
TORONTO – 2012 Nominating Committee Update
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ICANN - Toronto, Canada

MALE: For the record this is the Nominating Committee update.

VANDA SCARTEZINI: Good morning. Thank you all the present here and in the remote positions. This is the final report for NomCom 2012 and there is a presentation from what we have done, and specifically about the transparency and accountability. So let's start and after in the end we're going to give the floor to the new Chair and his group. It's a general view of how the committee is constituted with members of ALAC, GNSO, the SSAC, members from the technical groups and normally we have a Chair and Chair-elect, and associate Chair. This time in 2012 we have an associate Chair and we have a committee of about 20 persons.

So there is a general picture of our group, not everyone was there that day; it was in Dakar last year when we started. And that is the names and who they represent. And of course, all of those, this presentation as everything else was posted in our website that will show up in the end. So just a little statistics about our group: we had two members from Africa, two for Asia, four for Europe, four for Latin America and Caribbean area and eight members from North America. We have seven females and 13 males in our group; more or less balanced in the regions.

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So about transparency and accountability, we have timely posted new flyers, information to candidates, new expressions of interest was also designed. We also posted skill set requirements from all we got from AC and SOs, and specifically also the Board advice on the skill sets they want too for the Board. Guidelines for transparency – the ATRT were approved finally. In June we started in the other share, it was [Alan's shares] in that time and we started that and we finalized this year. So the full guidelines were approved in June.

NomCom also established new internal procedures, guidelines and code of conduct. And this is just to show what was posted since the beginning, since we started in December. Our timeline that we have been updated to today. And again continuing, we have also news information for candidates because there was a new issue related to compensation for Directors for ICANN potential members that they need to know; new conflict of interest also related to the members of the Board. This is all information to the candidates.

So we also posted new recommendations that this group believes that was necessary to improve NomCom, so a lot of recommendations on etiquette issues, on procedures like work procedures and process and also logistic issues. And finally, because there was so many complaints in the past years about more personal consideration with the candidates, so I sent personally one email for each selected or not selected candidates just thank them or giving them more information about the issues they need to do.

And ask them if they want, for the not selected ones, if they want to apply again, be considered to apply again for the next year. So it was



about transparency and accountability and here are some statistics. We had this year 73 candidates; 59 men and 14 women. Considering regions we have a very small, very little members from Africa this year. And of course from Latin America we should have more because due to the Bylaws we had this vacation in position in the Board with the end of the term of Gonzalo; the only one from the region.

It would be mandatory for us to get another member from that region. So we got 33% of the candidates from that region. But what is important here is also to remember that we needed some more effort to recruit more people, qualified people from Africa. They need to apply and to be aware about the opportunity they have.

So this is just candidates options. Candidates can opt for more than one position, so it's the distribution of the options the candidates made. And you can see that because this was only ALAC positions for Europe and North America, so you have very little information about ALAC. What is important to see here is that ALAC, we have only five applicants from Europe to apply for the ALAC. So it's very little. We are in luck because we had very qualified candidates. But anyway the pool is a little small if you don't have enough qualified it will be difficult to choose among them.

There is also allowed to in the invitation for Europeans to when it's possible into 2014 to apply, to think about themselves applying to ALAC. So comparing 2011 with 2012 candidates, of course we have much more for ALAC because it was three regions against two regions. The three regions was more developing countries than developed in 2012.



Board member was an increase of interest and we can consider that for many aspects.

But I do believe that the vacancy of this position for Latin America made a difference. And the ccNSO, mostly the same; GNSO last year, even though we had two positions for that and just one in 2012, but it is almost the same. What was really different was the growing of Board interest because we have three positions and because of this issue from Latin America.

So, those are the selected candidates – George Sadowsky from North America, Gonzalo Navarro for Latin America and Olga Madruga-Forti from Latin America Caribbean area too. For ALAC, Alan Greenberg and Jean-Jacques Subrenat from North America and Europe and Jennifer Wolfe from North America and ccNSO, Mary Wong from Asia Pacific area.

So in our final results we had considering the regions as other regions, and women. We have a more effective results from the pool from women because we had at the time 14 women and we could select three. So it's a pool of very qualified women what was interesting to notice. And there is people from all regions but Africa. That was what I would like to raise here to ensure that next year we pay attention more, attract more candidates from Africa and maybe be able to select one of those good candidates from that region.

So this is what ATRT has demanded, just collect all recommendations from the Board, from the ACs and the SOs. And once you select people you should compare with this references and try to make the matches, explain why you match or not match this or that. So this is what we



used for that, we used two different things – internal analysis for each candidate during the process and also for the Board members we also get the detailed information from the profile from the contracted company for human resources in these Board levels and high leadership position levels.

I had the opportunity beforehand in February this year to have a personal meeting with those people from that company to show them our requirements and to make sure that they will have time to make correct questions and give us correct answers to try and help us to finalize when we selected the candidates to have very clear if we have match or not that matrix. So over there when it is “excellent” it means that it fulfills all the requirements based on all the slate of three candidates of the Board.

And when there is “well qualified” it means that at least two of them are in the high standard of that and maybe one of those in this slate is less qualified than the others, comparing one to the other. And when we have only “qualified” it’s because two in the slate could be we don’t have in this show here is time availability is relevant, so then some people, just one person is retired. So reach the all the time available.

So two others have time available but they have also they’re own professional issues to deal with. So that’s the balance there. So we did this for all candidates that we selected, those are from ALAC – comparing the demands that we received from ALAC and matching with the candidate we have selected for that. And the gender balance with just put qualified there with an asterisk, because of course they asked



us for a gender balance and we only could get two men. And for that I put the asterisk on this qualified.

But they were the beset guys in the pool, so we could not make different from that. But it's the explanation as ATRT has demanded is that. And in the report is also explained why each one of those criteria. So for the GNSO we did the same, and for ccNSO also. So all the matrix matching are there and they are published and they are for anyone to reach and make any comments and analysis and that.

So, we also made specific recommendations – general rules of participation; ethics; NomCom work and its selection process and logistics to be used for 2013 committee. And it was published some time ago to, it's also in the report. And to finalize I would like to welcome the new NomCom and give the floor to the new Chair from tomorrow – tomorrow now, it's Friday – from Friday. It looks like I'm a little eager to go out of this position, but anyway. Welcome the Chair, the Chair Elect and Associate Chair.

So that is for my personal time all the things that I would like to show in this report, but I will be able to answer any questions after the words that the new Chair will address to us. Thank you Yrjo.

YRJO LANSIPURO:

Thank you Vanda. Yrjo Lansipuro for the transcript record, if there is a record. As Vanda said, I'm the Chair from Friday on so that I don't have too much to say at this point yet. We are going to have the usual kick start meeting, of course getting acquainted with each other; it's not so difficult this time because actually there is a big overlap between the



two committees. We have 11 people who are sort of carried over from the committee of the previous year.

We're going to look at the rules of procedure of NomCom, whether and how they could be amended and revised in light of the recommendations handed us from the NomCom 2012 and which are public of course. They are included in the final report that Vanda just gave, and I think they can be found on the web somewhere. We are going to talk about the timetable of our work, which this time will be challenging or at least it has to be different from what it was in 2012 because as you know the ICANN meetings next year will be pretty late.

I believe that there's never been a Spring meeting as late as the Beijing meeting will be. And that has an impact on our timetables in that we normally use the Spring meeting as the final effort in our outreach and recruitment. We are going to discuss how we fit this in this year, or 2013's timetable. I think that that's (inaudible) a great opportunity to use for recruitment and outreach if we can sort of postpone the whole timetable so that the application deadline will be only after.

Here you see the open positions for the 2013 – three Board members, two GNSO, three ALAC from Africa, Asia Pacific, Latin America and Caribbean and one ccNSO position. We're certainly looking for good candidates. I've been saying at every meeting with the SOs and ACs we have had here that I hope that everybody thinks of their acquaintances and contacts who they think would make great ICANN Directors or members of the Councils or ALAC and just urge them to apply and to send the applications to these addresses.



We'll be as transparent and open as possible. There's of course one exception, and that is an absolute exception, and that is to say the candidates, their privacy has to be respected. But anything else I don't see any reason why we should keep our procedures, our timetables, our meeting dates and so on and so forth. Actually there has been an improvement already until now, and I'm looking forward to continuing that development. Thank you.

VANDA SCARTEZINI:

Let's present also the Chair Elect please, Cheryl.

CHERYL LANGDON-ORR:

Thank you Vanda. Just by way of introduction so you can put the face to the name, although I'm speaking predominately to the committee, but we need to put the face to the name anyway, for the transcript record my name is Cheryl Langdon-Orr and I'm having the honor of serving as Chair Elect throughout 2013. But the expectation therefore will be that I will be your Chair in 2014, and I look forward to continuing on with the necessary but also appropriate changes that NomCom has to go through.

Having served with the Accountability, Transparency and Review Team, when I was honored in that position of going around to listen to all parts of the ICANN community, we heard more about NomCom than almost any other part of ICANN. It took huge amount of our bandwidth listening to each and every component part of ICANN telling us what they thought did or did not happen, any may or may not be an issue.

And we were aware and obviously the NomCom under Adam's Chairing back then and since have done a great deal to improve this black box called the Nominating Committee, which actually appoints people, that always gets my goat. And of course you're going to see that that's going to continue under Yrjo, but one can expect will also continue with me. Thank you.

VANDA SCARTEZINI: Adam please.

ADAM PEAKE: Thank you Vanda, Adam Peake. And thank you very much Yrjo for asking me to be your Associate Chair, it's a pleasure and I'm looking forward to coming back to the Nominating Committee again, I think, I don't know. The role of the Associate Chair is general sort of dogs body and helper, so I'll do my best to help. Thank you.

VANDA SCARTEZINI: So we are ahead for any questions if someone wants to.

KIEREN MCCARTHY: I would love to say my name, it is Kieren McCarthy. I'd like to talk to this huge PA system too. So I want you to encourage you to look at yourselves, which I don't think you are doing. I know you think you're doing it, I don't think you are doing it properly. And I think this room is a microcosm of the problem. Who are we actually talking to at the moment? We've just had 25 minutes of slides and introductions. I



don't think there's anyone apart from me that isn't on the committee this year or last year.

Is there anyone in this room that isn't – well you're Vanda's husband. I'm not sure that counts George. But are you on the committee?

[background conversation]

KIEREN MCCARTHY:

So there's one other person apart from me? Olof... Olof, staff support, I think that doesn't count. John was on last year, were you on last year? Oh, John wasn't on at all? So there's three of us. Who are we talking to? Who are you talking to, yourselves? And you've just done a presentation about what a great job you've done. This is unfortunately is the problem. You're not open, you're not transparent and you're not accountable. You're not.

And I can say this in this room, and I'm going to be quite candid in this room and I don't want to do it outside this room because there's no need for it. I don't need to get up in the public forum and embarrass you all, but you're not doing what you say you're doing. You're not as accountable, so let's not pretend. Rob resigned here – in fact he's not even up on "resigned" on the Board, and there's two other people that resigned on the Board and I don't see any resignation statements. Why not?

This is a NomCom that selects half the Board. This is hugely important. And you select key posts in ICANN. Two people resigned. I've asked



both Maria and Lyman why and they won't tell me. they said "I can't tell you Kieren." That's crazy. If you resign you should be able to put in a statement. Now everyone knows that Rob resigned and everyone knows that I asked him why...

VANDA SCARTEZINI: First of all...

ROB HOGGARTH: I didn't actually resign Kieren if I could just clarify that. I informed the Board I would not stand for Chair for next year. So technically – I know I'm nitpicking here, but I want to...that's why I'm here today is because I'm still a member of the NomCom and...

KIEREN MCCARTHY: This is silly semantics

ROB HOGGARTH: It is.

KIEREN MCCARTHY: I said "Rob did you resign" and you said "yes I resigned."

ROB HOGGARTH: I informed the Board I would not run for next year. I'm still a member of this NomCom.



KIEREN MCCARTHY: I get it, but this is semantics. Who are we talking to? We're having a conversation here. No one is listening to this apart from us. No one is listening to this apart from us. How can I make these various points? I don't need to finish. You've just...

OLOF NORDLING: Kieren we've got one remote participant just to correct you.

KIEREN MCCARTHY: Is that right? It's probably someone who I said "you should come to this meeting." I don't need to finish, we're not in a rush. You just chewed up 25 minutes. Everyone has seen these slides, everyone knows who you are. Why do I need to be rushed just because you don't like what I'm hearing? You should be.

VANDA SCARTEZINI: It's not about not like or not like. He raised a hand and I said he needs to finish.

[background conversation]

KIEREN MCCARTHY: So Rob gave a whole series of quite serious – I'm not going to say allegations that's sort of a silly word really – but it was like "I don't think the NomCom is working very well and he gave us specific reasons why he didn't think it was working very well. And other people asked you about this and you've all refused to talk about it. Vanda you said "well



it's not for us to talk about because we're volunteers," and you call it gossip. I mean that's ridiculous.

And Yrjo said "well I'm not the Chair yet, I'm only the Chair Elect so obviously I can't talk about it" – that's a ridiculous argument. And "I've signed a confidentiality agreement" is also a ridiculous argument. You can't talk to the new committee about what happened at the old committee. Well yes you can, especially when 11 of the 20 of them are exactly the same people. This is really, really silly.

Rob felt the need to talk to me, knowing what would happen and this would go public and it would create a row, and he felt the need to do it because I don't think he thought that you would listen otherwise. And I think you're showing that you're not listening. He made some quite serious points. He said that people are using the committee for free travel. Have a look at that. That's pretty serious. If people are just using the committee to get to ICANN meetings rather than doing their job, that's pretty serious.

He said that they were ignoring – you as collectively ended up ignoring Board advice. What's the whole point – I mean we went through this whole process and the NomCom went back and forth, back and forth with things like "why doesn't the Board give us formal advice" and the Board originally said "well we can't do that," and then they said "well actually yes we can" and so they do it. And then basically it gets to the point where Rob was saying, and he was in the room, "I don't think you ended up in the position where you actually listened to them." That's a big, big problem. These are big problems.



And I urge you to actually look at yourselves. To actually ask these questions and say “have we got it right?” To actually look at the people you have on the committee – are you able to get the people that you want; are you actually able to do it? I’m not sure you are. I’m not sure you’ve got all the connections to reach out to get the people that you know that you want. I’m not sure you’ve got the right people. Have a look at yourselves. And if you said “you know what, we don’t have it” then just fix it.

We’re all here to make ICANN work better, not some big silly power plays. I know everyone is here to make ICANN work better. So anyway, have I got any other points? I’ve got loads and loads of other points. But that’s my basic thing – transparency and accountability. Accountability you failed. People asked you questions and you said “I’m not answering these important allegations” – you failed. Transparency you’ve published – we had some and we met them all, and they was all well qualified or excellent. That’s not accountability. That’s just yes we did a great job.

There’s no real depth to it, no real value to it. You’re just saying yes we did great. What else? Oh transparency issues – so you can have open meetings. You can do it. You can structure it so you don’t talk about the candidates and that’s a closed meeting and no one is going to argue with you. I’m not even going to argue with you and I’m an accountability freak as you know. I don’t want to know what you’re discussing about particular candidates for these jobs, no one should. That’s your job. Everything else you should be open about it. You should discuss “well have we got this; do we do this; do we agree with what the Board advice is.”



Well if you're a smart bunch of people and that's your job to decide whether you agree or disagree have that in the open, why not. What are you going to lose by doing that? You'll gain a lot by doing that. And meeting times and dates – have it open. There's a tone of things you can actually do if you are actually committed to be transparent and accountable. That's my rant over with.

STEPHANE VAN GELDER:

Thanks, this is Stephane Van Gelder. Kieren I think as usual you make some excellent points and unfortunately you slipped some inaccuracies in the points which means that we just remember the inaccuracies and lose sight of those excellent points that you're making. So you started off by saying "who are we talking to"; as you well know Kieren, better than probably most of us in this room, ICANN meetings are structured not to – I mean you don't gauge the success of an ICANN meeting by the number of people in the room.

This is being transcribed. We've got one person remote participation. There are three, four other meetings going on that's why maybe there are not as many people in this room as we would like. But I don't think that's a measure of success or failure. Now, can I just – you've had 20 minutes, so if I could just finish.

KIEREN MCCARTHY:

That wasn't – I get – you've misunderstood. That's wasn't my point. I actually think it's good that there aren't a lot of people here. I think we should say "oh well it's us again, let's have a conversation," rather than this sort of pretense of going through a slide deck that everyone has



already seen. That was my point. I think this is good that it's this group here and I don't think it will ever get much bigger.

STEPHANE VAN GELDER: And then you proceeded to misquote Rob's resignation. There was misquoting in the article. These things, I mean you're urging us – I would urge you to look at those things carefully. And we've had these conversations, you and I, just make sure. You are making some excellent points. Continue being a thorn in everybody's side, that's great. I agree that the points made need to be looked at. I'm incoming on the 2013 Nominating Committee so I haven't signed anything yet. I don't know if I'll have to sign something, I suppose I will, but so far my speech is free and I'm able to say what I want.

I don't know anything about the process for 2013, but I have looked at the Nominating Committee, the format of the committee causes me to question it. The way it works I don't know yet, but I understand that it's very private in the way it works. Those things are things that I hope the new committee will look at. But one of the things I would urge you to do, beyond making those points and continuing to make those points, is just give the leadership that's incoming a chance.

We've got Cheryl who everyone knows is motivated to get things done and I'm sure she will be helping us to do that. We've got Yrjo who has just come in as Chair; he's starting in two days time. So we can't prejudge what he's going to do. Adam has already Chaired this committee, and I'm sure if there were mistakes made in the past he will be willing and looking to learn from them. I can assure you that as a



2013 committee member, personally, I will be pushing this committee to look at itself, which were your words.

VANDA SCARTEZINI: Rob?

ROB HOGGARTH: Thank you. You know Kieren I'm also coming on for the first time and you know I've been in ICANN for about 13 or 14 years, so I understand ICANN and all of its warts and all of its problems. I also understand the importance of all of us manning the ramparts to keep ICANN out of the hands of governments. So the NomCom part is something that I stood at the microphone for years and said "abolish it, we shouldn't have it. We're independent thinkers, all of us are independent thinkers," but the more I delve into it, the more I read the background documentation the more I start to understand we don't have an electorate for ICANN.

So this is the next best thing. So as a result we have to, as a NomCom be a much more responsible body and build the credibility of the organization. So I just kind of wanted to throw that out there as a preface, but the point I wanted to respond to, which you made very strongly was "there's no one in the room." I made a point of going around with the past Chair, the coming up Chair, the Chair Elect, the Assistant Chair, I was even called an assistant to the assistant to the assistant Chair by one...

In any case we went to the NPOC, the registrars, the NCUC, ALAC, ISCP, BC, registries, ccNSO, we talked to the community. I mean virtually everybody in the community that would be interested to know what



we're doing, we went to them. So I just wanted to put that on the table as a counterpoint that yes there's nobody in the room, probably because they've already seen us in presentations in their rooms. But at the end of the day I would hope that as time goes by there would be more interest in coming and hearing more detail rather than just seeing a regurgitation of slides, and maybe that's something we can work towards. So I just wanted to bring that up. Thank you.

VANDA SCARTEZINI:

Yeah, just to compliment that, that's obviously the reason nobody comes to this meeting, but it's a part of our process to go out and give some clear information for anyone that may be interested in listening outside. So we just passed for all the AC and SOs so they don't need to come here and make the same questions. So, about the way to do things, first of all, that is the first time that the ATRT is starting looking and inside the committee we start to discuss about how to be transparent, how to be accountable.

And I do believe that no one deserves, in this committee, or even in this organization, the words you put on that block. So it's all the transparency is a process. And we started to put the timeline, everything that we have done over there, the process, the time the meetings, everything. Certainly there is a lot of room for enhancement, but even that is really from my point of view, from my being in 19 and 2011 and I have seen a lot of issues that we haven't done in 2011 that we decide to do this time and that is much more open and everything was there – reports, information – that is a lot of things.



Again, sorry just one moment. Again, just say that we didn't follow the recommendations from the Board is also not quite true. The recommendations were there in the candidates that Rob and I didn't vote, but all the others decided that was candidates that fill in that positions. And they analyzed each procedure and each profile and each requisition to find out. It's not an easy job. And also to think that any of us here and the next one have no previous CEO position or be just junior is also something that do not add value.

The problem is, I'm with Stephane – when you say good things in many, many articles you have done and you have very good questions, but when you mix with the order bad issues without no sense or without checking it – as a journalist you need to check before you just publish. So it's something that loses credibility. That's what is bad because someone that can do good questions and make things right cannot use the same model to lose the opportunities to raise good points. And that's what you have done now, is mix up the good questions, the good points that everybody needs to make and mix up with other issues that are inaccurate that it's not related to.

So people will not really pay attention, that's the problem.

ROB HOGGARTH:

So I want to be clear, there's been a lot of discussions and Kieren I thank you for coming today but let me be perfectly clear – I think Kieren accurately captured my concerns and my sentiments on it. So I thank you Kieren for that. I don't think the portrayal of this being inaccurate and certainly in my sentiments and concerns is not correct.



CHERYL LANGDON-ORR:

Thanks for that Rob because I think what we need to do is recognize that for good or ill NomCom's are little lumps that happen in 12 month periods. And there's opportunity for review coming up in the not too distant future. Those of us who are motivated might want to make some comments, but the time to do that is actually in the review points. And I'd like to think that the Board Governance Committee may have the wisdom to bring some of those review points, at least for the Nominating Committee, a little earlier than the planned timeline.

That said, the 2013 NomCom starts Friday. As I said to you in the corridors, I think you should do a report card on us this time 12 months down the track. The 2014 one starts 12 months after that. And I'd like to see, and I definitely want to see, I desire deeply a real frank and fearless analysis of where we are now and where we are then. Because we're all, as you've said, on the same page in terms of the need for greater accountability and transparency. Let's stop looking backwards, clean slate which I think is something Yrjo is going to say again and again and again to his NomCom on Friday as they begin, the 11 of them in the room just have to do a mind wipe and come in fresh.

But give us a report card. This is an opportunity, and I believe from what I've seen, just as Stephane and the other new ones, Ron joining us, etc. – all we're seeing is a reasonable motivation to make those changes and take this opportunity.



MALE:

I'm with Stephane; I think you made a lot of good point. I don't see how you can blame the committee who showed up for the fact that no one else showed up. I mean that's kind of unfair. I gave my time to be here and no one showed up and you're telling me this is one of the most important issues; I would ask you well where the hell is everybody? If they're so upset and angered and think this needs to be done with where are the people to tell us that, other than you?

Now I understand that you probably reflect more than just an individual opinion and I respect that, and all your criticisms are valid – criticisms are things that people should take in and digest and decide whether they need to change things or that's just the nature of the beast and sometimes you have to have processes that people don't like. But the only – there were some inaccuracies thrown in, but I don't want to quibble over that. What I want to do is to move in a positive fashion forward and extract those criticisms that you have that you feel are valid and look at them and put them to the committee and make sure that if they are valid that we put in processes or we respond to them in a valid way.

But I don't think it's fair to say the NomCom is a failure because nobody is here to listen to you and then sort of act like that's our fault. Because I'm here, we're here, our employers and spouses and everyone else have allowed us to be here. And we're trying to reach out and do – that no one is here is not our fault. But I do hear what you have to say, I have read the article, and I do believe that knowing Cheryl and I have worked together on several working groups in the past, and I know that we will do the best to make sure that if this is an institution that is going



to go forward that we do the best to make sure that we handle that trust in a responsible mature way.

And one of those responsible and mature things you do when you're handling trust is to look at criticism that is given to you, and to react to that criticism and to make sure that if it's valid that actions are taken to eliminate that problem so that you can move forward in a positive fashion. So I thank you for bringing those to our attention, both through your blog and through your presence today and letting us know how passionate you feel about this.

And I hope that whatever action we take you know will demonstrate our sincerity for trying to respond to the criticisms that have been delivered by you, by Rob, and I'm sure by many others who will either pull us aside in the hallway or post blogs along the way that we are able to act in an adult and responsible manner.

SARA DEUTSCH:

Kieren I think you do a fantastic job reporting and keeping ICANN honest and I really appreciate that. And I think part of the problem with this story is that one person from the NomCom stepped out to tell you a story which cannot be rebutted by anyone else because of the confidentiality issues, so you have part of a story, but that's the problem. We can't say anything further. We will not breach our confidentiality. But that's the issue.

KIEREN MCCARTHY:

That is the issue. That is exactly the issue. I've approached nearly everyone on the NomCom. Now this is how journalism works – you do



an interview with someone, you write down what they say and you publish it. And that's how journalism works. It's not about writing a report and talking to everyone in the world and making sure it's 100% accurate. That is not journalism. Journalism is the Chair Elect – I say "Why are you no longer Chair Elect Rob?" I see it pops up Yrjo who I've known for years – and by the way, I respect all of you massively. I'm not having a go at you I'm just saying that this is broken.

Yrjo is the new Chair Elect. So I speak to Rob, "Rob are you no longer Chair Elect," "No." "Did you resign?" "Yes." "Why?" And then he told me a whole series of things and I thought "Oh my God," right. Well then this needs to be put out there. That's journalism. Now, the fact that I then went to everyone on the NomCom, probably shouldn't have said "what happened with this" – I know it's never accurate from one person's perspective, and everyone said "I can't tell you." That's ridiculous. I mean it's ridiculous.

And if you signed confidentiality contracts where you feel that you can't respond to that level of serious, serious accusation or dysfunctioning, those contracts are wrong. That should be the conversation we're having. Not, "oh Kieren I wish you hadn't written the story." It should be "why the hell did we sign something where we can't rebut serious allegations?" What the hell are you signing it for? That's ridiculous. Or break it – what's going to happen? ICANN is going to sue you for defending yourself? What's going to actually happen? Nothing at all.

Now again I'm getting a little bit miffed that these are my allegations and this is – they're not. They're your former Chair Elect's word for word. Now I have a recording of that telephone conversation – and by



the way under California law I had to ask his permission and he gave it – I have a recording of the telephone conversation, every word in that post is the word that your Chair Elect said. It's not my allegations it's your Chair Elect who was in the room, so soak it up.

He was yelling at you “you're not listening to me. I'm going to have to go public” and you're still not listening. You're still not listening. Timeline, process, enhancements, recommendations – none of you actually talked about what the issues were. None of you. There was lobbying on the NomCom for particular people and that's something that the NomCom shouldn't have to that level. There was. Or if you say there wasn't, have a discussion about it. There was a whole series and you're not actually talking about them.

Your Chair Elect said “I don't think the NomCom ended up following the Board's formal advice” – you haven't talked about that. You said “Well I think we did.” Well your Chair Elect thinks you didn't. Maybe you should have a conversation about that. He said that your outreach is poor and the NomCom's outreach is rubbish. I'm telling you that it's really bad. Every year I used to have – I upset George Sadowsky one year when he said “we're going to do great outreach this year” and I said “add in a economist and take flyers to the IETF.” And he said “well yes and other things.” “We'll take flyers to the IETF, anything else.” “No.”

And so you get 83 to 95 candidates every year of which 60% to 70% of people in the ICANN system – it's the same story again and again and again. So my criticism about this wasn't a criticism about this room. I was saying “why are we going through this weird formal process where



we're having a 25 minute presentation and everyone knows one and other"; that's what I was saying. Not you should have more people in the room. But you know what, you should have more people in the room and it is your fault.

You're the committee that is supposed to pull people in and get excited about ICANN and spend the next X number of years working themselves stupid on really difficult topics. And you say "oh it's not our fault no one turned up." It is your fault no one turned up; you're no good at it. And you need to find people that are better at it, and that's another of the problems and you're not going to talk about it. You should talk about it. "Are we any good at outreach?" Talk to yourselves. You'll find you're not any good at outreach, you'll find you're pretty rubbish at outreach and see if you can't find somebody that's better at it.

STEPHANE VAN GELDER: Thanks Kieren. Stephane Van Gelder again. I think actually it's you that's not listening. I think everyone in this room has told you the 2012 committee had issues, you've named them. The 2013 committee has said "we will listen and we will push to solve those issues," so I'm not sure what you're achieving now by just rerunning your rant. The points you're making, and I've said this before, others have told you as well so I don't think you're listening – I'm going to finish Kieren.

KIEREN MCCARTHY: What were the points?



STEPHANE VAN GELDER: The points you're making is [break in audio] the new process. So there's a new leadership once again, there are new committee members. I think a lot of what you said is right, or sounds right, or at least needs looking at. Let us, give us five minutes to look at it Kieren.

KIEREN MCCARTHY: My point, and then I'll stop – my point is if you can't even say the words in this room...

[background conversation]

KIEREN MCCARTHY: If you can't even say the words in this room I'm not absolutely wonderfully full of confidence. The words are what were the problems that were listed in very fine detail and you're not saying them. You had lobbying on this. People are using the committee for free travel. You haven't got the necessary skills. None of you are actually discussing this; you're just saying words around it. Why not? Yeah but there's no one here apart from people on the committee.

[background conversation]

KIEREN MCCARTHY: So you're transparent and accountable and you're going to have the discussion you assure me in a closed meeting when I don't know where it is and I don't know what you're talking about. You can't bring



yourself to say these are the issues we're going to discuss. That's my point. And you know I have enormous respect for the jobs you do. That's what's so frustrating about this. I know you all and I know the hard work you do and I know how brilliant you all are at it, this is what's so frustrating. Just talk about it. The world will not end.

CHERYL LANGDON-ORR: All we can say is watch this space and we'll try and clear the windows a little more.

[background conversation]

YRJO LANSIPURO: Okay Kieren, I understand your frustration. I used to be a journalist myself and every time a journalist actually hits a wall it's a cause for frustration. But I can also say that you said "this is journalism, you interview someone and you publish it and then you wait for reactions." And actually instead of one story you get two stories equally good. The other way to do journalism is really that you try to listen to everybody. You try to listen to everybody like they say (inaudible) and try to really investigate what was going on and try to publish.

But anyway, we are the first to regret that there aren't more warm bodies in this room, but in spite of the good publicity actually, in spite of the publicity that we did I was expecting this room would be packed. So I'm really sorry that your efforts didn't bear any fruit here. But actually it was mentioned, this is how ICANN works. The transcripts or the



recording of this meeting will be on there and will be available and so on and so forth.

I want to assure you that we take all input we have been getting. Including, as I've been repeating here at various meetings, even if we are hit on the head with a bottle we still open the bottle and try to see if perhaps there is a message inside that bottle. And we're certainly going to be looking for that message. And the openness, transparency all those things, I'm just asking you to be patient because I think that there are really opportunities to increase them. But let us start first. Thank you.

OLOF NORDLING:

No comments or questions from the remote participants, of which there were two at one point.

VANDA SCARTEZINI:

We have a listed all the other organizations in this group and certainly in ICANN, we read all the papers, but it's not new that the people don't come to ask things. And they ask a lot during the corridors or outdoors and the cafes, but normally in this meeting people don't show up. That is the second time that I came to this meeting and normally there is no one shows up. And I do believe that is for two things – one because first to come here we just passed for all ACs and SOs, so people have made all the questions they had wanted to.

So they have no need to come here. Second because the structure of ICANN is normally conflicted.



CHERYL LANGDON-ORR: Yeah I'm conflicted right now.

VANDA SCARTEZINI: Yeah everybody is. So it's conflicted and it's hard to put the NomCom in the top of the list when your business is running over there or your community is asking for you to do something else, so it's the reality. And they are even short, used to have until Friday and now it's shorter, no. And what I saw is it's shorter but it's starts early. So on Friday it's everything working here, last Friday. So anyway, but this is the reality of ICANN.

So anyway, we do believe that other information come out and the new committee [break in audio]. Yes? Ah, I was off mic...so thank you. And the NomCom is there and certainly it starts again on Friday. Thank you for all that spend your time here, thank you.

CHERYL LANGDON-ORR: And thank you Kieren, keep us honest.

[End of Transcript]

