not speaking to avoid any background noise. With this I'll turn it back over to our facilitator Bruce Tonkin. Please begin.

Bruce Tonkin: Thank you and welcome everybody to the call. The purpose of this call is basically just to confirm that the framework for a discussion in Copenhagen on the protection for the Red Cross identifiers and also to confirm that the problem statement and then just identify what documents we might be able to get produced for people to read in advance. One of the things I should state just before people start speaking is these calls are treated as open calls and the call will be recorded and made public.

So I guess the first item on the agenda here is talking about the process framework for the meeting. And I'll just I guess summarize from my at least perspective here of the Red Cross. I guess the first thing is that the intent is to have or the background is that the ICANN board met and discussed the issues in its meetings in Hyderabad recently or last year. And the board felt that an important next step was to offer the ability to have a facilitator discussion between the GAC that provides public policy advice and the GNSO that develops policy recommendations with respect to the generic top level domain system.

The - I think one of the important things to understand also just in terms of ICANN's role is that ICANN itself doesn't have the ability to create rules and regulations that can be imposed on other parties. It basically manages the generic top-level domain name system through contract and each of the contracts ICANN has with both the gTLD registries and gTLD registrars has a provision that says that if policies are developed through a bottom-up community process which includes receiving public policy advice from the GAC that those new policies that are created through that process that the through the contract the gTLD operators and the gTLD registrars agree to abide and implement those policies. So effectively we need to use the Policy Develop Process to create these policies.

And then the contracts require the contracted parties to adhere to those policies. And ICANN has a contractual compliance department that ensures that the parties adhere to those policies. So that's essentially the mechanism

by which ICANN can work with the community to create rules for the operation of the gTLD system.

So the purpose of the session in Copenhagen is to have a facilitator discussion that is intended to have a good faith media to dialogue from which the outcomes will be taken back either to the GNSO if the outcome is a suggestion to change the policy in some way. We'll take it back to the GAC if the GAC wishes to update its formal advice or public policy advice. And then each of those groups have their own processes for other developing GAC advice or developing GNSO policy.

And broadly if the GNSO wants to change its policy recommendations it would need to go back through the membership and ensure it has input from them, the members of the GNSO and would also need to go through the public comment processes that are built into the bylaws for developing policy. So those are sort of the broad steps that would need to be taken following Copenhagen if there were changes.

The other opportunities to identify potentially if I guess the broad options are potential changes to the policy that would be considered by the GNSO, potential changes to the GAC's advice on the public policy issues. And thirdly it could well be that there are some implementation guidelines that come out that would help make the implementation of the recommended policies effective. And quite a lot of work that was done on that with the introduction of new gTLDs at ICANN (unintelligible) put a lot of implementation issues including potentially funding governments to raise objections, et cetera. So those are all implementations of the GNSO policies. I think that's probably the main things. The - do I have any questions I guess just before going on on that introduction? Does anyone have any questions or comments they want to make?

Ashley Heineman: Hello. This is Ashley Heineman. I don't have any comments but I did just want to let you know that I'm on the phone and not on Adobe Connect.

Bruce Tonkin: Okay thanks Ashley. We did - there has been some - well a couple comments I think received by Jorge on the processed process. One comment was after the second paragraph which is essentially saying although they commit to make this by (def) it's to respect and implement any great outcomes I think one thing we want to be clear or at least I want to make clear is I don't see the dialogue being a binding arbitration process where we're reaching some arbitrated outcome that both parties must agree to implement. But I do think that both parties should be working in good faith and prepared to update either their policies or advice based on the outcomes of that dialogue. Does that make sense? Does anyone have a sort of disagreement with that principle?

All right, okay. And then there was one other piece of feedback I received or we received from Jorge which was in relation to briefing documents. And he suggested an additional line of text with thus he said the briefing documents should include a problem statement, the specific international laws that apply to the topic, the relevant treaties, relevant national laws, relevant ICANN bylaws. Jorge had suggested that the policy considerations at stake including public policy considerations be included.

Essentially that's what the GAC advice provides us. So under the bylaws that ICANN operates under the public policy advice from the GAC must be duly taken into account. And so I think what we'll do is we'll update the text that talks about GAC advice that currently just says the GAC advice on the topic. And we'll just elaborate that to say the GAC advice on the public policy aspects relate to the topic, so just being clear that the GAC provides this advice on the public policy considerations.

And then the other is that Jorge had included were just clarifying I think that he's crossed out the word Red Cross and basically just says and Jorge Cancio and representatives from the IGO coalition and the Red Cross. I think that's just clarifying. He's presumably clarifying he's not just representing the

Red Cross there. So other than that that's really the only changes I thought related to the process description. Does anyone have any other changes they want to suggest to the process description?

Okay, so then the next item on the agenda I guess is if someone from the GAC or the GNSO wants to explain the next steps that they think might happen after this dialogue. In other words what does the GNSO and what does the GAC propose to do following the discussion? Maybe if James Bladel is on the phone if he could just comment from the GNSO as Chair of the GNSO?

James Bladel: Bruce, I don't know if you're in the Adobe. I had my hand raised. Should I just go ahead and jump in?

Bruce Tonkin: Yes, please go ahead.

James Bladel: Okay thanks and thanks for the introduction and for setting things up Bruce. This is James Bladel speaking for the transcript. And of course also present from the GNSO are Donna Austin and Heather Forrest and (Carlos) as well who is our as you know, liaison to the GAC. So just a couple of thoughts here. You know, in building upon your introduction and perhaps expanding a couple of points or clarifying I would like to understand the scope of this particular call and (unintelligible) of the discussions in scheduled for Copenhagen and whether or not we are limiting these discussions to -- and I'm trying to speak in broad terms here -- to the issues relating to protections of Red Cross names or more broadly issues related to all IGO and INGO names including the small group proposal that was presented a few months ago.

Bruce Tonkin: Yes the intent of this call James is Red Cross specifically.

James Bladel: Thank you. And that was my understanding from the email thread as well so thank you for clarifying that. But also for the Copenhagen discussions we would include the broader universe of IGOs, correct?

Bruce Tonkin: Yes the intent is two separate discussions James. So we've got a schedule that - a session scheduled for Saturday morning the first thing which is talking specifically about the Red Cross identifiers. And then there's a separate session scheduled I believe for Sunday evening to refer to the IGO. But as they're sort of separate label considerations there are different treaties that relate to the Red Cross we felt and I think this was an outcome of the earlier week calls that we had back in December was to keep those two discussions separate.

James Bladel: Okay thank you. Okay the - so I appreciate that clarification. That was perhaps as we were working in on the problem statement and as that particular document grew significantly that was one of the items we wanted to make clear. I think that, you know, you made an important point about ICANN's authority essentially over contracted parties and over the domain name system in that the only legitimate way to create obligations upon domain name providers and to make those enforceable through ICANN's compliance department is via the contractual amendment processes laid out by consensus policy. There's some other ways but, you know, they're much more convoluted and this is - and they're almost always temporary in nature. So I think that it's correct to say that whatever comes out of these discussions, you know, needs to go back and follow that process and that is the only route to certainty that whatever is arrived upon will be executed and actually will take us back to the real work.

I think that, you know, for the most part it's important also to reemphasize that the leadership of the GNSO is not - it's not our role to, you know, unilaterally say well we agree to make our policy (unintelligible). It's not to be something that we ought to do. It's not something we really can do even if we (unintelligible) more correctly to note that we have a (unintelligible) to revisit

policy development recommendations. But they would I think as you pointed out Bruce they would involve reengaging the community, reconvening the former members of the PDP Working Group including some of the folks who perhaps might, you know, might want to join or folks maybe that had participated previously.

And then of course there's no guarantee that they would - that group would arrive at any particular outcome. They could say, you know, we changed our mind or I think we got it right the first time or anything in-between. So I think it's important to note that we have help from our policy should we decide or determine that to invoke it.

And then I think for procedure and for process and not to just kind of beat process over the head but we also have to recognize that the model allows for this when, you know, when the policy recommendations from the GNSO (unintelligible) they're something that is perceived by the board to be addressed to the entire (unintelligible) organization or undermine the security and stability of the DNS or whatever that the board has a mechanism by which it can send the presentation (unintelligible). And I think, you know, for example and I'm speaking hypothetically the board could say we think you - we have new information. We'd like you to reconsider your recommendations as they result to - or as a (unintelligible).

They could say, you know, please go back and revisit those particular recommendations. Now, you know, that's something that could happen. And I think that from the perspective of many in the GNSO community that's exactly how it should happen is that this is not something that we should unilaterally invoke on our side to go back and revisit these things. It is something that we should - we would necessarily wait for the board to tell us to do that because otherwise I think it starts to send a very clear signal that there is a lot of I don't want to say gray area or discretion in the GNSO processes that that's the power to amend recommendation in the chairs and vice-chairs and we frankly don't have that and I don't certainly don't want future chairs and vice-

chairs to have that. So it makes it I think a much cleaner process if that is triggered coming from the board.

And then finally I just noted Bruce you said something about implementation. I think that's an important point. You mentioned implementation from the new gTLD program. I think that's probably not the best example to hold up as a yardstick but it is something to consider. I think I would say I'm concerned about the weight and scope of some of the topics that are being kicked over to implementation. I think it's, you know, becoming not just a - not on this issue but just generally.

And but I think it is probably the most appropriate place to address some of the concerns we saw in the problem statement. For example the economic concerns associated with protecting these. That's not something that usually is a factor in GNSO or let's say isn't a factor is not a test I guess to - in GNSO policy development that something should or should not happen is whether or not some party can afford to pay for a, you know, let's say a rights protection mechanism or something.

You know, it's something that could be done outside of the policy. It's something that could be done to support the policy. It's something that could be done by ICANN, you know, contracting with third parties or whatever. But it's usually not something that would be baked into the policy itself which then would appear in, you know, for instance they show up in a lot of people's contracts that were not related to that economic problem that we're trying to solve.

So anyway I'll just stop there but I think generally that when it comes to the scope of Red Cross names I think that's kind of where we sit. We have a process which require I think the board to take action for us to invoke that process if that is the path we choose to go down. We would need to eventually restart, you know, perhaps, you know, in abbreviated fashion restart the PDP process that - and then - that we would then, you know,

perhaps want to see most of the economic questions moved to implementation but not some of the weightier issues associated with protection themselves. So anyway maybe I should ask if Heather or Donna - I know Donna was having some audio problems but if you would like to weigh in on this.

I know that in particular they have a much more expertise in this area. And I think Donna's worked on this issue a lot longer and I think Heather has almost unique familiarity with some of the legal implications involved that I don't have. So if either of you'd like to weigh in please take the floor.

Bruce Tonkin: And Heather or Donna did you want to comment? I think Donna's just said, "I have nothing to add," on the Adobe Chat and nothing from Heather as well, so they both responded on Adobe Chat. James also just for the others on the call to understand the GNSO policy development process often produce drafts and then in response to that public feedback the policy development process can make changes to policy. So it is sort of an iterative process generally isn't it?

James Bladel: Sorry Bruce, I was having trouble coming offline. Did you say it was an interactive process?

Bruce Tonkin: Yes or just wanting to be clear that just so people understand the way the GNSO adjusted its policies. So typically in the policy process a working group is formed. The working group puts forward proposed policy recommendations. Those are then subject to public comment. And then the working group takes those public comments into account and may adjust the policies. And then both the - yes, updated policies are then put out again for the public comment.

So if there was a proposed change to a policy I mentioned something similar would happen in that the working group would be convened. It would look at

that proposed change. It would then put that out for public comment. Is that broadly how the GNSO would make a change?

James Bladel: Yes I would kind of look in the direction of staff on this. I think that's correct Bruce. I just blinked a minute when you said iterative because I think that paints a picture and perhaps because I'm coming from more of a context of a, you know, of a technology company where iterative means frequent small changes and that's not how I would characterize the policy development. I do believe we have a multi-phased process whereas in the first phase we would - the working group would put out an initial or a draft report with its draft recommendations. And then in response to any community feedback that we'd then take that onboard and go back and revisit those to make sure that it, you know, that it's - it has incorporated all of those considerations into the recommendations in the report, revisit those recommendations if necessary and then issue a final report.

What we are talking about however is something that - and I don't know that it's ever been invoked before would then follow-up after that. And so this would be kind of the - something that happens even further out than that. And I just I wanted to point out that well I kind of lost my train of thought there. But I think it's important to note that we have a - well, but, I'll - I've been speaking a little bit too long Bruce but I think that addresses your question about whether or not it's an iterative process. It's a two-step process. We're talking about perhaps creating a new step.

Bruce Tonkin: Yes I think what as a lesson learned what we might want to do is have a dialogue like we're planning to have in Copenhagen when there is a big or difference let's say between the public policy advice that we've received from the GAC and the policy recommendations that hopefully that would get identified perhaps at that very first step, you know, when the first policy recommendations are proposed that I think it's called the initial report. And then, yes maybe a dialogue would happen at that stage much earlier on rather than in this case where we're having it after the policy

recommendation's been through the steps that you have suggested or that you have reported on. Is there any questions for James from others of just understanding that the GNSO will do?

James Bladel: Bruce just one clarify point -- this is James speaking again -- sorry for jumping out of turn -- is that that that - all of that was a part of the PDP that concluded in 2013 so I don't - I believe we skipped any of those steps or anything like that. So just want to emphasize that. And I think that some of this to a large extent some of the complexities around this is that the amount of time that elapsed between this admission of these recommendations and where we are now I think we're going on 3-1/2 years. So I think that - and that's water under the bridge but I just wanted to point out that it's one of the reasons why we're stuck here today.

Bruce Tonkin: Okay thanks James. Any other questions for James? Okay. Do we have someone from the GAC? I'm not sure whether we have the chair of the GAC, Thomas Schneider or anyone else from the GAC that would like to just comment on what the GAC's process would be following the meeting in Copenhagen? Do we have Thomas? It looks like he's on the...

Thomas Schneider: I'm on the phone and on Adobe. Can you hear me?

Bruce Tonkin: Yes we can Thomas, yes. Go ahead.

Thomas Schneider: Okay hello everybody first of all and thanks for to Bruce and everybody for getting this together. Well I must say it's to me listening to James it's not really clear what the - whatever that will be expected outcome of the status of this expected outcome of this process would be. In our situation I'm trying - and trying to make sure that I get this right. We realize that we have differences in what we think should be the result or should be the level of protection and so on and so forth of the Red Cross names and acronyms in particular with the ones now 190 national parts of the movement. And in terms of what we would call a facilitation process is that some people get

together that have some legitimacy to informally or formally try and find something, a middle ground, the compromise -- whatever you call it -- that would - that those present in the process think that may be acceptable to the formal structures that they would then have to go back to and see whether that - what they were trying to find as common ground is actually acceptable to all parties.

That's at least how facilitation is done between governments when they try to come up with something that is supposed to be acceptable to all involved. So I do not - I have to admit I'm not fully sure whether I understand James' presentation of the situation. So in case that we would start discussing things, concrete measures and so on and so forth that we would think that may be acceptable to our constituencies yes, if what's - what would happen then or what - what's the - yes, I'll stop. Yes, I don't really see how to process anything substantive if we are supposed to engage because yes as I said this is we - from our - in our world when you try to facilitate something you look for a solution informally and then you try and get this accepted by the official channel. That's how we work basically...

((Crosstalk))

Bruce Tonkin: Yes I think that's the correct characterization Thomas. I like your wording there. It's trying to find a middle ground. You're assuming that the parties on both sides fully understand the issues and both sides have a good understanding of their communities and you try and find a middle ground. And then you then need to take that middle ground back through the relevant processes if this changes.

I think my understanding of what - where the - where James is coming from is just the concept that he -- and I'm sure it's the same on your side -- can't bind others. It's basically you still have to go back through that process to make the final decision. They can't at the end of that discussion say hey the GNSO's changed its policy.

James Bladel: Yes Bruce and if could respond. And I don't know - I can raise my hand but I don't know if you're on the Adobe Connect.

Bruce Tonkin: Yes it's on, yes.

James Bladel: Yes and just to clarify Thomas or at least help maybe start to bridge some of the procedural and cultural gaps between the different communities is that Bruce is absolutely correct. We cannot for example as the chair and the vice-chairs and liaisons of the GNSO council cannot say hypothetically here's the right answer PDP. Go back and redo your work until you come up with something closer to this because this is what we agreed upon to the GAC.

We're not authorized to do this. We are - no one is. That is not how policy development works in within the GNSO. And I feel pretty strongly on a personal basis and nor should it. But anyway that - setting that aside what we can do and you're saying you're looking for things, positive things, is what we can do is we can have a discussion where we examine the issues, we can examine how the recommendations were arrived upon. We can hear concerns I think that are raised by yourself, by the members of the GAC and the Red Cross the - you know, we think you got this wrong. Either you didn't consider some important factors or information. You - your PDP considered them but misinterpreted them, misapplied them or simply just missed the boat on this one.

What we can do then is we can say okay, you know, and again we're asking the board to take action too. So we could say, you know, at this point we think the only path forward is for us to revisit the PDP and for that we're going to need the board to reject the PDP recommendations that are associated with the Red Cross. And then we would go back and reconvene and present those back to our community for reconsideration and re-amendment.

I'm not saying this is how it's going to happen. I'm saying this is how something could happen generically. I think that's because I think if you go forward to apply and you, you know, you mention the way that, you know, countries would work this out, you know, within each other, if we were to go back let's say with that approach I could tell you that first of all we would run into a brick wall within our own community as whether or not they would want to retake up these issues again. But more importantly the minute this would land whatever outcome, whatever protections would actually happen, you know, in a registry or registrar would say I don't believe this obligation is in my contract are legitimate and I wish to challenge them.

I think looking down the road that would be a very strong argument and that those protections would, you know, if they were arrived at in the external to our procedures would arrive at in sort of an extra procedural manner that those protections would just kind of evaporate if they were challenged. And I don't think that we want that. We want whatever comes out of this process to be enforceable to be dependable so that the registries and registrars and the registrant understands what they can and cannot do with the DNS that the Red Cross and associated organizations understand where their protections begin and end. And I think if that's what we're all seeking then we have to make sure that the outcomes are legitimate and will stand up to those types of challenges.

Bruce Tonkin: Yes so I guess Thomas our thinking if I can just summarize what you're both saying but what I'm hearing Thomas say is basically there's no point in having a discussion if, you know, there's no attempt to find middle ground and find a solution. So but I'm hearing that everybody wants to find a solution and that everyone is prepared to get together, you know, to put forward their - the parties from the GNSO and the GAC that are most expert on this issue and work together to find a solution and to understand each other's positions.

And then what I'm hearing is that neither the GAC nor the GNSO representatives on their own can bind their respective communities. And what

I'm hearing is that what the GNSO would like to get from the board would be as a result of this discussion this looks like a possible solution. Let's say the solution is different in some way to the policy. What the GNSO is saying procedurally though would prefer that the board then say, okay on that basis we're not going to accept your current recommendations. We want you to take this proposed solution back to your communities and discuss it and see if you can, you know, update your policy accordingly.

And the process for doing that update goes through the normal process where the GNSO community would consider the proposed changes. The proposed changes then would be put out for public comment and then ultimately be approved by the GNSO Council. So there's basically a series of steps that we'd need to have. But the intent of the dialogue is to identify middle ground and identify, you know, improvements I guess to the current proposals on the table.

Is that clear for everyone now? Are you comfortable with that Thomas? Okay just saw your note on the Adobe. Okay so the next topic on the agenda then was the discussion of the problem statement and should have been clear the discussion of the Red Cross problem statement in the agenda. So the problem statement's intended whenever you sort of start getting into a discussion about a solution to problems it's usually best to make sure that everyone agrees what the problem is first.

And so the intent here was to in sort of one or two pages try to describe the problem in terms that could be understood not just by the parties that are expert in this field but also by the broader members of the GAC and the broader members of the GNSO community. The main changes I guess we've had on this have come from the US government submitted comments actually I believe. And we also I think there was some comments also from Jorge. Ashley on the US government side do you want to just comment on broadly the changes that you've suggested making to that problem statement?

Ashley Heineman: Oh sorry, bear with me. I'm having some technical issues. I - from our perspective we didn't speak to substantively of the issue. It was more of a recommendation to handle a concern that Jorge had raised with respect to the language under the problem statement that says where practicable any protection mechanisms to be developed should take advantage of similar mechanisms that have been created for protecting other legal rights. We did object to Jorge's basis in that it didn't belong under problem statement but we also did not want it deleted outright. So we just recommended that it be moved up to the objective statement.

Bruce Tonkin: Okay yes that's fine. I can also see some changes that I thought had also come from the US governance just sort of being a bit more specific in the language. So I think in the original text we just said legal rights of the Red Cross. And then the proposed changes looks like it's getting a lot more specific there.

So it says the legal protections according to the designations, Red Cross Red Crescent, Red Lion and Son and Red Crystal and by implication the names of the respective components of the International Red Cross. And then I think it talks about in the original statement it talked about Red Cross and Red Crescent societies generally. And then the additional text is including the names of the 190 recognized societies in the relevant national languages, just getting a lot more specific. I didn't have an issue with that or whether that might be better as a footnote just to try and keep the text simple. But did you have any comments on that I guess enumerating the language a bit further?

Ashley Heineman: Just to clarify that was not text proposed by the United States. I think something must have got crossed in the wires. The only thing that the US proposed to do was to move that sentence from the problem statement up. I think that may have come from the IGOs perhaps or Jorge but that did not come from the US.

Bruce Tonkin: Okay, sorry. Thank you. I think I was probably looking at documents that have been consolidated from a couple of iterations. Did anyone have any comments on that? Anyone else have any comments on just including enumerating the language a bit further with the specifics around the names of the Red Cross societies?

Any other comments on the language? I mean I think basically I'll just work with the staff just to do an update just based on those edits. I don't think that's fine just saying where practical any protection mechanisms should take advantage of that fine - change is fine. Most of the other changes really just seem to be sort of specific.

I notice that in the text there, there was 189 societies and it's now been updated and said now 190. So I think these are mostly just factual corrections or adding a little bit more detail. But the intent of the problem statement is just a factual description of the problem. It's not intended to sort of get into proposing a solution in the problem text. Okay, oh Philip Corwin did you want to speak? Sir I've just noticed your hand in the Adobe Room.

Phil Corwin: Well yes thank you Bruce. And I'll be brief. It's been raised for a while and wanted to speak during our discussion of process. And the one thing I wanted to point out is that the process of necessity has to be somewhat different in regard to the Red Cross and IGO permanent protection issues which have been the subject of disagreement between GNSO recommendations and GAC advice for more than two years now and the IGO CRP issue which is the subject of an ongoing working group.

And my co-chair of that working group is also on this call and in the chat room. We certainly, you know, at the session that discusses CRP in Denmark are open to explaining how we got to where we are right now with our initial report which is out for comment. And the comment period will be extended at the request of the GAC until March 30 to provide GAC members and IGOs

with additional time to write to submit comments informed by our discussions in Copenhagen.

But the way the process works (Petr) and I have no authority to negotiate on behalf of the working group. We can certainly convey back to the working group information about what transpired in Copenhagen. They also have ability to be present or to monitor that. But the best way to influence our working group is to submit is for concerned GAC members and IGOs to submit comments while our period is still open because the process is for the working group.

Once the comment period closes to review all the comments in great detail and determine whether or them have brought new facts or new analysis to light which require a revision of our initial or an expansion of our initial recommendation. So because that's still an open and ongoing PDP out of necessity needs to be some difference in treatment in terms of process. Thank you very much.

Bruce Tonkin: Thanks Phil. Okay so a proposal, I'll just work with staff just to update just reissue the public statement for the Red Cross based on the feedback we've received so far. So then the next item is I supposed really just a summary of the process that's been used so far. I'm not sure whether we go into too much detail. I think the main thing is we've got - there's a couple of other documents that were released in the next day or so that the staff had worked on. One is but maybe Mary you could just - if Mary Wong is on the call just identify what are the next document that we could put out for review by the group? I believe you've got a document that was talked about in December, just a big of a very short history of how we've arrived at the different positions. And then you've got a document that attempts to summarize the legal rights protections that exist for the Red Cross. If - can you just sort of confirm what documents you have and that we'll try and get those out in the next day or so?

Mary Wong: Sure Bruce. Hello everybody. This is Mary from staff. And Bruce yes, I can confirm that staff has worked on the documents that you noted. And at the moment as you know they are in somewhat draft form. But from what you've said I anticipate that we will work with you to get them into some final shape to circulate to this group at least for an initial discussion understanding there is a draft and that they are intended to cover the points that you noted and that they were listed in the process framework.

Bruce Tonkin: Yes. So and again the intent is - and I'll need to have a look at the documents but the intent is that - the intent would be relatively short, sort of briefing type papers rather than, you know, like a full reprint of the Geneva Convention only I don't think most people are going to have time to read that but hopefully can identify the relevant paragraphs from the Geneva convention that are relevant in this case. So again the intent is there, briefing documents rather than, you know, not intending to substitute for, you know, reiterating the entire treaties and listing all the national laws, et cetera, is that right?

Mary Wong: Hi...

((Crosstalk))

Mary Wong: ...Bruce. This is Mary again. That is right.

Bruce Tonkin: Yes.

Mary Wong: Obviously...

Bruce Tonkin: Yes.

Mary Wong: ...you know, it is meant to spur discussion amongst the group and certainly corrections if there's any piece of the factual history that we've left out or that in terms of the legal summary that there's things that they could be more accurately described. And Bruce I think that Heather...

((Crosstalk))

Bruce Tonkin: Yes and again it's just that the...

Mary Wong: ...has her hand up as well.

Bruce Tonkin: Yes then turn to the summary the history again and I don't think the intent is to report on every single teleconference and meeting that was happened but the - the sort of broad events that have happened over time just so that everybody's level set and understand the process. I've just lost access to my Adobe screen. Is anybody - Mary if you could help me. Has anyone got their hand up or have any questions on that?

Mary Wong: Bruce, this is Mary. Heather's got her hand up.

Bruce Tonkin: Heather, go ahead.

Heather Forrest: Thanks Bruce. Thanks Mary very much. I'm, I think it's great to hear that we have those (unintelligible) papers ready to go and that they'll be out in the next day or two. Bruce, I wonder if it would be possible let's say to (unintelligible) a next version of the draft problem statement until we've seen those documents.

I noted Jorge's comment in the chat. He hasn't had a chance to read the comment that James and Donna and I submitted on the problem statement. Principally our concern was that the problem statement seems more than a problem statement. And what we were asking is, you know, are there possibly areas of overlap between this document and the next document which is the briefing paper?

And it's of course impossible for us to say that without having seen the briefing paper but I think it would be very helpful to the extent that we can

make this draft problem statement more concise and limited to a statement of the problem. That would be very helpful.

So perhaps you said your next step would be to work with staff to tweak the problem statement. I think it would be helpful if we could all have a chance to comment on the draft problem statement again in light of having the briefing paper when that's out. Thank you.

Bruce Tonkin: Yes, okay. We'll have a look at that. I think in principle, yes, we won't try and duplicate material so (unintelligible) some of the edits here on the problem statement and quoting sections out of Geneva Convention and things.

So yes, that would make sense. So let's put in the document that explains the legal position for example. So yes, we'll try to avoid duplication. And I agree with you. The general intent is to keep the problem statement, you know, not getting it into some ten pages but to sort of try to get it to ideally two pages or a maximum of three pages.

I think the intent is right. I think we want to avoid having too many iterations because we're getting very close to Copenhagen so I want to try and close that problem statement out fairly quickly but taking into account your advice that if there's material there that will be in the other briefing documents. Let's not double up.

Any other comments on the, on the papers that Mary's talking about? We've got a general item here. I don't know whether, I guess give an opportunity to James and GEC people just to summarize. But the general item is just walking through the steps that would be used for the GNSO policy and the GEC advice.

I think we might have already covered some of this James but this is just a general item (five). But did you want to give it a very high level summary of

steps the GNSO is taking to develop policy recommendations? Might be just a little bit on the timeframe and the key documents that they produce?

James Bladel: Sure, I can do that and also I believe we have Thomas Rickert who was the Chair of that PDP is on audio only.

((Crosstalk))

James Bladel: Okay so generally the PDP is the process that we use. It is first launched with an initial report from staff and then that's presented to council. Council then has a variety of thresholds by which it can, it votes to initiate policy development process assuming that occurred and did in this case.

It then puts in a call for volunteers. Volunteers work on the working group. You know, hopefully not too long but in some cases they've been known to work on these things for years.

And then, as I mentioned earlier, the public comment is meant to course correct or offer an opportunity to course correct the work of the PDP so that if particular individuals or organizations feel that something was missed and considered or.

Thomas Rickert: Hi this is Thomas.

Bruce Tonkin: Yes, go ahead Thomas. Hello. Thomas Rickert, go ahead.

James Bladel: Thomas, you want to take over? Go ahead. I'm not sure if Thomas can hear us.

Thomas Rickert: Yes, I'm not sure. It came on and then disappeared again. Keep going James. Sorry.

James Bladel: Yes, we're checking his line, so. But that's a very important step and I think unfortunately it's sometimes viewed as a pro forma, you know, (ceding) for public comments. Folks believe that public comments really aren't that meaningful.

But I can tell you, having worked on a number of these PDPs and chaired several of them, public comments is a vital step in the process to make sure that the work of the PDP is on the right track because it is one of the few checkpoints where the working group can go back and, you know, go back to the drawing board and just revisit some of their, some of their assumptions and some of their analysis and rework their recommendations as a results.

So the public comments are very important. That's then submitted to the GNSO council, reviews and recommendations. But again, the GNSO council's role here is not to assert some higher level of authority. The model gives significant deference to the working group because they're the ones that were close to the issue and spent the most time on it.

So it's not like the GNSO council is, you know, it's more of a process manager than any kind of a higher arbitrator or what is and what isn't sound policy. And then those are submitted to the Board. And that's where we've been stuck on this one since I believe November 2013.

From there the Board in most cases will accept the recommendations and then, you know, direct staff to implement them and the council will work with staff to convene an implementation theme and then we'll get going. And that's, that would normally be the next step in the process here.

I think the one thing that's and I don't know if Thomas Rickert is back on the line, one thing that we should probably discuss as well as the PDPs work on a consensus basis. They do not vote in these working groups. They do not, what am I trying to say here?

They make decisions based on the Chair's understanding of what is or what is not consensus of the group. And I think that's important because I think it's key to understand that it's not one small person. You know, one industry.

One company that can, you know, take this and let's say load it up with 30 employees and suddenly now they're driving the boat on these PDPs. It's very important for this to occur at the consensus level. And if consensus cannot be reached on a recommendation, then the Chairs note that and say look, we can't come to consensus on this.

That doesn't mean that the working group failed. It just means that the decisions or the ideas on how to address the particular problems are divergent versus the status quo. And that therefore the status quo, whatever it is, prevailed in that case.

So I think there is sometimes a belief or perception that a working group has failed to reach consensus (in the process). But failed to (reach consensus is another part of that (unintelligible)). And don't know if Thomas is back on the line (and can weigh in on that) but that is generally how PDPs work. And that's how this one works except we are stuck in that second to the last (step).

Bruce Tonkin: James, Mary just put in the chat room that the PDP on the Red Cross issue was initiated in October of 2012. And that the PDP itself concluded its recommendation in November of 2013.

But as James points out we have had quite a gap since then and we just want to get this issue resolved and hopefully we can identify and changes that might be needed in Copenhagen and close the process out as quickly as possible for all parties.

On the GEC side, I think we've got here, Jorge I think probably followed the work in the GEC orders. Or (Thomas Schneider), want to just give us an

update or just really for the benefit of GNSO members just explain how the GEC developed its public policy advice on the topic?

Thomas Rickert: Bruce this is Thomas again speaking. Sorry my line dropped a few minutes back.

((Crosstalk))

Thomas Rickert: I'd just like to add two or three points on how the GNSO came up with the policy recommendations. My line dropped when James spoke to this. But I guess that might be interesting for everyone to refresh their memories on the scope of the original PDP which was not only a Red Cross Red Crescent but also other IGOs as well as IMGOS.

And we were looking at exact match protections acronyms as well as strings where the name and question is a prefix or suffix. So where, in addition to that we were looking at both preventative as well as curative aspects. And concluded that curative aspects, particularly revisiting the existing (unintelligible) protection mechanisms would be out of scope for our group.

And all this process was based on trying to assess the existing legal mechanisms that would be a basis for granting rights and protections for those names. We've asked the individual groups who, that were seeking protection to provide us with legal documents, national laws, international treaties, et cetera, to help us understand what the protections were.

Also we asked ICANN legal to help with and provide input on such analysis. And all this process as James outlined underwent the original PDP lifecycle including a couple of public comment periods and working group resolutions were unanimously elected by the GNSO council at the time.

That does not say that the recommendations can't be revisited. James rightfully pointed to the process under which the recommendations can be

revisited. But the process itself was following the PDP rules. And the mere fact that the GNSO council unanimously adopted the recommendations speak for itself in terms of policy having been followed.

You know, even those that did not like the way protections were granted voted the recommendations up in the GNSO council at the time. So I guess this is just to illustrate a little bit what we did at the time. Our scope was broader and the (unintelligible) part which was out of scope of our group, is now being dealt with in this new group.

And the policy recommendations I think it would be too much to go through them now because what we concluded at the time I think is still the longest GNSO resolution in the GNSO's history. So with that, unless you have further questions, I'd like to hand it back over to you.

Bruce Tonkin: Thanks Thomas. And did we, Thomas Rickert, I'm sorry, Thomas Schneider or Jorge have any comments on the GEC process.

(Tony): Hi Bruce I have my hand up in case you didn't see.

Bruce Tonkin: I'm sorry. Go ahead (Tony).

(Tony): Don't worry. Well I think it was changed. This was quite some time ago. I think I remember that the Red Cross, I mean I'm leaving the IGO part aside because as was already said, that's, at that time the things were discussed at least to some extent so that's why I'm leaving the IGO part aside.

There were representatives from the Red Cross that participated in that PDP, may even have been Stephen who is on the call today as well himself. And I can't remember to what extent GEC members' governments were actively participating in addition.

But that was a period before my let's say leadership in the GEC were the traditional understanding of the GEC was that we would not be let's say a formal part of a PDP because that was GNSO structured exercise.

But we would then once recommendations are presented to us through the Board basically give our advice to the Boards legal matters of international and national law but also on public policy aspects related on a matter.

And this is basically when the GEC gave advice on these things saying that we did not think that the recommendations, all of the recommendations coming out of this process were sufficient in terms of legal issues and/or public interests or public policy considerations that according to the old bylaws and also I think the new bylaws ICANN was expected to take them into account to phase it like this and not wanting to start discussion about that the bylaws (meaning).

But this was the way that we were at that time. We are now trying to much more engage much earlier which is something that is not foreseen per see. We've discussed this issue several times. It's, our formal role in the bylaws is to give advice to the Board.

And that advice to the Board is on something that has already done through the process in one of the supporting organizations. So this is the logic of how we work. But we had people from the Red Cross at least in that PDP.

And what we heard from them is that their proposals and their views were considered by not, if I may use the word, their proposals or their points or concerns, many of them did not make it, let's put it that way, in the final recommendation, I think.

There was a discussion about at least including some of those used in a so-called minority statement or part of a minority mentioning that that was, not all of this was reflected in the recommendations.

And then you have the series of GEC advice since then that you all know. Or if you don't know it, don't remember it in detail, then this is all gathered in the collection of advice that is then looking at this from as I said, international and national law.

And also public policy, public interests points of view as giving advice to the Board. I'll stop here. Maybe Jorge or somebody else has some additions on what I just said. Thank you.

Bruce Tonkin: Thank you Thomas. Jorge did you have anything you wish to add?

Jorge Cancio: Hello. Can you hear me okay?

Bruce Tonkin: Yes please go ahead.

Jorge Cancio: Hello everybody. This is (Jorge). Yes, well basically Thomas has made the point (unintelligible). Just add of course on IGOs which is not the subject of today's call. Already 2007 principles of the GEC are (unintelligible), mentioned them. And on the Red Cross, the story goes back to 2011 at least where we already made mention to prior advice on the protection of the Red Cross.

And this got more specific I guess also as a reaction in parallel to how the PDP, Thomas Rickert mentioned progressed. And also Thomas Schneider said, this is a line of advice that had been consistent in 2011, 2012.

Then in 2013 got more specific. And then is when we had the split between the GNSO recommendations where, as Mary reminded us in the chat, there was a minority statement from the Red Cross. Another one from the IGOs.

And in the following communiques in London, Los Angeles, Singapore, Dublin, consistently reminding about the Red Cross issue as a separate issue to the IGOs also.

And while the approach of the GEC on this I think is very well summarized in the GEC communique of Hyderabad and also the (unintelligible) which we added to it and where we mentioned the legal protections that are afforded internationally and also nationally.

And also the global public interest in presenting abuse and fraud in the names of the Red Cross. Just to add also to the process, all this line of consistent advice of course has been backed by a full consensus of the GEC and this means no formal objection.

And as you may understand, that is a very difficult level of agreement we have to reach each time with 170 countries in the GEC and 35 of service and with a growing active membership at the meetings which is growing more and more.

So it's a, it's really a line of advice that is quite consistent which has the full backing of the GEC and it's also why we think it's really important to try to use this opportunity to find a good solution to this issue which relates to some hundred names. Thank you.

Bruce Tonkin: Thanks Jorge. James, you had your hand raised? Please go ahead.

James Bladel: Yes, thank you. This is actually going back to Thomas and I may actually ask this question to Thomas Schneider but maybe specifically to Thomas Rickert. Can you give s and, and recognizing that we're almost four years and I'm testing your memory a bit.

But Thomas Schneider said that the proposals from the IGO's and the Red Cross were considered by the PDP but ultimately did not reach consensus

recommendations and they were included in a minority report. Do you remember any of the substance of why those did not reach consensus within the working group and instead found their way into minority report?

And if you don't, mean it's perfectly fine to say hey James, that was three years ago, give me a break. But I'm wondering if you have any insight into that or if Mary or anyone can shed some light on how those were raised but yet did not cross that threshold?

(Sumasica): Yes, James, this is (Sumasica) speaking. In fact I will not be able to speak to details but what I can say is and this is not only for the Red Cross but for those who were requesting protection at the time in general, we had a lot of requests that were made.

The requests were going up to covering us who prevent registrations at the second level before they were made basically. So very broad protections for second level domain registrations for variations of the (unintelligible) in question.

So there were a lot of technical questions up to the possibility of granting those protections but the biggest concerns were legal concerns. We have not or the group has not been able to validate that requested predictions can be based on existing legal acts or international treaties or laws.

And I guess that was the main roadblock. What I can say also was as many of you will remember, granting protection to IGOs and INGOs was quite controversially discussed.

There was a whole lot of sympathy which you will find in the transcripts and records of our calls where people said, well we don't like the fact that donators, donors' money are being abducted and that people are, you know, enabled to commit crimes by using such domain names.

It was only the limitations that we saw in the legal basis for granting those protections that ultimately led the group to turn down the requests that were made. I apologize for keeping it that superficially. I'm sure that Mary will be able to speak to much more detail because I hope that she has the documents in front of here.

Bruce Tonkin: Okay, thanks Thomas. Okay, so I think in terms of next steps, it's certainly not the intent of this call to sort of go in and start solving the problem. The next steps is I'll work with Mary to get a set of documents out hopefully in the next 24 hours or so which will be an updated problem statement, a sort of summary of the history and taking into account the information that we've received from (unintelligible) and Thomas Rickert, from (Jonas Owen), from Thomas Schneider and Jorge Cancio from the GEC and their summary of how we've gotten to the current positions.

So we'll get that into a document and we'll get a summary of the legal information specifically on the Red Cross, the treaty information and the legal information and how it's handled in international laws.

Now for comments and hopefully, if you can send your comments back on those documents fairly quickly, the aim I think would be by at least Monday of next week that we can start sending these documents out more broadly to GEC members and GNSO council members.

Does anyone else have any other questions or comments they want to make? James, it looks like your hand's raised again.

James Bladel: Yes, thanks Bruce. James speaking. And so you were mentioning earlier, first of all thank you. I think that's a good path forward. I think that, you know, as a bit of a babe in the woods when it comes to these issues, I have a question because I'm hearing from the folks, from Jorge and from Thomas that, you know, what prompted the GEC advice on this issue was that, you know, that

the Red Cross, the legal foundation on the Red Cross is to have these protections fairly slam dunk.

And what I'm hearing from Thomas Rickert is these were considered by the PDP working group. And they were either, you know, not as clear cut or not as broad or, you know, applicable to this situation or whatever. I don't know. I'm not a lawyer in this area. This is outside of my field of expertise. But what I am hearing is sort of, you know, a different understanding of a very critical set of facts.

So my question to you and to ICANN staff, is can we get those back? As part of the briefing paper, (unintelligible). You know, whether that comes from some outside, you know, expertise or something, can we get some sort of conclusive opinion that we can all agree on?

Because I'm afraid that we're kind of just circling that problem right now. If everybody believes that they're kind of standing on a different set of facts, then I think the problem statement is challenged right out of the gate. And I think that we want to solve this. So it feels to me like a missing piece.

And if I'm completely missing the boat on this, I apologize for taking us off course but it just seems like a divergent line of discussion that I'm hearing from two different sides. Thanks.

Bruce Tonkin: A missing fact? I'm missing your point, I think. Are you saying you think there are some missing facts that are needed? That's definitely what we want to capture in these documents.

James Bladel: Right. Yes, and maybe I'm going a step ahead of the problem statement, Bruce and I apologize to everyone on the call if I'm doing so but I heard two, I think very important statements from Thomas Rickert and I believe Thomas Schneider can they seem to be at odds.

And I don't know if we can work to bridge those two. Then maybe we can sort of lay a trail forward to progress on this issue. Thanks.

Bruce Tonkin: Okay, yes, if you can put it in writing, what you think the difference is between those two positions we can attempt to clarify that at that at (unintelligible). But the basic steps I think certainly we want to identify the GNSO policy recommendations as the GEC advice and have that clearly stated. And also the legal factual positons.

(Stephan Hankins) from the Red Cross, I think you had your hand raised as well. Do you want to go ahead (Stephan)?

(Stephan): Yes thank you very much. I don't know whether you can hear me. I'm very far away.

Bruce Tonkin: Yes. We could hear you.

(Stephan): Okay. So thank you very, very much for the opportunity to take part in this all from the side of the Red Cross Red Crescent. This has indeed been a very long journey. And I do note that we are still, we are still held up on issues that really, you know, have been discussed at great length and on which there's been, you know, well repeated in firm GEC advice.

I would like to maybe join in with the previous speaker. I think it is important indeed before Copenhagen and based on the documents that have been, ICANN staff is going to produce, we do not retread grounds that, you know, have already been discussed at length at the time.

I think when we look back at the PDP several years ago, I think there were a number of reasons why, you know, the part of the Red Cross Red Crescent requests at the time, you know, could not be taken on board.

But I think in quite some degree it was also linked at Thomas (unintelligible) was also stating, it was very much linked to the fact that at the time there was great confusion on a series of parallel requests that had been made and parallel examinations

Some of you will recall that the Red Cross Red Crescent protections that were called for and, you know, which are grounded in clear-cut international law provisions were meshed up with other requests under consideration.

Even the International Olympic Committee at the time was also mixed up with this. And of course there was also a degree of confusion with the claims of the IGOs. And we were never able on the many calls that took place at the time to kind of be able to re-direct a little bit the considerations and to separate the issues as they would need to be.

We had at the time submitted quite a number of materials, (unintelligible) details, reports to the Board and then, you know, lists of legislation in over 125 countries which protect the Red Cross Red Crescent (relations) and a series of very detailed legal argumentaries which, you know, we call the legal visions.

So, you know, I do think it is extremely important that, you know, for the discussion in Copenhagen, you know, there be clarity on what is going to happen. Is this just an information session or, you know, is there going to be, you know, is there going to be the possibility for, you know, a real substantive discussion?

And certainly, you know, the materials that have to be produced, I think it's important that, you know, the different parties be able to review them and comment on them so the legal arguments are properly framed.

You know again, the Red Cross Red Crescent nations, they are firmly protected under universally agreed public international treaties and of course

we have also a submitted, also as confirmed in repeated GEC advice, you know, a number of public policy considerations for these protections to be recognized.

The last point that I wanted to mention is just to speak to some of the earlier comments that were made on this call regarding, which, again we're waiting as this issue of what, you know, might trigger or what triggered the GNSO consideration of adopted policy.

And you know, this notion that, you know, what would trigger that is a request from the Board. I just wanted to remind that there have been quite a number of recent positions in communications from the Board which do express the expectation that the Red Cross Red Crescent protection issue, you know, be resolved.

There was a call on October 27, 2016 which concerned the imperative of reaching a conclusion on the issue and, you know, this was also repeated in a number of communications which I believe have been circulated within the community between the Board of ICANN and the Red Cross Red Crescent.

So I think, you know, we shouldn't enter Copenhagen with a doubt about the trigger in my view. We need now to advance on the substance and then, you know, have the conversation. But I agree with what was said. We really need to have, you know, clear materials to substantiate the conversation that needs to take place in Copenhagen including clarity on the legal arguments. Thank you very much.

Bruce Tonkin: Thanks (Stephan) and yes, definitely the summary of the legal position will be available for you to review. It will be posted to the mailing list in the next day or so for your review to make sure that it's factually correct as an import document to the meeting in Copenhagen.

And yes, I definitely wanted to cover a lot of the positions in these briefing documents so that we don't spend two hours, you know, in an information session but we actually spend the time that we have together in Copenhagen to actually work together to reach a solution.

Thomas Schneider, you had your hand raised.

Thomas Rickert: Yes, thank you Bruce. Just I think as of interest to (Stephan), I think it's obvious that we all, at least those who are in this for a longer period of time, have some learning curve because I don't think that all of us at least in the GEC. That's also for others where five years ago we were experts on the legal protection, be it IGOs or be it the Red Cross.

And that's now that we are slightly more wise than maybe five years ago, if we had dealt with this separately from the beginning, some confusion, and I'm not even talking about the Olympic committee and their protections, some confusion would have been easier to avoid and maybe the answers would have been clearer or simpler.

And we may be, yes, at a different place than we are now, but that's part of working with new ground so that we all can keep learning. What I wanted to say is that I think responding to Mary, yes, we do understand that this paper is not supposed to be a legal formality.

But I think in, and I think (Stephan) I said, with the Red Cross, the legal situation is different than maybe clearer than with the IGO protection where it comes to interpretations of the Paris convention and so on and so forth, whether divergence of use.

That would need to be taken into account, the legal basis for the Red Cross is fairly clear as (Stephan) has said. And so I think we should just make sure that all of this is there. It doesn't have to be in the problem statement or in the

document that you are working on but it needs to be in the background material that we have at our disposal when going into substance.

And we also I guess and thanks to Thomas Rickert for laying out the, hinting at the deliberations that the working group that he Chaired when they were working on this, that we have to see what the legal bases are.

We also have to acknowledge and Thomas Rickert referred to that, what is public interest? What is public policy? That may be a broader issue that just legal bases because new laws or new rules are created every day and there's good reasons for this because the world is moving on. And that legal bases also get updated and modified according to new developments.

So it is good that we have the full documentation as background material that we can refer to if necessary but while at the same time having a shorter document that basically outlines the big lines of where we are how we got where we are. So I think it's good to have both. Like a shorter document plus all the material at our hands when we enter, at the moment when we enter into substantive discussions. Thank you.

Bruce Tonkin: Yes, thank you Thomas. And I think what we could do with the shorter document that the staff had been working on, we can certainly have explicit references I guess to the documents that have previously been submitted. That have, you know, far more detailed legal analysis in them.

Okay. Any other questions or comments before we wrap up? One thing that occurs to me the meeting on the Red Cross specifically, the broader session that is scheduled for Saturday morning, I'm planning to arrive in Copenhagen on Thursday night and I'm happy to meet, it might be useful Mary if we just sort of get an idea of who from the GNSO and who from the GEC would be the main participants.

And maybe we get together on Friday afternoon for those that are viable just to sort of run through the sort of speaking list and schedule and just walk through the planning of the meeting on Saturday morning. I think we'd find that useful. Yes, I just saw that there on the Adobe list, Mary.

So let's, perhaps if we can confirm who the participants are that well basically be sitting around the table for Saturday morning and then we might want to have a get together and just identify a bit of a speaking order and just so everyone's clear on what their roles are Saturday morning.

Bruce Tonkin: I can see Phil Corwin and James are typing, is what's coming up on the chat session.

((Crosstalk))

Bruce Tonkin: (Donna) and (Carlos) will participate, okay. And then Thomas and Phil, okay. Thomas Schneider, yes please. Go ahead.

Thomas Rickert: Yes, thank you Bruce Just trying to ask for clarity. With regard to these two distinct issues that we have somehow like a (tandem) or whatever you call it, I think also taking into account the confusions that we had before this call.

I think it would be good if you could be as clear as you can when planning for this meeting to see what part of the meeting or what meeting is under the IGO protection and what other part, what other meeting is on the Red Cross because it may not be 100% the same people from our side.

So I assume the IGOs won't participate necessarily although we can remain on the same mailing list. But they may not necessarily participate in the Red Cross discussion and the other way around, maybe in the GNSO, it's also those who are working on one issue and not necessarily working on the other. So that we're clear, all of us are clear basically what is going to be discussed, so yes, that's my point, Thank you.

Bruce Tonkin: It does. Thank you Thomas. I'll endeavor to be very clear on the two separate discussions and when those separate meetings will be occurring. Petter Rindforth has asked for the agenda for Saturday morning. So yes, we'll work on that and put a draft agenda list to consider as well. I'll try and get that out early next week.

Any other questions? Okay, at that point then I'll thank everybody for participating and providing their perspectives and look forward to finalizing the documents in the next few days. And having a productive discussion in Copenhagen. And I'll see you there. Thank you all.

James Bladel: Thanks everyone. Thank you Bruce.

Man: Bye-bye.

Woman: Thank you.

Man: Thank you all. Bye-bye.

Terri Agnew: Once again, the meeting has been adjourned. Thank you very much for joining. Operator, if you can please stop all recordings. To everyone else, please remember to disconnect all remaining lines and have a wonderful rest of your day.

END