

BARCELONA – Joint Meeting: GAC and ALAC  
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ICANN63 | Barcelona, Spain

UNIDENTIFIED SPEAKER: Good afternoon. ICANN63. Joint meeting, GAC and ALAC.

MANAL ISMAIL, GAC CHAIR: Thank you for your patience. We're now starting our bilateral with the ALAC. So if you can please take your seats. And before moving on to an interesting agenda where Ana and Yrjö Länsipuro have really spent some time and put some effort in this, but before that, I will hand off to Alan if you have any opening remarks before we move on.

ALAN GREENBERG: Thank you very much, Manal. Before I start, I would like to introduce at my right is Maureen Hilyard, who I think many know anyway, but I will be stepping down as chair of the ALAC as of two days from now and Maureen has foolishly decided to take responsibility for the ALAC and I'm delighted having her take over the role. Sorry, the “foolishly” was just a joke.

We have three items that we've agreed to on our agenda. The first is a discussion on gTLDs, the second is a brief discussion on EPDP, the third item is a presentation of a joint statement that we're proposing between the ALAC and the GAC as a follow up to our last statement we did about a year ago and any other business, if there is any.

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On the new gTLD issue, I would like to turn it over to Ana, who I think is at my left somewhere, to frame the question. We normally have an exchange of things, which often is not as rigorous a discussion as it could be. And I think Ana would like to talk a little bit about what we're looking for today. Ana?

ANA NEVES:

Thank you very much. So since the last joint meeting that I started to work with Yrjö , we felt we could do something to make these joint meetings more effective. I think that the ALAC is a very interesting committee that GAC should work with more. But to trigger this debate, we thought that maybe with questions it would be easier. So what we want is to have short and medium and long-term agendas for our joint efforts and for these joint meetings. So not only presentations, but to have a good debate among ourselves and to have something from these joint meetings.

So, the generic top-level domains, we are always discussing the technical issues but we haven't had, until now, a discussion -- as far as I know -- about the needs of the gTLDs, if they are very good for the brands, if they are very good for the consumers, what happens. So, we have received the competition and consumer's choice report. This report concludes that the new gTLD has led to increased competition and consumer choice, but a minimal impact on consumer confidence.

So, the report does not cover the size, analyses, and benefits for users. So what is your perception? So this is the debate that I think that ALAC and GAC could have about the gTLDs. So, you have these three

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questions: who do you think would really needs new gTLDs, what did new gTLDs change in the consumers' daily lives, and how to ensure a fair and equal access to the new gTLDs?

So I think the floor is open to have a good debate among GAC and ALAC members. The challenge is launched, so start.

ALAN GREENBERG:

I'll start with some controversial statements maybe. I don't think we need another several thousand new gTLDs. I think there is demand in certain areas that has proven to be a significant benefit to the overall community, and I would include things like city TLDs community TLDs, and brand TLDs, probably, although they may not be a great benefit at the public-interest level. I don't think they hurt and there's certainly a demand for them among companies. Whether we need another few thousand general gTLDs, I would question.

MANAL ISMAIL, GAC CHAIR:

So do you agree or not agree, Argentina, please?

ARGENTINA:

Thank you, [inaudible], from ALAC and thank you, Ana, for the question. I think we're still trying to gather the experience of the first round in general. And at least from my perspective, we still have a way to go to realize if we need another round or not. But we are involved in a new PDP process which is running quickly, so that's a reflection. I don't have an answer for your question; I think it's a very good

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question, but we are running through some reports, summary reports, different things; part of it is already done. For me, there's still a way to go to decide. But still there is a new process, so maybe we can have this question in mind to make it in other environments, not only in this meeting. Thank you.

ALAN GREENBERG:

I will point out the ALAC in our questions to the board has a question in this sort of area developed independently from Ana's suggestion. Let's switch to the ALAC and go to Holley Raiche.

HOLLY RISHE:

Just to add a couple of things, I don't know if you have read all of the reports, but a couple of issues have come through in [indiscernible], some are about parked domains, so you start to say, "What are they being used for and are they useful?" And the answers seems to vary between the Asia Pacific region and other regions. So, there's more information to be gathered on that one.

Also we have an issue of consumer perception, which is that there is some connection between the website and some kind of product or whatever, a service, which we haven't actually built into our processes at all. And that seems not to be been addressed. I think another consumer issue that comes out of the reports is we still haven't figured out how to measure consumer trust and we need to do that. So I think we need to answer a lot of those questions before we proceed. Thank you.

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MANAL ISMAIL, GAC CHAIR: Yes, Ana, please.

ANA NEVES: Well, I think all of us as consumers, we have an idea of whether we are using the gTLDs or not, or if they change our lives or not, if what we are doing or not doing with them, or if we are acquainted with some companies that are using the gTLDs. So the point is what are your thoughts? Well, of course there is a PDP going on, but this is the normal way of work of ICANN. Here is the joint meeting of GAC and ALAC, so we should not be so format to these kinds of policy processes here, but to have an open discussion about the gTLDs. I think the community outside ICANN would like us to have this discussion. So we should have this discussion for the citizens. So I think that all of you feel something about this. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you, Ana. I have Belgium next.

BELGIUM: Thank you, Chair. I will speak in French. It seems difficult to react to these questions. These are slightly philosophical questions. I know that we haven't had the chance to talk about this. I'm not sure these questions should be addressed to the governments. This is like a business model. In short , there's a business model that makes this process profitable. So governments, in my opinion, care about setting clear rules for the delegation of new domain names in order that we

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don't run into the same problems that we had in the previous round, as we highlighted in Beijing. So it is the framework for the delegation of these domain names that is of interest to me. So, the first question should perhaps be addressed to the economic world to know whether there is some profitability involved here.

And then with regard to the fees, I think the fees may allow for a return on our investment after three or four years. So these are questions that should be asked to the economic world. And in terms of consumers, I have never seen any study that says in consumer trust in the new gTLD. I know studies have been conducted in terms of consumers' trust for ccTLDs, there was one in Belgium that I know of, but there has never been a study that allows us to know whether this is good or bad. Thank you.

MANAL ISMAIL, GAC CHAIR: Yes please, Anna. Go ahead.

ANA NEVES: Thank you, Belgium. When we are talking about business model, it's also important for the governments, because governments should create a very good environment for companies to grow and should create a very good environment for the citizens, for the civil society, for the academia, for the technical community, so we should create a good environment for all those stakeholders, right? So, we're now talking about here who do you think would really need new gTLDs?

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This question was from the point of view of the government, what do you think we should do? So it's something for the economic world, okay. But governments think about the economic world. So is it something that the governments should help to have more gTLDs? This business model is interesting for the consumers because any business model needs consumers, otherwise they don't have a profit. And the way you search something in the Internet, does it change anything to have the gTLDs?

MANAL ISMAIL, GAC CHAIR: Anymore comments? Okay, so Alan, and then I have Kavouss, Indonesia and Switzerland.

ALAN GREENBERG: I would phrase Ana's question a slightly different way. Of the 1,200 or so new gTLDs, how often do you see any of them when you're using the Web? Has it had any real impact? Because that, in my mind, is one of the measures of whether we need more. Kavouss?

MANAL ISMAIL, GAC CHAIR: Kavouss, go ahead.

KAVOUSS ARASTEH: I apologize. This is a long-standing definition. Equal access to the new gTLD is different from equitable access. Equal access means that everybody should have the same access as others. Equitable access means that no one's access should be denied. Are we discussing equal

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access, which means for every requester, similar number of the TLD to the others, or are we discussing something else? Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you, Kavouss. Holly, would you like to go first? John, go ahead.

JOHN LAPRISE: John LaPrise for the record. I want to address an earlier couple of points, which is a number of speakers have referenced the importance of profitability with respect to Internet domains. And I'd like to just point out that the majority of content online is free. If you go to YouTube or the communications people send to one another; the every-day experience of most Internet users, much of the content they use, share, create is free. So just something to keep in mind. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you. I have Indonesia, Switzerland, Tijani and Sébastien. Indonesia, please.

INDONESIA: Thank you, Manal. Understanding that there are so many gTLDs already and of course I cannot open 1,000 or so gTLDs every day, that's impossible. But the world is interesting since the time when I came to a GAC meeting. We have had many strong discussions about this gTLD world starting from .SPA and so on.



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And if I can make [indiscernible], why don't I use the [indiscernible].com? I like [indiscernible] myself, you know. Just an example. So gTLD might be interesting for many of us. But we already have many strong discussions regarding the use of geographical names and so on. Perhaps this is a point that's interesting to be discussed more, discussed further.

And I just do not know whether in your discussion, Alan, you also include the use of geographic names and the company that used the name should share the funding they get with the area where they use the name. For example, I think last Saturday we had a meeting here with CCWG, if I'm not mistaken, if Manal remembers, and they talked about distributing the money from selling gTLD names, something like that.

MANAL ISMAIL, GAC CHAIR: Auction proceeds.

INDONESIA: Yes. Sorry about my memory and my English. But I just wonder if in your group this has already been discussed. You can use -- perhaps it is interesting -- .indonesia, for example. You use .indonesia, and Indonesia gets \$100 billion every year. That might be interesting. Just an example, I'm just kidding. Or .spain, and Spain gets \$100 million dollars US per week. That might be interesting for the prime minister of Spain. Sorry, just an extreme example, but I just wonder if you also discussed this. Thank you.

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ALAN GREENBERG: We've had some discussions and we have to have more about the use of goTLDs. I think that not only the country should get \$100 billion each but every ICANN volunteer should.

MANAL ISMAIL, GAC CHAIR: So Switzerland, please.

SWITZERLAND: Hello, good afternoon. Jorge Cancio, for the record, thank you for being here. I guess this is a very interesting discussion, perhaps a discussion that would require more preparation, to a certain extent, if we want to dig deep into the questions. However, we, at least in Switzerland, we think we should maintain the openness, the innovation at the edges, and this calls for open, predictable, transparent rules for creating or delegating new strings. So that's something we are discussing in the PDP on subsequent rounds. Hopefully this could be a more permanent framework without having to go into rounds every ten years or so and having something which is more foreseeable for all parties.

At the same time, as you will be aware of, we also attach a lot of importance to public interest of the communities, of the local authorities, whenever legitimate public policy interests are at stake. And we look for solutions and we also work for solutions in different intensities of course, depending on our resources to establish frameworks where everybody has a fair say.

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This is not a free-for-all or a land rush in some of the questions, but that everyone who has a legitimate interest receives a fair say, because there are assets in communities or assets in goTLDs, we are talking about, finally, globally-unique resources where you have take all of those interests into account if you want to have solutions that are positive for everyone involved. So I think that's more or less our general philosophy, but I'm looking forward to more discussions on this, if you wish.

MANAL ISMAIL, GAC CHAIR: Thank you, Switzerland. Tijani?

TIJANI BEN JEMAA: Thank you very much. Tijani speaking from ALAC. The answer to Alan's question about do we need more gTLDs, one of the co-chairs of the new gTLD subsequent procedure, PDP working group, answered this question saying that more or less it is not exactly the wording, but we don't care.

The most important thing is that it's proven that it increased and improved the competition. And he said if we continue like this, this will take several years and we will end up with a decade between two rounds. That's why he proposed that we form an implementation working group for the new subsequent procedure, even if it is not yet approved by the board, and even if it has not gone for public comment. Thank you.

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MANAL ISMAIL, GAC CHAIR: Thank you, Tijani. We have Sébastien next.

SÉBASTIEN BACHOLLET: Sébastien Bachollet speaking on behalf of ALAC. I'm speaking in French. The answer provided by Alan is really very important because we're going back to something that certainly did not work well in the previous round. We want a solution to be applicable to all domain names that are possible or imaginable. And, as a matter of fact, this did not work.

So it was established categories, and I mean cities or geographical names for instance, or regions, certain regions in countries or certain regions in the world. I know there have been some problems with that, but when we talk about geo names, community names, brand names, company names, this would allow us to be more open and to work at a lower scale so as not to apply the same rules to everybody. We would have more time then to solve the problem of the generic domain names, those that are at stake.

MANAL ISMAIL, GAC CHAIR: So I think, Ana, you managed to trigger the floor. Thank you, and Yrjö , for this. I believe we have two other agenda items and we have 18 minutes left.

ALAN GREENBERG: The next agenda item we have is the EPDP, and I don't think we had a specific topic, but I will just make a comment. I'm one of the ALAC

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members on the EPDP, and I think -- there are various groups within the EPDP who, I won't say work together, but have common goals and common aims. And I think the interest of the ALAC that is looking very much at how does WHOIS in its old form and its new form, how much does it impact the roughly 4 billion Internet users.

I think our interests end up being very similar to those of the GAC. I'm sure they don't coincide 100 percent, but I think they are very similar. And although privacy of registrants is important, GDPR intrinsically says there's a balancing act about in what cases should information be made available, and certainly from my perspective, information available for cyber-security work that is preventing malware, phishing, spam and all the other dangers on the Internet are of critical importance to the end users, the ones who don't know about ICANN, don't know about registration of domain names, but use the Internet.

And protecting it for them, I think, is one of the more important issues associated with this, certainly from an at-large perspective. And I suspect that coincides not very far from the government positions, but I would certainly like to hear.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Alan, for reaching out to the governments and to compare notes and align thoughts. And as you rightly mentioned, they are pretty much aligned, but I'll give the floor to Kavouss.

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KAVOUSS ARASTEH:

Yes, we would very much appreciate, if possible, if ALAC would kindly clarify their position with respect to the so-called unified access model, in terms of whether it should have its own PDP process outside the EPDP, or should it be within the current EPDP and the subsequent request, and within one year or after the one year by the same team. Because the discussion yesterday in two instances were quite diverse. So we would be happy if we know the understanding of the ALAC with respect to how we proceed with this unified access model in a way that I have mentioned. Thank you.

ALAN GREENBERG:

The ALAC as such has not really discussed that. So I can't give you an ALAC position. I can tell you a personal position and open the floor if anyone wants to tell me I'm wrong. And the people on the ALAC tell me I'm wrong all the time, so I don't think they will be afraid to do that. I don't see how we can survive without something like a unified access model.

And to me, a unified access model means that people who are properly accredited to get the information can get it quickly and effectively without a lot of rigmarole and time delay. And that's what I translate the impact of the unified access model to be, and I think that is essential. I don't think we can wait for the EPDP to finish and then charter a new group to build that, so I believe it has to be a part of what we're doing.

Clearly, it is not the part that has to be done before May of 2019, because it's not part of the temporary specification and therefore it

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doesn't have to be replaced. But I think we need to get to it quickly. That's my position. I don't know to what extent anyone on ALAC wants to tell me I'm wrong or just shake their head yes.

MANAL ISMAIL, GAC CHAIR: Thank you, Alan. Hadia, please.

HADIAH ELMINIAMI: Hadia Elminiawi for the record. I'm an EPDP member as well. And to Kavouss, answering your question, putting aside ALAC's position, the charter's third deliverable does talk about an access model. However, it does say that the EPDP team is to come up with or to start discussing the access model. However, it does say that this can only be done after tackling the gating questions. So, according to the charter, yes, the EPDP team is entitled to do that but when, that's the thing.

MANAL ISMAIL, GAC CHAIR: Thank you, Hadia. Yes, Holly, please.

HOLLY RAICHE: I support both what Alan and Hadia said. One point that seems to be gathering a bit of steam with the new RDAP protocol and discussion on RDAP protocol, it's starting to be seen as the policy framework will be decided within the EPDP and the implementation of the RDAP protocol is going to be the way it's executed, seems to be the discussion I've heard so far. Thank you.

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ALAN GREENBERG: I guess I would like to say that I don't get hung up on the name or the exact details of the model. There have been enough people who said, "We don't like the unified access model," that it might be preferable to change the name, but the function we're talking about, I think, is essential.

MANAL ISMAIL, GAC CHAIR: Fair point. Okay. Any other comments on this topic? Okay. If not, then maybe we're good to move on to the third agenda item, Alan?

ALAN GREENBERG: I'll give a brief intro and then maybe turn it over to Yrjö , who is somewhere, I hope. To tell you about how we got to where we are today, you may recall that the ALAC and the GAC put out a joint statement -- I think a year ago. Abu Dhabi, whenever that was, they all blend together for me -- basically saying we need more clear information. We need statements that are written in a way that people who aren't familiar with ICANN and its various subject matter to start to understand, to find out enough to see if they want to learn more. It certainly applies in At-Large where we have many, many people who don't know anything about what we're talking about.

Now, many are probably not interested, but some of them probably are. I know it also applies in the case of the GAC, if you have a new GAC member coming on board who has never seen any of this before,



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how do they get the first bits of information which doesn't make them either go to sleep or decide they don't want to do this.

And so we put together this two-page statement and we thought it was clearly said and the response we got from the ICANN board was we had chartered the ITI, which is a major, multi-year project, to organize all of our data. And, therefore, it's done. And certainly our intent -- and we thought about the ITI when we wrote the statement -- the intent was that's not what we're looking for right now. "We're looking for clear information, things in easy words, things with titles that make sense, and a number of other issues. And we would like you to focus on this, please, not just your long-term project, which is important but doesn't address our needs today."

And it became clear over the last year that clearly there was a misunderstanding. The board wrote back to us and I don't think either of us have taken the time to formally answer, because there's just too many other things on our plates. But both Ana and Yrjö took the responsibility to say, "Maybe it's time to do a joint statement to reiterate what we really wanted," and Yrjö, if you could talk for a minute about how we got there. But to say the intent of the ALAC is in our meeting tomorrow where we address actions is to ratify that statement or a version of it that comes out between now and then.

YRJÖ LÄNSIPURO:

Yeah, thank you, Alan. Yrjö Länsipuro for the record. Alan explained the background, and now this new, follow-up statement prepared by Ana and me in several iterations during the late summer, basically

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refers to our statement, it refers to the response from the board, and it says that we are grateful for the news about the ITI which will be a great thing, that is to say the information transparency initiative, which I understand also will be or has been presented at this meeting. It's great, but it will be ready at the end of 2019 at the earliest. So what we asked for was actually something quick and something that would be usable by everybody pretty much now.

So we asked for executive summaries, synopsis, which would bring the gist of the various ICANN documents out front, so that people who are busy otherwise would get to grips with the document immediately and decide whether that interests them, and so on and so forth. And we also referred to the good things that happened during the transition process, when ICANN was able to offer timely and comprehensive information by breaking this complex issue into understandable components and using visual graphics.

So what we ask here -- and I quote, "The ALAC and the GAC are now asking for ICANN that the same level of effort to be made and the same service be provided to the community concerning information on all other relevant issues." Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Yrjö . And the follow-up statement should have been -- I mean, it's circulated on the GAC mailing lists, so you should find it in your in boxes. We were trying to get it on screen. And we still have five minutes, if there are any quick reactions to this.

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ALAN GREENBERG: While people are reading, my reaction to this was it is well written, it is clear, I don't think it can be misunderstood, and it's short; all are good things I look for.

MANAL ISMAIL, GAC CHAIR: So again, it was a short notice, so maybe you need to read it and then we can decide by tomorrow whether we can maybe adopt it. But Alan, if you are going to discuss it and change things maybe, then you can get back to us to align the final?

ALAN GREENBERG: We've had it circulated for a few days now and there have been no comments at all. So, there may well be something quickly, but I don't think it would be substantive. But if there are any changes or suggested changes, we will let you know.

MANAL ISMAIL, GAC CHAIR: Okay. So it's a really short follow-up statement, slightly more than one page. So if you can read it overnight and then we can decide by tomorrow during the community drafting whether we can adopt it and add that to our communiqué, or if there are any comments. Kavouss, please.

KAVOUSS ARASTEH: Yes, Manal. Do we have the right or do you allow us to propose some simple changes of two words in the third paragraph?

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MANAL ISMAIL, GAC CHAIR: It's there for you to comment on and to propose whatever you like, Kavouss.

KAVOUSS ARASTEH: I suggest, for your consideration, in third paragraph it says, "In the joint statement, the ALAC and the GAC also emphasized the need that ICANN produced." We put it a little bit stronger now after this time. For us it's very important for those people who have no possibility to read through all of those things. This summary or brief or executive summary would be very, very helpful for the country. So this is by way of suggestion. You may kindly consider that, if you agree to that, you may also consider. That's the suggestion. Thank you.

ALAN GREENBERG: I can't see a reason why we would not agree, but as I said before, I've been overwritten at times, but that sounds reasonable to me.

MANAL ISMAIL, GAC CHAIR: Thank you, Kavouss. So, Alan, when exactly are you discussing this or approving it tomorrow? I'm just trying to --

ALAN GREENBERG: Do we have anyone from my staff here who can tell me when it's on the agenda? I think it's the last session tomorrow morning, but I'm not sure. Anybody? Or anyone on the ALAC who has access to the agenda?

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MANAL ISMAIL, GAC CHAIR: So, it's okay. Maybe we can make it the other way. If we have any comments, we can provide you with the latest that we agreed upon. And for the GAC colleagues, if you can sleep over it and let us know by tomorrow if there are any reactions.

ALAN GREENBERG: 1:30 tomorrow. But if we're talking about minor typographical changes, we can word our approval of it so it's conditional on slight editing or something like that. We've done that before.

MANAL ISMAIL, GAC CHAIR: So any other final remarks? If not -- yes, Alan, please.

ALAN GREENBERG: I do have a final remark. This is the last meeting that I will be sitting up here as ALAC chair, and I would like to say that the discussions we've had with the GAC, and more important, the cooperation with the GAC has been something that I mentioned in ALAC meeting, if you go back to the notes of the ALAC when they first met in 2003, one of the comments was, "We should have a liaison with the GAC."

It took a long time until that happened, and at this meeting we now have not only a liaison to the GAC but from the GAC, and that fact that we have that in place and we've had really productive and useful discussions and we've actually worked cooperatively on a number of things, and the EPDP is not the first of them, makes me very satisfied

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that my term as chair has been productive, and it's been a delight to work with you all. Thank you.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Alan. Yeah, please. Kavouss, please.

[applause]

KAVOUSS ARASTEH: Yes, you have done what I wanted to say by applause, but it doesn't prevent me from saying, Alan, we very much appreciate all of your efforts as the chair of ALAC, all your contributions. You are omnipresent in all meetings. In auction groups you have 96 percent presence above me, which is 85 percent, and many others. You are among one of the most knowledgeable people in the ICANN community.

And in every discussion you and your colleagues, John Laprise, Holly, and others really, you show the ability, competence, and deep knowledge on everything. We are very pleased with that and we congratulate you and we believe that we would be given that opportunity to take advantage of your contributions, knowledge, and all good and sharing information with us. Thank you very much for that.

[applause]

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ALAN GREENBERG: Thank you very much, Kavouss, I'm leaving here to do a video interview. I think I'll ignore it and let you talk on my behalf, instead. It will sound much better. Thank you all.

MANAL ISMAIL, GAC CHAIR: Thank you very much, Alan. I have nothing to add to what Kavouss has eloquently said. We fully agree. Thank you very much. Thank you to all the ALAC colleagues on the panel, of course. There is a coffee break right now, please be back at a quarter a past sharp because we have our meeting with the board. Thank you.

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