
BARCELONA – GAC: GAC Independent Secretariat Discussion
Wednesday, October 24, 2018 – 08:45 to 09:15 CEST
ICANN63 | Barcelona, Spain

MANAL ISMAIL GAC CHAIR: So this is our session on the independent secretariat, I will start with a quick, brief background on the topic because not everyone may be familiar with what we are discussing here. Then maybe tell you about the status quo, where we stand in regards to the current contract, and funding. And I may, if you agree, Jorge, hand over to you for the support funding association and then maybe we can try to agree on next steps and what we can do. We already have a task force working on this so maybe we can give them some guidance on and what exactly do we need from them.

So the GAC currently receives support from GAC support staff, of course, as you all know, represented by Rob, Fabien, Julia, and Gulden. And also an independent secretariat, ACIG, that used to provide us by 3.5 FTE full-time employee. But now reduced to one FTE, Tom Dale, as you can all see. And this reduction was for funding purposes. And ACIG has been providing the independent secretariat services to the GAC since November 2013.

So, we are working with this hybrid model because at a certain point in time some GAC members felt the need for an independent secretariat for the GAC. And it started with three donor countries. So the secretariat was generously funded by Brazil, Norway, and Netherlands. Then for fairness purposes, we tried to have the

Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.

secretariat, the funding distributed among more members. So I believe we may have around a thousand or a bit more, but they pay different amounts and have different commitments to different periods of time. So it's not really a sustainable and predictable model.

Also, the independent secretariat services are provided under a contract between ICANN and ACIG. And funding, as I said, comes from GAC members who are donors and the payment is made through a GAC Secretariat Funding Association kindly administered by the Swiss government and donor countries.

So, maybe this is a good time to hand over to you Jorge, if you want to talk about the Secretariat Funding Association and just - because this is the mechanism. We have a funding issue and we have a funding mechanism issue because even the current mechanism is not continuing. So, Jorge, over to you.

JORGE CANCIO:

Thank you so much, Manal. And my fellow colleagues in the GAC Secretariat Funding Association may, of course, add to what I am going to say. So these are some words regarding the GAC Support Funding Association, the GAC SFA. As Manal said, its purpose is since its creation in 2013, to channel the funds from the donors which initially were three countries with big contributions; Brazil, CGI, Netherlands and Norway to ICANN. And ICANN, as the contracted party, would then pay the provider of the secretariat, which has been AC for these years. And this association is not an entity which is really strong or has a lot of resources. It's just volunteers from the original

donor countries, so our fellow GAC members basically from those donor countries and Switzerland.

Starting in 2015 and '16 as Manal mentioned, there was an increased outreach to more donors as the original donors announced to and then reduced their original very large contributions. This outreach was done by the then chair, Tom, Thomas Schneider, with the support of our country. We even, from Switzerland, we even sent a letter from our then Vice President of the government to all countries, members of the GAC, to raise awareness on the needs to share the burden, to finance the GAC Secretariat. And, of course, also the GAC Secretariat Funding Association itself took over the task to then reach out to potential donors, to any fellow GAC members who would have questions, and so on and so forth and to provide information, manage relations with the donors, send invoices, maintain a liquidity plan, and so on and so forth.

And this resulted that during the last three years, '16, '17, '18, there were donations from around 18 GAC members. So this was an increase, but obviously, 18 is about ten percent of the current membership of the GAC. So it's well below what I think would have been something more positive. And out of these 18, some of the donations were irregular, some were a one-off. They were with different amounts. And it has to be said in the same fairness that some pledges were made publicly and were never paid, so were never transferred.

So this is a bit of history. Now, as ASIG announced I think two meetings ago, they are not continuing in 2019. And also the work that has been led by Thiago and has been working on the future independent secretariat is still a work in progress. So in this context, the GAC Secretariat Funding Association, and this would be mainly me, has not made any outreach to the potential donors for 2019 because you cannot really make outreach on something you don't know whether it will be there. So that was already a very unstable situation.

And to this we can add, and this is more specific to the structure of the GAC Secretariat Funding Association, that there has been a lot of and there is going to be a lot of personnel turn around in the original members. And as I said before, these are volunteers who have been devoting their time to this on an absolutely voluntary basis. And the association, to be able to work, needs a certain minimum number of members. And this will no longer be the case or it cannot be assured for 2019. And that's why we have been discussing in the GAC Secretariat Funding Association in a meeting which was held yesterday with the presence of Manal as the Chair of the GAC and also Tom Dale, what we can do about the continuity.

And the conclusion, without going into too many specifics, is that for 2018 we commit to ensure that the services provided by ASIC are paid and that the transfers are made. And this means that at least a number of members of the association are willing to participate in those operations that are needed to make that payment happen. But that beyond January 2019, this turnaround is too big for the continuity to be reliable because there would not be enough redundancy in the

members of the association. So we could end up in a situation where there were funds, but nobody to sign the payments. And things like that we, of course, want to avoid.

As to the financial situation, let's say that 2018 is assured. There are funds for covering the costs of the secretariat in this year according to the estimations we have been sharing or ASIC has been sharing with us. And probably there will be a small surplus of perhaps 20,000 euros from this year. The association is bound to the purpose of devoting those funds to the independent secretariat function and will make those funds available pursuant to the directions given to it by the GAC and the GAC leadership while those will have to decide how the independent secretariat function is continued in the future.

So that's the information. And if you allow me a personal remark, I think that the cycle initiated in 2013 has now come to an end with the original donors, with Switzerland as, let's say, the main administrator of the channel instrument. And that it has had very positive outcomes I think. It has shown that it's difficult, but at the same time, we have had a very good independent secretariat during these years. We have shown that we are able to have a hybrid model which is working.

Many good practices have been established from which we can learn how Tom and the ASIC team did their job, how they acted with independence, neutrality, objectivity under the oversight of the GAC leadership. So I think there's a lot to learn from that experience.

But at the same time, as I said, this cycle is coming to an end and it's good that we are ending it with even accounts, without any problems

in the funding of the secretariat. And I think now it's up also for fresh ideas, new people to run these things. So I'll leave it at this point and thank you very much for your attention and forgive me for being a bit longer than expected.

MANAL ISMAIL GAC CHAIR: Thank you very much, Jorge. Norway.

NORWAY: Thank you. Thank you to my colleague from Switzerland for summing it up in such a good way. Also, I would like to thank Tom for a great job, and I would like to underline that it has helped us tremendously through the many very big and difficult tasks for the GAC to decide on. The time has been [inaudible] and I think now -- I'm leaving, personally I'm leaving, but we have a new Norwegian GAC representative, of course, and I will be sure to tell him how needed and how good the secretariat function has been.

So I think just to underline that we, or the GAC, should think of a good function for the future because it is of such an importance to have something or have someone to help us prepare meetings, to help us to focus on the right issues, and to help us to point to the essential briefing papers that are given out from ICANN and so on. It's a jungle of documents. It's difficult to be informed before the meetings at the right level. So I think people who now start as new GAC members or have been there for a while, they will see the need to have a good

secretariat in the future. And I hope really, Manal, that you will have that because you deserve that. So that's all I want to say. Thank you.

MANAL ISMAIL GAC CHAIR: Thank you very much, Norway. So we still have 15 minutes and it would be good to hear from GAC colleagues as well. So very briefly, for those who came in late, maybe in just tweets, Independent Secretariat AGIG will cease to exist by the end of December. The Secretariat Funding Association will not continue beyond 2018. So if GAC really needs an independent secretariat we need to secure sustainable funding, we need to devise a funding mechanism similar to the SFA, and, after this, we need a tendering and selection and evaluation process to select the appropriate candidate.

So we also have a task force that was established to look into the issue of the independent secretariat, so maybe we can help guide their work by our discussion today.

So yeah, one more thing I didn't mention which I should. First, when we knew that the contract is going to end by December, then we had a pressing issue of being understaffed, if I may say. So the task force was focusing mainly on getting a tender out very quickly so that we can get the new secretariat as quickly as possible which is now not practical and will not happen in time. So I have sent - this was circulated on the GAC mailing list, but I'm sure you receive hundreds of emails and you may have overlooked this. I have sent a letter to ICANN Org that we need additional support staff from ICANN Org so that the work of the GAC continues as normal and we don't have a drop.

So I talked to Thiago as well, and we agreed that we may allow one year for things to settle again. So we will have additional support staff from ICANN for a year. And I need to check starting when. I hope by the first of January as soon as ACIG - the contract of ACIG ends. So now, frankly, I believe that the task force, it may be more practical that the task force reprioritize its work and start looking into funding mechanisms and sustainable funding so that we secure everything before we go through a tendering process and procure a new independent secretariat.

So I think I stop here, and, of course, Thiago, if you want to chime in at any time in time, and GAC colleagues if you have any input. Yes, Trinidad and Tobago, please.

TRINIDAD AND TOBAGO:

Good morning. Firstly, it's very unfortunate to lose a good resource such as Tom, and let me, of course, join colleagues and thank him for his fantastic work. It's greatly appreciated and will be missed. No doubt about that. It brings me to the point that you just made, which is the what if scenario? What if the secretariat is not replaced and then that burden - and it is a heavy burden, a heavy load to carry - does and or will the ICANN Org provide those services in a timely manner to allow a seamless transition so that there's no disruption in the services to the GAC?

I think that's the only concern I would have. So that seamless transition from Tom or ACIG to whoever it may be is done in such a way that it assists you as opposed to making it more of a burden to

you. And I think that's the only concern I have. And let me also indicate the absence of Sherry Ann Clark Hines who worked along with Thiago and Jorge and the team. And she does regret very much not being here today to be a part of this. Thank you.

MANAL ISMAIL GAC CHAIR: Thank you very much, Trinidad and Tobago. And yeah, I share all your comment and applaud the GAC independent secretariat for an excellent, excellent service. So regarding the handover or the transition, frankly, I do not know if Tom will overlap with the additional support staff, but I'm sure current ICANN support staff are doing an amazing job as well and they will help this transition smoothly. So I have Belgium, I have Tom, I have Thiago next. So Belgium, please.

BELGIUM: Thank you, Chairwoman. So first of all, I would like to thank Tom as well because it was a great job and very useful for small countries as Belgium. But I have to say that as a country we need clarity because we have a mountain for 2019 and we need clarity before the end of the year. Thank you.

MANAL ISMAIL GAC CHAIR: Thank you, Belgium. So, I mean, actually, it's not clear to me so that I can provide you with more clarity, but I mean the situation at hand now is that we're trying to work the process and meanwhile have additional support from ICANN. We have estimated this to be like one

year, could be less, I don't know. But we, just for the sake that we don't have a disruptive work as Trinidad and Tobago rightly mentioned, we just wanted to secure it for a year first to make sure that we don't have a disruptive service. And second, because of also the cycle of ICANN in assigning resources. So this is, as it stands now. If someone would like to add anything, if not, then, Tom, would you like to say something?

TOM DALE:

Yes, thank you, Manal. Just a couple of things that might help the discussion. Firstly, to avoid any misunderstanding about the status of work under our contract leading up until the end of the year and after the end of this calendar year, the decision to cease services under the contract from 31 December comes from the party to the contract. That's ACIG, the Australian Continuous Improvement Group. That's a company of which I'm an employee. So that's a matter between ASIG and ICANN, strictly speaking, contractually, but obviously, we are continuing to provide services through myself as an employee right up until, I guess, New Year's Eve this year. Well, maybe a few hours before that.

My own status after that time, to be quite clear, I will not be an employee of ACIG. I will be an independent consultant again which I was five years ago. And until then though, I've indicated to staff and others that I would be happy to assist with any work that involves scoping of role for the secretariat. It's not appropriate for us to be involved in any RFP or preparatory work for tendering because our

competitors may be considering bidding at some point. So that's not appropriate.

But in terms of suggestions and sharing our experiences with the secretariat, and as Jorge says, he's quite right I think, the current cycle is coming to an end and it is time for the GAC to reassess matters. And the GAC has had a lot of different secretariats over the years. I know because I was responsible for staff who provided the very first GAC Secretariat back in 1999 when I was working for the Australian government. So these things run through in cycles.

But I just wanted to make clear that I would be very happy to keep working with staff and with GAC members involved on the secretariat function in future and to share our own experiences which have all been very positive.

And I should stress that ASIG as a company is leaving this contract with the greatest possible respect and gratitude to the GAC for the opportunity to provide you with professional services for the last five years. So we are leaving, I hope, on very good terms. It's been good for the company, but it's time to move on. Certainly, personally, I have no regrets whatsoever. It's been a wonderful opportunity. But yeah, we are all moving on.

But in the meantime, we do have another couple of months of work to do for you. And depending on what the GAC wants to do in terms of scoping out future options for the secretariat, I would be happy to work and share our experience on that. Although, as I say, we can't

really become involved in any discussions about future tendering. That's not appropriate.

Finally, the point made by Trinidad and Tobago and others about working towards a seamless transition. That's always the best sort of transition to have I guess if you can manage it. That's not really in my hands as to what ICANN Org decides with regard to staff support. But whatever it is, I know that staff will work in the best interests of the GAC and I'll do my best to work with whatever arrangements they are putting in place between now and the end of the year. So just to say, although today is my final meeting of the GAC, I will still be working for you. And I hope that we can make a small contribution to any work that you continue with the secretariat, mark whatever model we are up to. Thank you.

MANAL ISMAIL GAC CHAIR: Thank you very much, Tom. Thiago?

THIAGO JARDIM: Thank you, Manal. I just wanted to acknowledge the members of the task force currently working on this issue. We realize that there will be some - there is a need now for re-direction of our work. So in addition to Carol Douglas here from Trinidad and Tobago who has been involved in this work in the person of Shelley Anne. I also see here Lena from Lithuania and Suada from Bosnia. I hope I'm not leaving out anyone here. There are others who are not presently in the room.

And I think it would be appropriate to call for the involvement of others as well on this issue.

Finally, perhaps trying to reflect on the question of about how will we proceed for 2019 with the request that we made to ICANN for additional support. We've had a brief conversation with Xavier Calvez, and from that conversation, I understood that ICANN currently does not have spare people that they could reallocate to work for the GAC.

So this might require, therefore, that they hire someone else to be the additional staff that we will be provided in 2019. So perhaps the task force as well will have to work together with ICANN organization to make sure whoever is being put in place to be this additional staff member is appropriately selected and can perform appropriately their duties. So, thank you.

MANAL ISMAIL GAC CHAIR: Thank you very much, Thiago, for this important update. So again, we have formulated the issue at hand and we are seeking more volunteers to the task force. As you can see, it's not an easy task and the sooner we settle the better, even to have this smooth hand over that we were talking about. So if there are no more requests for the floor and we have only one minute to finish this. So Egypt, please.

EGYPT: Yes, thank you, Manal. I would like also to thank Tom for the great job that he's been doing. I may have joined the GAC recently, but I've been following it through Manal when she was in her position

representing Egypt. And I admire the amazing job that Tom has been doing. And I would also like to say that Egypt would like to join the task force that will be working, and we would like to volunteer. So if you can count us in, Thiago, that would be great. Thank you very much.

MANAL ISMAIL GAC CHAIR: Thank you, Egypt. And I have to say that I had the pleasure of working with Tom in different capacities as well because at one point in time we overlapped as GAC colleagues. He was representing Australia at the time. So it's been a long, long time and I wish you all the best Tom. We will miss you on a personal level and on a professional level, and thank you very much. If we can give Tom a round of applause.

MANAL ISMAIL GAC CHAIR: So, this concludes the session on the independent secretariat. If you can just give us a minute and we will proceed with the session on GAC operational matters. Thank you.

[END OF TRANSCRIPTION]