Transcription ICANN Toronto Meeting

Non Commercial Users Constituency Meeting

Tuesday 16 October 2012 at 09:00 local time

Note: The following is the output of transcribing from an audio. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record.

Coordinator: Excuse me. It's the operator, and I just need to inform all participants that today's conference call is being recorded. If you have any objections, you may disconnect your line at this time. And you may begin.

David Cake: Thank you. All right, well, I thought we'd just start by everyone introducing themselves. I'll start. My name is David Cake. I'm the interim chair in that I am - was not elected by the constituency as chair but only stepped in when Constantinos had to step down so one of the Executive Committee had to step up. And this will be my last meeting as chair of NCUC - good - for the moment anyway. Who knows what my future might hold?

But I would like for everyone else to introduce themselves. Could we start with - probably just start at the end there and go around.

Roy Balleste: I am Roy Balleste, professor and library director of St. Thomas University, Miami, Florida.

(Wallace Ungandre): Good morning everyone. My name is (Wallace Ungandre). I come from Malawi. I work for the University of Malawi as assistant engineer (unintelligible).

(Monique Chartrand)   Bonjour, my name is (Monique Chartrand). I'm from Communautique, Montreal, Quebec. It's a community group that works on opening innovation with users.

Rafik Dammak: My name is Rafik Dammak. I am GNSO Council but this meeting group be my last time. And I am also in the Executive Committee for the Non-Commercial Stakeholder Group.

David Cake: And also our representative on NomCom Nominating Committee.

Rafik Dammak: Yes, starting on Thursday.

Robin Gross: My name is Robin Gross, and I'm with IP Justice in San Francisco, and I am also the chair of the Non-Commercial Stakeholder Group. Thank you.

Wendy Seltzer: Wendy Seltzer, and I'm one of the Non-Commercial Stakeholder representatives on the GNSO Council. And outside of ICANN, I work with the World Wide Web Consortium and the Chilling Effects Clearinghouse.

David Cake: I already introduced myself, but I'll fill in some more details. I'm also the chairman of Electronic Frontiers Australia, and I'm also a - one of our - I will be one of our GNSO Counselors as of Wednesday.

Wilson Abigaba: I'm Wilson Abigaba from Uganda. I'm the (unintelligible) but I also - I'm also the vice president of the ISOC Uganda Chapter, and I'm also just like GNSO NCSG.

Brenden Kuerbis: Hi, I'm Brenden Kuerbis. I'm with the Citizen Lab at University of Toronto and also Syracuse University, and I am on the NCUC Executive Committee.

Wolfgang Kleinwachter: My name is Wolfgang Kleinwachter, and I'm with University of Aarhus in Denmark. And I'm also a counselor for NCUC and the GNSO Council.

Milton Mueller: Hello, I'm Milton Mueller. I'm a professor at Syracuse University and one of the principals of the Internet Governance Project.

Flavio Wagner: Hi, good morning. My name is Flavio Wagner. I'm professor for computer science at University of Rio Grande do Sul in Brazil and also a member of the Board of the Brazil Internet Steering Committee.

David Cake: Okay, well, that's everyone in the room. Thank you all for introducing themselves. Do we have anyone online currently?

Man: David, we have two people online. I'm still sorting out the audio issues, but (Amir) and (Julia Charvolin) are online.

David Cake: Great. Okay, so that's - the introduction's done. Does anyone have anything they wish to add to the agenda? I'll just briefly go through the agenda. We're going to start with - we were going to start with talking about the charter and the elections. Bill has requested that we delay that until he gets here. So we'll start - we also have outreach - discussion of outreach strategies and our planned intersessional meeting.

The - then we're - and we're also planning for the Beijing meeting. I want to talk about how we now constituency travel allocations - want to very briefly talk about that. We will have a meeting with the NomCom chairs. That's the previous chair, chair and chair elect want to meet with us. They want to discuss specifically what sort of people we think should be selected for NomCom, any advice on - we can give them about selection. Actually NomCom - we might also want to talk a bit about how we feel NomCom is going, give them some feedback.

We'd hoped to meet with (Sally Costerton). I haven't heard back from her. We may yet, but we probably won't.

Strategy - strategic planning and a draft - then we're going to talk about strategic planning for the constituency. Rafik and Bill in particular have put together a draft strategic plan for the constituency, and we have some policy issues to discuss. In particular, the risen-from-the-dead Global Protected Marks List, now called HARM, high at-risk marks. If there's anything we need to talk to about the RAA, that we'd probably cover that in the policy meeting. Any other policy issues anyone wants to discuss.

With the policy issue, I want to make it clear, the detailed policy discussion was held in the policy meeting earlier in the week. We also will be discussing some of these issues in NCSG. So rather than discuss them at length again, specifically we want to go through is there any action we want to make as a constituency on these issues that we need to discuss. So we're talking about - rather than going through the policy issues in great detail, we'll all be looking at what we can actually do as a constituency on these issues.

Right, that's the - talking about the agenda. I just - a couple of people wanted in. Could you just introduce yourself to the room?

Man: ((Foreign Language Spoken)) and (CGBR) for in Brazil.

(Marcel):   (Marcel) (unintelligible) from (CGBR).

Man: Thank you.

David Cake: Okay, we're discussing about - we don't - it's at (Dooms) requested that we hold off charter and elections for the moment. So we'll move onto discussion of particularly - I think we'll move onto discussion of outreach strategies. What can we do to improve the - get more people into NCUC basically, particularly to highlight why NC - how we differentiate ourselves from our fellow constituency in the stakeholder group and what we're going to do to get more people involved. Does anyone want to speak to that issue? Wendy?

Wendy Seltzer: Well, that ties - seeing our Brazilian colleagues, I first wanted to thank you very much for your support of our conference on Friday. I think that's an important way that we can do outreach to the broader community, both those who are already participating in ICANN and those outside of ICANN who see that we are focusing on substantive issues, putting together a program that really gets into questions of the policy debate that happens at ICANN. And then as we create a record from that, that's something that people can refer to and see an opportunity to participate in the process.

So I like the idea that I've heard in discussion a bit that we might make that a recurring event so that people come to expect that an ICANN meeting will start with an NCUC conference to introduce hot topics and themes for the meeting to come.

Man: Right, I totally agree with you that we should have this event regularly with the greats and thank you, but I - which is our obligation to support initiatives like that.

Man: I can also only support what Wendy has said. I arrived late on Friday, so I couldn't have joined the meeting. But the feedback I got from various sources was overwhelming. And (unintelligible) thought it was a big thing and also the new COO enjoyed it very much being there. And so far the whole ICANN has no strategy, you know, how to link its meeting to the local community, know what it means.

In previous years when (Serf) was still the chair, (Wen) always was invited to go to its university and to give a lecture there. But this was the only outreach strategy the - really the ICANN had. So it's like (unintelligible) flying around the globe, landing, going away, there's no effect on the ground.

So but to have such a symposium at the beginning of each ICANN meeting is a great opportunity to do outreach to the local community, and this would also strengthen the profile of our own constituency and would enable us, you

know, to pull over other, you know, members of other constituencies in ICANN into our process, so that we do not knock at the door and ask whether we can come in, but, you know, we pull them into the process, you know, we, more or less - we would define the agenda and say, you know, what is needed to discuss.

And so for my practical proposal is that we establish here a small committee, which would start immediately to begin planning for Beijing and (unintelligible), two next conferences. And it's always good to have a local, you know, co-sponsor or a co-organizer and I think it would be certainly not a problem after all the discussions I had the last two days to find a strong Chinese partner and to find a strong partner in South Africa.

So I think this - but you need a small committee so that the work, you know, has to be started early (unintelligible), you know, a lot of work, and at the end of the day, become very close (unintelligible) and we can avoid this by starting early. Thank you.

Sun Xian: Yes, this Sun Xian. The - regarding indication about this constituency, in the fellowship meetings many constituents (unintelligible) talk about (unintelligible) constituencies (unintelligible) many (unintelligible) in the fellowship meeting (unintelligible) on to join them. But for this one, I think there is limited effort on (unintelligible) all people like the (unintelligible) not much about it. So even - but (unintelligible) the fellowship meetings (unintelligible) in other places (unintelligible) about but actually this constituency even what - why they should be here.

David Cake: I think that - yes, we seem to have general agreement that the NCUC policy conferences the day before have done an excellent job and, of course, many thanks to Robin who did the lion's share of the organizing on that and did an excellent job. The real - the question that has been - I've said - brought up in the last couple of days is, do we want to do it - within the past it's been - I

guess it's been about once a year. And some people have been saying we should try to be doing it every meeting.

So I'd just like to get a feel for the room. Do we want to - do we feel that doing it every meeting or at least most meetings is achievable, practical and desirable or do we want to keep going as we are for now? Who thinks that we should be doing - at every meeting from now on essentially? Just get a show of hands there. Who thinks we should aim to do it every meeting if we can? Who thinks we should stick with once a year or so?

All right, so we all seem to think it's a good idea to aim for every meeting, which means that we are - I think that means we are going to try and do something for Beijing. Is that the - is there anyone who thinks we should be trying to do something for Beijing?

Man: Yes, I was telling Wolfgang there - among the academics, which is really where we need to focus in China, because there isn't really a - there is no (unintelligible) civil society in China. Let's put it that bluntly. But there are academics who do research about communication policy, media policy and Internet. And in my interactions with them, I've heard them all tell me that, you know, please come to China and explain what's going on with this. We would love to hear about it.

And so the Beijing case I think is one we just have to do regardless of whether we do them for every meeting. And I think the hallmark of our policy conferences has been that we have given careful thought to the key issues that are really salient to our constituency and to Internet governance as a whole.

So one thing to be careful of in getting more institutionalized is that we don't start diluting the program and turning it into these kinds of things that the normal ICANN meeting does where you have people on the panel because they want to be on the panel and not because they have something really to

say. And you make all these political appointments onto these panels and have all kinds of people represented simply because, "Oh, we've got to have an ALAC person, and we've got to have this person."

Now obviously there's some kind of calculations like that that have to go on, but - to get different points of view, but we think the reason people like our conferences is precisely because they are substantive. So we really have to make sure they stay substantive.

David Cake: And Rafik?

Rafik Dammak: Okay.

Man: (Unintelligible).

Rafik Dammak: So we (unintelligible) correctly we think outreach through the event which is - we link it to the ICANN meetings, but we need to think between ICANN meetings how we can outreach - how our existing commander can do this in their - locally in their community and (unintelligible) more people and also what kind of message we can use to explain to prospective member why they should join NCUC.

So it's not just about outreach but also then about the engagement of our existing members of outreach and in-reach and also to think how - what kind of message - how we connect it, why you should join NCUC. We have a new (unintelligible) people of serving, but you are doing so, how we can convince them to join us.

David Cake: Yes, well said. Just before we move to the next person in the queue, Maria, can I just get you to introduce yourself to the room?

Maria Farrell: Hi, sorry for being a bit late. My name is Maria Farrell, and I am NCUC member. I am with the open - on the board of directors of the Open Rights

Group in the U.K. And I am an incoming GNSO Council member as well as Wednesday for the Europe region.

David Cake: Next is (Carlos).

(Carlos): I think you are right in thinking that we probably should think of this event regularly but once a year for one - at least one very practical reason, the funding. And the other thing is that this - they are volunteers. Staff goes crazy during the few months before the events to (unintelligible) is thinking that it has - they have to do this three times a year would be really hard.

But I think that Beijing would be a good possibility. Regarding (CGBR), we have a full six months to discuss it. So I think it would be viable.

David Cake: Wendy.

Wendy Seltzer: Thanks. Yes, plus one to (Carlos) and Milton on the (unintelligible). The problems that we would encounter institutionalizing too much that I think what's been great about these conferences so far is that they've been adaptive to the issues and the situations. They do take a lot of work and a lot of energy, and so - and I - while I didn't raise my hand in either camp, I think I would follow (unintelligible) (B), the once a year for a conference.

Let's think about other things that we can do similarly to harness that energy at different times of year. And I'm particularly interested to see what we can do with the video and other things that we've captured out of this conference to use to continue the discussion, because I think what we do quite well and often in distinction to some of the other groups claiming a non-commercial banner, is that we organize around issues.

And so we can point to our discussions as reasons to get involved. If you care about the law enforcement or the security or the international relations concerns, come join us and help move that discussion forward.

David Cake: Thank you, Wendy. Brenden?

Brenden Kuerbis: Thanks, David. So yes, just picking up on Milton's comments and Wendy's comments, I completely agree that a lot of the panels at ICANN meetings are driven by kind of political agendas. But I think yes, we gain a lot of value by framing our panels and our events as having diversity of opinions and interests on each of the panels. I think that really strengthens our conference and makes it so appealing to such a wide variety of people, so maybe if we frame it that way.

And then kind of following up on that, I just wanted to note that I did have a discussion with Dave Piscitello at ICANN, and he - who - actually he reached out to law enforcement trying to get some people for our panel. But it was too late in the day to get anyone here. However, he did say that if we contact him with a little more time that they would definitely support bringing law enforcement.

He mentioned that they often have tight budgets, but he said that they would be willing to support and fund, you know, an additional overnight stay to bring someone in early. So that's - would be helpful obviously. Thanks.

David Cake: Rafik?

Rafik Dammak: So responding to the comment from (Carlos), I think maybe we don't need an event for every ICANN meeting, but for next year we need for - really for Beijing and South Africa, because the two first event were held in North America. So we need really to do event in developing country. That's really different, and it can - we can bring more people and we can cover different topics.

David Cake: Robin?

Robin Gross: Thank you. Yes, I actually want to support what Rafik just said about wanting to do this in developing countries. And it was great our first couple of times for doing it in the U.S. and Canada, but yes, let's really take this show on the road and go into developing countries and outreach to those people.

And I really appreciate all the support and thanks that I've heard this morning, but really this was a team effort. It was Brenden and Milton and Rafik and the Brazilians and really everyone in here played a part in putting that together. So it really was a team effort.

And I agree with Wolfgang that what we should do is set up a committee to just sort of keep the work going. We don't stop now. We just keep going and preparing for Beijing. And frankly I don't think we have to decide right now if we want to do this every meeting or, you know, once a year. I don't think we need to decide that.

I think with this point, let's say let's do it in Beijing and see how that goes and figure out what we can do in Durban as well, maybe something a little bit different, maybe something at the next meeting, I don't know. But I don't think we have to decide that quite that level at this point.

And I think we're going to get more support from ICANN for these events going forward. One of the problems - the biggest problem that we had in terms of planning this one - and it was a learning experience - was that the ICANN budget gets approved at the end of June, and our budget request was in there. And so we only had just three months or so from the time the request got approved to actually implementing that - actually putting on the conference. And so, you know, the board voted on in the end of June, but staff didn't wrap their minds around it until about four weeks ago.

And, you know, so it took a long time getting commitments from staff to - on the venue and on the date and, you know, all of these sort of details. And a lot of that had to do with frankly just the timing, because it all happened so

fast. But we're talking about now something that's six months away. We can start planning now.

And Glen DeSaintgery came up to me after our meeting and said - asked if we were going to do it in Beijing again, because she heard good things about it. And I said, I don't know Beijing or Durban, but one or the other. And she said to let her know this week which day, because they will block off the room and - on that particular date and give it to us now. So we can begin to prepare and plan now for that.

So I think we could get more support from ICANN. We've sort of shown them that we can put on a good event that brings in more participants and helps strengthen the multi-stakeholder model, which is frankly what ICANN wants as well. So we can work with them on a more partnership basis with that.

The one issue I wanted to raise and maybe we could talk a little bit about is do we want to continue to do it on the Friday before? You know, a lot of people were saying, "Well, then we have to take some time off during the previous week in order to get there on Friday, and then we're taking time off on two different weeks. And it's harder to do that."

Maybe you want to do it the Friday after the meeting ends where they used to have the board meeting. And that's a possibility as well, because then people won't have to take off time from two work weeks. But the downfall to that possibility is everyone's brain is fried by the end of the ICANN week, and, you know, they want to go sightseeing on Friday. They don't want to stick around for another policy conference.

So, you know, I just wanted to raise the issue of maybe we should think about or at least explore a little bit further what's the right timing for that to hold that conference. So thank you.

David Cake: Thank you, Robin. First I'd like to - just before Wolfgang speaks, I'd like to ask those who have entered the room since - just introduce yourself to the room, starting with (Magalie).

(Magalie Bazell): My name is (Magalie Bazell). I'm from Brazil. I just was elected to the GNSO Council as an NCSG representative. And I don't know what more to introduce myself. I think it's...

Man: (Unintelligible).

Man: I'm with US-Ignite.org.

David Cake: Okay, Wolfgang, and then I'll put myself in the queue after Wolfgang. Okay.

Wolfgang Kleinulachter: I think (unintelligible) the window of opportunity for such an event, because when (unintelligible) said, it's a new (unintelligible) now. And if it goes through the various points he has voiced in his opening speech, then this fits nearly (unintelligible) into, you know, his strategy.

(Unintelligible) reduce the opportunity that (Telly) will come later and just, you know, to confront her with our proposal and to say, "Okay, this will be an independent NCUC event but it will be linked to ICANN." And we need the support from ICANN. So that means if it's what Robin has said in the program and in the budget, then it's much more easier, because then you have not to deal with all this difficult issues to find the venue and, you know, to get coffee or all this, so - because you can't use the existing infrastructure.

And this is a little bit similar what we are doing with (Gegernet) at the (IGF). So I think the beauty of the constellation is that a (Gegernet) meeting is on the eve of the (IGF), so it does not conflict with the main sessions in the (IGF). But it uses the infrastructure as it was done from the very early (IGF) in essence that we've said, "Okay, we will get the room and the other infrastructure, let's say, for nothing. It's part of the package."

It was with the help of (Marcus Cumar), and it's now a tradition nobody can pull back. And - but it's independent, so that means the - neither (Demark) nor another institution did influence the content of the (Gegernet) meetings. And we have now the seventh (Gegernet) meeting in (Baku). And probably, you know, our NCUC workshop could become something like the (Gegernet) on the eve of the (IGF) (unintelligible) would also (unintelligible) to have it on the Friday after the ICANN meeting. This is a better idea, because everybody is tired.

But to have it as an opening, you get a lot of attraction, because people want to get orientation, what's going on at this meeting and insofar I think the Friday is a very good day.

And I - and addition a comment to Rafik, because he said we cannot concentrate our outreach activities only on this event, and I also agree and I think it's certainly the responsibility of all NCUC members to do their homework in their local environment and to, you know, (unintelligible) to bring also new members.

But another opportunity so far missed is that we use other conferences, because, you know, this group of people is going to many other meetings and just, you know, to let's think about how we can make use of, for instance, the (IGF) or regional (IGFs) or national (IGFs), you know, to introduce and to use it as a unit, you know, to make it known and to use these events to look for additional supporters, friends and colleagues.

David Cake: Thank you. I'd just like to say myself I think (unintelligible) it's clear that we don't need to - we - it's true, we don't need to decide whether we're going to do it on an ongoing basis and then we definitely need to decide whether or not we're going to do it for Beijing quite soon, in that we want to appear on the schedule. And we want staff to know that it's coming a long time in

advance, and as Robin says, we can expect to have a fair bit of ICANN support if we do that, if we let them know well ahead of time what's going on.

So I would like us to essentially decide at this meeting at least if we're going to, you know, at least just get a committee together who is people who are going to work on that, and I agree with Robin that Friday is perhaps not the best. And I've - actually I mean ICANN events have started leaking into the Friday already, and I expect that will - I mean I had a Friday meeting in Prague, and I expect that will happen a little bit more. I think we're all finding this meeting, it was just a bit too packed. So I would not be surprised for ICANN to start - you know, more meetings to start popping up on Friday.

(Unintelligible).

Man: Yes, everything is creeping earlier. Have you noticed that, you know, the Friday board meeting moved to Thursday? So, you know, moving everything back in the week for some reason. I don't quite understand all of that myself.

Beijing is an interesting opportunity, because we might do something in conjunction with CONAC, which I believe is the nonprofits, non-commercial organization supporting the Internet in China. So maybe something that was co-organized, if I'm correct about that, would be useful.

David Cake: I'd like to finish up on this topic pretty quickly. So I'm just going to call for last comments from anyone. Brenden?

Brenden Kuerbis: Three quick things, first, Tobias Mahler has joined us. He's a postdoc at the Faculty of Law, University of Oslo. And then quickly about the policy conference, I agree that it would be better to have it at the beginning of ICANN. I think having at the end is not a good idea.

And then I would think maybe we could defer some of this conversation to our conversation - to our later conversations about the charter, because of maybe

we might want to think about a functional role, a conference chair role that would be in NCUC or perhaps even a standing committee that would - if - depending on how frequently we organize these events.

David Cake: Thanks. Do we have any other final comments on this item? Okay, so I think the sense of the meeting is that we are going - we are very keen to have a event in Beijing. Do we - all we need to ask now is who's going to organize that? Do we - I'm sure that - I mean the Exec Committee can discuss that, but I would like - any volunteers? Milton. Milton is volunteering. Bill is volunteering. Wolfgang, Brenden, Maria, Robin, Rafik, Wilson, all right, thank you.

Thank you all for those volunteering. We'll all do it first. Yes. Milton was - let it be noted to the record that Milton volunteered first. We'll also put that out to the general NCSG discussion list I think.

Okay, first before we move onto the next topic, could those who just entered the room briefly introduce themselves to the meeting, so Avri and Bill.

Avri Doria: Hi, I'm Avri Doria. I'm a member of NCUC, among other things.

Bill Drake: I'm Bill Drake. I'm a member of NCUC. I'm a GNSO counselor on his last legs, retiring on Wednesday, and I am a guest running for chair of (unintelligible) as well (unintelligible).

David Cake: Yes, thank you, Bill.

(Francisco Vera): I haven't presented myself yet. I'm (Francisco Vera) from (unintelligible) and from (unintelligible). This is my first time in an ICANN meeting. I'm still not part of any constituency or group. So I'm seeing and looking for (unintelligible) to a non-commercial uses constituency or a stakeholders group. Thank you.

David Cake: Welcome.

(Francisco Vera): Thank you.

David Cake: Okay, I'll move it then - move back to the agenda at least to the charter and elections issue, which Bill wanted delayed until he was here. So (unintelligible). Who would like to speak to that? Bill?

Bill Drake: Well, okay, I haven't even turned on my computer yet, but I can try. Charter and elections, okay, so number one, about the charter, there have been various efforts to tweak the charter of NCUC. We last approved a version I guess - what - about two years ago when the restructuring happened. I can't remember precisely when it was - to try to achieve some basic alignments between the NCUC charter and the charter of the stakeholder group within which we are now located. And so I think some of those basic points were addressed.

But then looking at the charter again, a number of us recognized the need for further tweaks in that direction and also then once we got into it began to notice a lot of other things about the charter. The charter as it's currently written anticipates activities and positions and so on that really have not actually existed with NCUC in any meaningful way and which I think it would be arguably logical to rethink and perhaps remove.

So there's - in particular we have currently in our charter language saying that there is a Policy Committee for NCUC, but the Policy Committee has never really functioned all that much. Policy agreement and policy issues have tended to take place more informally in dialogs between members of the Executive Committee and the elected officials and the GNSO Council and so on and then later with members on the open member list.

And so we haven't really had the same kind of formalized structure, and given that there's always a problem for us in having enough live bodies who are

willing to actually commit energies to performing tasks, it's not obvious that having this additional layer of bureaucracy necessarily would serve a purpose. So one concept is to simply delete all of this stuff about the Policy Committee and instead perhaps have a policy coordinator or two, and this ties to a second structural point that I've been proposing.

In the last couple of meetings of NCUC in Prague and San Jose, we talked about the fact that NCUC unlike a lot of other advocacy organizations and networks that many of us are affiliated with has in the past composed its Executive Committee on the basis of regional representation rather than actual functions that have to be performed.

So if you look at a lot of other bodies, including - I used to be a president of an NGO called Computer Professionals for Social Responsibility - the logical kind of inter circle that was going to take the lead responsibility for making sure things continued to happen was comprised of people who had functionally defined jobs like somebody who was in charge of outreach, somebody who was in charge of member relations, somebody who was in charge in - of communications and maintaining the Web site, these types of functions rather than purely regional functions.

I think personally it would be good to evolve towards a structure where such people were by charter included in the group of elected officials and people that actually stood up and said, "I would like to do that," or, "And I will run for the position accordingly." That could be done either by adding such positions to the regional positions or substituting for them for the regional positions.

But that's a longer term conversation, because if we want to approve this charter this time on this election round, we've already announced an election for the existing positions we have. So we can't really change anything like that now. So I guess the logical thing would be then that we try to solicit regional candidates who would nevertheless be willing to take on on a kind of an informal basis a portfolio with some activity.

And I think this goes to a larger point that we discussed here before, which is that there's a really pressing need to have a more activist Executive Committee. We need to have a group, a team, that will divide up the work. The one thing that happens at NCUC like in many advocacy bodies where everybody is volunteered and stretched thin for time is that unfortunately people fade in and out in terms of their level of engagement and you end up with very few people having to carry the burden to do everything.

And when that happens inevitably balls get dropped, work doesn't progress as much, and in the - another effect could be that we tread water more than actually advancing. And that doesn't seem to me a very good position to be in now that ICANN is going through this fundamental change. I mean the next few years, there are going to be periods of very rapid change structurally, in the GNSO Council and in all of the activities that ICANN's involved in and all of the things that we're going to need to be able to respond to.

So I think we need to try to reposition ourself with a stronger more active team that's capable of taking some of these things by the bit and in carrying forward work and soliciting the engagement of further participants as we go along. So the idea then would be to try to do that.

So we will run the charter election - we'll run the election as is with the existing announced slots. But we will also circulate a draft charter that makes clear that number one, we hope that the candidates will take on a little bit more responsibility and maybe do two hours a week of work, and number two that some of that work would be on these kinds of functional tasks.

And I'll just conclude by saying I was just looking at the email this morning, and on the list somebody who had replied - (Ed Morris) who had replied to - well, my nomination. And he had pointed out that he tried to get a number of new people to join NCUC via the Web site and just couldn't make it work. That's our - you know, that - the foreign students get, you know, didn't work

and the names went into a black hole and nobody responded. These are basic things we can't have happening.

So somebody needs to be on top of maintaining the Web resources in a fully functional way, and Robin looks puzzled. It may seem obvious to you how it works, but if others are having trouble working it, that means we need to play with it. So the point is let's try and use this as an opportunity given all the challenges we face to really refresh and maybe try and step up a little our engagement.

David Cake: Thank you very much, Bill. Queue is Avri then Robin, and then I'll put myself in the queue after Robin.

Avri Doria: Thanks. I almost forgot what I was going to say. I wanted to actually make one - with great apologies - one modification on what Bill said, which is that while the charter was updated to make it coincide with the NCSG charter a little over a year ago, that charter was never voted on. That change was never followed through on. So when you get around to having a vote on this charter someday, it will also include all the changes that were made to make it coincide with the NCSG charter.

The other thing I wanted to question about was why do we still have an NCUC membership signup, because unless somebody is already an NCSG member, they shouldn't be signing up for the NCUC and the NCSG signup thingy includes a, "And I'm interested in the NCUC." So I'm not sure why NCUC even still has a membership page of its own. Thanks.

David Cake: Robin.

Robin Gross: Thank you. Yes, no, Bill, I'm sorry if I looked puzzled. I wasn't disagreeing with you. I actually wanted to agree with what you were saying about the need to really distribute the workload and particularly a lot of the

administrative stuff, you know, getting things on Web sites, putting things on mailing lists, organizing agendas and calls and really just the grunt work.

We need a lot of help from Executive Committee members on that, and I think that, you know, we can't just rely on somebody who's, you know, are you available now? Can you do this? We need it to be part of their responsibility that they understand when they're signing up for a particular role, that means you're going to be doing these particular administrative things. And when they don't get done, we're going to come to you with pitchforks in our hands. So I'm teasing. I'm teasing. So well, that's (unintelligible). That was really it. Okay, thank you.

So actually I did want to talk about this membership issue as well. I have to agree with Avri. I think we've got a lot of confusion about how do I join the stakeholder group constituency by, you know, and I think part of the confusion is people are trying to join through NCUC or through NPOC and then work their way up to NCSG. But that's backwards.

There really shouldn't be a separate NCUC membership form on the NCUC page for the starting process of joining. You have to start by joining the stakeholder group and once you join the stakeholder group then you join the constituency. So this is something actually that I wanted to go over in the NCSG meeting, because we've got a lot of NPOCs just accepting members from anywhere. And then they apply for NCSG membership and some of them may or may not be eligible.

And so this is, you know, doing it that way is broken. It's wrong. We've got to send them to the NCSG form, which does work. Start there. The NCSG Executive Committee will review that application. When it gets approved it goes to the constituency for admission into the constituency. That's the process. Thank you.

David Cake: Thank you, Robin. Yes, Bill.

Bill Drake: Just to modify slightly one thing though, lest anyone believed that what's being proposed is purely dull bureaucratic administrative work, this is not necessarily so either. I mean what we would want to do is have people who are able to engage in the substantive things, right, like participate, you know - we want to be able to have an Executive Committee that can reach out and engage people who want to get involved in working groups in the GNSO, who want to write public comments on particular topics and so on.

So it's both the sort of the basic institutional things we need to do to hold ourselves together and be functional, but it's then also leveraging and become more active on the substantive points and people who might choose to get engaged needn't necessarily - depends on what portfolio they take on - needn't necessarily find themselves managing like the list of members or something fun like that. There are other things to do too. That's all I just wanted to point out.

David Cake: Okay. Yes, so - and I speak next. So I just want to first say yes, Avri, we only asked to update the charter in order to unify it with the needs of the NCSG. So - and that was - I mean thank you very much to Avri for doing that work, but she's right, it hasn't been ratified. We need to do that.

But we all - Bill and certainly open up the - I think it's a good idea to open up the substantive changes that we're talking about. I do think - I definitely agree with Bill that an activist Executive Committee is very important and that the current regional model doesn't seem to have a good reliability on producing an Exec Committee full of activists. We generally get some and some that are quiet - people that relatively inactive.

I do want to add to Bill though. We - while we can - while we (unintelligible) action we have to go with the existing charter. We can - the Exec Committee can simply appoint people to a role. It doesn't need to be recognized in the charter to be valid and useful. So we could trial some of these positions. We

could - well, I don't think we should - I mean if we try - if we trial (unintelligible) that would mean we'd have to do a future charter revision down the track.

We probably don't want to do that, but we can certainly - if there's a position we're not sure whether or not we want it in the charter, we can simply vote on it as an Exec Committee, appoint someone to do it, and it simply won't be recognized in the charter, but you can still - you don't need to be recognized in the charter to do valid useful work. So let's actually suggest some of those roles at this time around.

Robin Gross: David, may I say something here on this?

David Cake: Yes (unintelligible).

Robin Gross: And let's ask someone who would like to manage the Web site, you know, we've got a lot of people. We've got a lot of volunteers, folks who are pretty handy with the Internet. Maybe we've got someone who will take it upon themselves to keep the Web site updated, to make sure things get posted to the Web site. So it doesn't all have to fall upon the chair to then go and find someone to do it or do it themselves. Let's try to find a volunteer who's responsible for just the Web site and keeping the Web site up to date.

Bill Drake: Robin, this is Bill. I believe we have someone, because - and (Ed Morris) volunteered in Prague to do precisely that and sent the long message saying these are things we need to work on and I had agreed to do it, and blah, blah, blah. So I think he's willing. (Unintelligible) put words in his mouth, but...

(Edward Morris): (Unintelligible).

David Cake: Hello? Online.

(Edward Morris): Well, David, it's (Edward Morris). How are you?

David Cake: Hello, (Ed). Great to have you (unintelligible).

(Edward Morris): Yes, I am willing to take on the role. I may need some help from Brenden with the technical aspects, but yes, I think it's something we need to do. I also think we need to take a little bit of a look at our social media policy, particularly if we're trying to encourage younger people to join the constituency, because that's what they use. The concept of mailing list is more or less the (Minitel) experience for our generation. So I think this entire area is something we need to look at. But yes, I am willing to volunteer and be enthusiastic about helping out in that area.

David Cake: (Unintelligible).

Man: Yes (unintelligible) issue is being (unintelligible) being discussed (unintelligible), you know, I can volunteer (unintelligible) communications including (unintelligible).

David Cake: Thank you again. Thank you very much. So okay, so do we have any further - does anyone else want to speak about the charter discussion? In particular I mean I think Bill you said you're suggesting some fairly substantive changes. So I guess we'll have to go through a drafting process...

((Crosstalk))

Bill Drake: I can share the - I mean I just did - the other night I played around with it for a couple of hours. I could share the link. It's on Google drive, and anybody who wants to look at where it is now is certainly welcome to do so. But it's still a - it's very much a work in progress, because there are a number of changes that I think clearly have to happen. The whole section on Policy Committee, for example, needs to go and so on.

But anyway, in case I was not clear, David, I absolutely anticipated precisely what you were saying that you don't have to write the positions into the Executive Committee for people to take them on.

David Cake: Yes, no, that sounds good. But we will be on a fairly tight timeframe for that charter in that we need to have an agreed upon text by the time we actually - by the time we go to a ballot, ideally I would think by the time nominations close. But that might be a bit tight. So that's got to be a priority I think for everybody, but particularly the Exec Committee to get an agreed upon text of that charter as soon as we can. Okay, so that's resolved I guess.

Moving on...

Man: Can I just...

David Cake: Yes.

Man: ...express a thank you to Bill for like cleaning out the Augean stables of the charter stuff and picking that up after it had been dropped?

Man: (Unintelligible)?

Man: Augean, the...

David Cake: It's a very polite classical way of saying some very impolite things about the existing charter. Do we have - so do we have any further discussion on the charter?

Woman: Maybe I just - more of a question, is there like a timeframe for the election of the charter?

David Cake: Well, it needs to be in part of the same election. So...

Woman: Which - the same - which election?

David Cake: The upcoming election that we're about have.

Woman: Okay, so the election in just a couple of weeks we're going to also be voting on this draft of the charter?

David Cake: Yes.

Woman: Okay, thank you.

David Cake: So we've got I said very tight timeframe for drafting that.

Man: Yes.

Avri Doria: As the last person that cleaned out the stables, I would like to recommend that you set a final date for when the stables, (unintelligible) whatever shape they are in this charter is closed for this round, so that you can get it to a vote, because having worked on this on and off, oh, for way too long to think about before I actually abandoned it, it never ends. Every time you make a set of changes, somebody comes up with a new idea for a new set of changes that would be really cool.

                And unless you sort of say, "The end date for charter changes is," there has to be a certain amount of time for the community to review those changes and that would seem to be the same amount of time that they would need to review candidates. A charter is at least as complicated as picking between one candidate and none of the above.

                So I think you have to set a time for, you know, get your changes in in the next day or two, you know, or whenever the end of the nomination period is, or have we already hit the end of the nomination period and otherwise, you know, wait until next year, spend another year, you know. And as far as any

of these new roles, I mean you're already appointing NCSG EC and NCSG PC and NCSG financial executive and policy committees and financial committees, you can add duties to anything.

So spending a lot of time crafting new language - unless you can get it done before the end of the nomination period, seems to me like a recipe for not getting the charter through this time either.

David Cake: I agree, and I think - I'd even go a little bit further and say we set an earlier deadline for addition of actual new clauses and ideas, and then give us a few days to just finalize the text of what we have rather than (unintelligible) we're still trying to put in whole new ideas at the last minute.

Avri Doria: Yes, so what are the deadlines?

David Cake: It needs to be done by the time the - it needs to be done by the time the ballot goes out is our final deadline. So - which...

Avri Doria: Excuse me? It needs to be done by the time the ballot goes out?

David Cake: Yes.

Avri Doria: I thought people needed time to think about it and look at it. Does it need to sit and...

David Cake: Well, that's our actual final deadline. But I would think we should have it done before that probably about yes, say a week before that get final text. I think the - and what do I? I think it's mid-November. What's the - what is our final...

((Crosstalk))

Man: The 15th to the (unintelligible).

Man: Sorry, it was the 15th - the end of October was the domination period. Then there was a 15-day period I think before the voting when the administrative details were being worked out with staff and so on, which somebody said we didn't really need 15 days but whatever. And then there was voting with the decision to be announced December 1, as I remember it.

David Cake: So that - but that does mean if we have it prepared at the same time as the final ballot we have - that means everyone does have two weeks just about while the staff are preparing the election, which they don't (unintelligible) - well, they don't really need. But it does give people time to think about it. So let's make that ballot deadline the deadline for the final charter as well.

Robin Gross: So we're - sorry - this is Robin. So we're talking about mid-November-ish, the same date as the nomination cutoff date is the date or the - because I know we've got that two-week window. So I guess my question is at the beginning of that two-week window or the end of the two-week window that we're - we'll cut this off?

David Cake: Well, I think it should be the - should really be the beginning of that...

Robin Gross: Okay.

David Cake: ...two-week window.

Robin Gross: Okay, so we're - mid-November (unintelligible).

David Cake: Mid-November, yes, which is - so that's pretty tight. We've got to work hard on this one. Anyone else on the charter? Right, okay, well, I think we've resolved that we do want to make - there seems to be general support for some fairly substantive changes. We've got a lot of fairly tight deadline on that one, a fair bit of work to be done. I think that one is important enough we - I mean obviously the exec will need to take final responsibility, but it needs to be participation from the entire group.

There being no further discussion, we'll move onto other items. Yes, Brenden?

Brenden Kuerbis: Hi, I just wanted to interject on (Mary's) behalf, and she had a suggestion regarding the agenda. And that was to defer less urgent things like the travel allocation and Beijing planning discussion and insert kind of the board's questions to the stakeholder group so the NCUC has an opinion on those questions when it goes to meet with the board later.

David Cake: I do think that's a good suggestion. I was going to put the policy in the second half of the meeting, but I am happy to do that now to move onto those policy discussions if people want to. So that was the - and well, the - I mean we've already covered outreach, Beijing, planning and well, at least we talked about a pre-Beijing meeting event and the charter election. So really the travel allocation is the only and the strategic planning are the only two non-policy items left.

I'm just going to - the travel allocation one was actually going to be quite brief. So I just wanted - I might just try and get that out of the way. All I really wanted to say about that is historically NCUC has had a very limited travel allocation.

Woman: It's like zero.

David Cake: Yes, like zero - well, we've had our - the NCUC itself has had zero travel allocation. In occasion we've been able to juggle a little bit with our counselors' allocation if...

Woman: That's an NCSG allocation.

David Cake: Yes.

Woman: We should be clear, this is the very first meeting ever that NCUC has received travel support period.

David Cake: Yes, yes, and of course NCUC on occasion has had some of those funds to send people, but that's it. So given that we have a travel allocation, just wanted to briefly discuss how do we - are there any guidelines we want to reach for that allocation? Bill, we only have one - at the moment one officer of NCUC that really - well, no, we have one chair and five EC. And we can't take all the five EC, so - because we only have three seats.

                So I just want to talk about how do we allocate it and what do the - what do we think is going to be a valuable use of those slots and what - and I don't want to get into a formal process but at least some guidelines to the group for what that process is likely to be. (Unintelligible)...

Woman: Thank you. I would recommend that we reserve those NCUC three travel slots for NCUC members including members of the Executive Committee who are engaged in the issues that will be discussed at that meeting who are needed at that particular meeting. So I think we need some kind of flexibility for the Executive Committee to sort of be able to make some decisions depending on what the particular needs are for that particular meeting.

                But again I think we really need to make it clear to people if you're going to receive NCUC travel support, that means you're going to working on NCUC stuff all week. And that means you're required to come to the NCUC meetings and participate in the NCUC discussions and add value to the conversations. And so I think we really have to do more to sort of help people to understand that it's not just a travel slot, but it's a - you're coming here to work all week. So I think people need to understand that as well. Thanks.

David Cake: Yes, absolutely. The - those travel slots are for people who've been - I mean we need to be - we need to use the NCUC travel slots to support NCUC. It's

going to be people who are going to and work hard on NCUC related policy and other things.

So all I want to say, the current process that we use this time is those travel slots are allocated by the Exec Committee. I think it's sort of more or less understood that one of those slots will go to the chair. That leaves us with two other slots. I think we're going to stick with the Exec Committee. My suggestion would be that we stick with the Executive Committee making that final decision.

But I think the idea that we could ask the least for nomination - at least to express an interest and make it very clear that they will be allocated on the basis of those who have a good - those who have significant reasons to be at the meeting in terms of work conditions like people who are very active on working groups and so on where it will be a real advantage to be at the meeting, rather than it being a way - rather than it being a substitute for the fellowship program and that sort of thing for people who want to learn about ICANN and just get more involved.

I don't think NCUC can really afford to use our resources in that manner unfortunately. I mean it would be great if we had enough travel slots that we could, but with only three. That was all I wanted to do on that issue was really to clarify what the process is and how it goes. Does anyone have any comments on the - on that?

There being no comments, I'll move on. Moving on, the only other non-policy issue is the strategic planning and drat strategy. We've got 30 minutes before coffee break. Shall we carry on with the strategic planning or do you want to move onto policy? Yes, makes sense to discuss them, yes.

Okay, that's what I - that's what I thought too. So discussing the strategic plan, Rafik and Bill have worked on the strategic plan with a little bit of input from a few others. I know at least Avri and I have had some small input and

probably a few others, but I've forgotten. I would like - would either Bill or Rafik like to speak to that?

Woman: And Bill, can you send out a link to this document...

Bill Drake: Yes.

Woman: ...so we know what we're talking about? Thank you.

Bill Drake: Yes.

David Cake: Has the link to that been sent to the list?

Bill Drake: I'm doing it right now.

David Cake: Right. Okay, so Bill is sending that to the...

((Crosstalk))

Bill Drake: I don't see all the Sunday Adobe here.

Woman: No.

David Cake: No.

Woman: (Unintelligible).

Bill Drake: That's where I put the other link too. So...

Woman: I can't get on Adobe.

Bill Drake: You can't get on Adobe. Okay, well, the Adobe is provided ICANN, and it's on the board, and it's what remote participants are seeing. So I think it's what we should use. I'm going to...

((Crosstalk))

Bill Drake: Okay, you can look at Rafik's. I will put it there.

David Cake: Yes, yes, Rafik, you were the person who started the document, you should speak.

Rafik Dammak: So the purpose was to assess how the NCUC have - what the NCUC have done in this last few years and we can improve our work and to especially in term of policy. So, for example, I remember (unintelligible). There was a kind of report from the ICANN stuff about the improvement from the different constituent stakeholder group and the working group, and we were on the bottom of them, I'd say, in the bottom of the least.

So - and - so the idea was to bring some action. We - and here we focus many times about how we - what we should do and how we can improve our work. So it is time to have action of plan. And the focus was how deep especially the Executive Committee work, and that's why it's related to the shorter, and how we can let the Executive Committee members to be really active and to give them enough guidance to do their job and to - especially in term of communication and policymaking. For example, how we can improve the number of the statement and comment made by the NCUC to the open concentration from ICANN.

So the idea is that Executive Committee but also counselors to be - to have a real leadership hold to improve that work. So to be important as much as possible in different working group and drafting teams. Just I noticed that I am receiving many requests which - from people to - about the access to the document, so I will respond to that later.

So we also covered the - how we should improve the outreach and especially in-reach to engage our existing member in NCUC. And so to see how we can - how we can - to define how we can engage them, especially depending - according to the interest of our members. So if someone is interest to privacy, we can let him engage it in Whois issues before other. It depends if they are interested in development, we can involve them. (Unintelligible) work for support applicant and so on.

Okay, maybe we can give (Mataya) - I'm sorry. (Unintelligible).

Bill Drake: My apologies, I'm busy.

((Crosstalk))

Bill Drake: ...document, okay. Well, what the - we did a first round and then a revision. Sort of regrouping and reorganizing a little more cleanly some of the points and expand on them. And basically what this document is doing now, but it could do much more, was to try to spell out in more detail precisely the types of functional responsibilities that one might hope the Executive Committee could have people take over.

So, for example, it spells out some things like, you know, liaisoning (sic) with NPOC and recruiting with liaisons from (HLAC) and other ICANN groupings and NomCom representative, coordinate cross-source production of regular monthly reports on GNSO meetings, counselors to take turns in working group drafting teams and so on, (NCU) activities.

The point is we don't report members very much what we've got going on. And there's a - I think a very unfortunate kind of dynamic that sets in where the people who are in the core team are so busy doing the stuff they're doing that they don't find time to like systematically report to the rest of the

community what all is going on. And with 250 members out there, it's kind of a pity not to be providing them with fuller information about our activities.

So we need to I think regularize that, and I think for that we would need somebody who would take on the position of being sort of an in-reach coordinator, a membership coordinator who would take the responsibility to make sure that members are consistently being passed updated information on what we're up to.

Also - there's so many people talking around (unintelligible) little difficult. Coordinate, encourage participation in council meetings, their working groups, et cetera, et cetera. Then you need, you know, somebody who would take over Web platforms and electronic resources, and we listed some different dimensions of that. Finance, we need to clarify and organize a finance process for raising funds for particularly to support members.

But also if we're going to - it sounds like NCUC is going to be called upon a lot in the future to organize the conferences, which is I think a good role for us actually, as ICANN meetings are not places where people can get to do a lot of out-of -the-box thinking about any substantive issues.

You come into all of these meetings and you're immediately thrown into some horrid, you know, GNSO Council meeting where they're discussing Paragraph 73.2 Rev 1Bs of the IRTP Part B something or another. And - you know, for people who have been in the process for a while, that's okay. They know what's going on. For new people, that's very hard to access.

But there are other things that we can do. I mean I think, you know, in the Division of Labor of ICANN, because this constituency has a history of having both a lot of academics and a lot of activists who are used to participating in policy-oriented conferences in other environments, we're pretty good at organizing these things.

And it's a role I think we can play. I know a lot of other people in the ICANN community seem very happy to have us play. Indeed staff came up to us after the last meeting that we just held here, and said we did excellent, you know, and what are you guys going to do?

So again these are the kinds of things where - you know, we have to have a list of possible go-to sources for funding, maintain context with them, make sure the when people indicate that they might be willing to provide support that we follow up with them expeditiously before they lose interest, those kinds of things.

So somebody who's handling the finance stuff, membership in-reach and membership outreach. Outreach is something I think all of us should be doing. I think in particular Executive Committee members who are elected on a regional basis ought to agree - you know, I mean can you try in draft in two people per year, two new members for your region. That would be a nice thing to start, right?

You know, whether we want to do other kinds of outreach things like annual workshops at the (IGF) or other kinds of places. So, you know, this is just a first crack at listing some of the different types of functions that might be performed.

Rafik Dammak: So, Bill, I just wanted to let people know that now the document is (unintelligible). They can access it. They don't need to send a request. So it's public now. So just they can access the link.

David Cake: Thank you. Do we have any other comments on this document? It does have a lot of - it does have some overlap with the charter discussion, but does not all positions need to be part of the charter, which helps keep it sort of flexible, so we don't - if we decide just, you know, stop doing something, we don't need to - we don't have that position hanging around. There's quite a bit in

there. I think we - it's one of those things where it'd be really useful to get comment from as many as possible.

It certainly is the case that constituencies like this - well, the CSG have secretariat support. I think that does substantially increase their ability to contribute, and we don't. And it would be - even if we had a volunteer taking on some of the role of coordinating comment - you know, letting people - sending - keeping a schedule of what comment periods - what - what's open, what we need to contribute to, who's agreed to do it, reminding people that we need it, you know, get a draft process rather than doing everything in emergency mode.

Anyway there's no real - I don't think we need to have any further comment on the strategic plan at this - yes, Rafik?

Rafik Dammak: Yes, maybe not now but it's important that people comment the document so we can improve it and have a new version. So we need a lot of feedback to see what we can do in the next maybe two or three years and how we can improve, especially if we will have the new roles. You talked about secretarial support, but it's not just about administrative stuff, but to have someone who can engage our members in policy issues and to have in-reach (unintelligible) regular basis and I think when they want to speak.

Woman: (Unintelligible).

Man: Yes.

Rafik Dammak: Okay.

Woman: (Unintelligible).

Man: Yes.

David Cake: Avri?

Avri Doria: No, okay (unintelligible) speaking. I think this looks like a wonderful thing for our newly elected NCUC executive leadership, whatever we call them folks, to be able to take up as one of their first thing. So I know this will be the second time I do this this morning, but perhaps you want to set a date for when people should have done a bunch of editing, perhaps, you know, right after the elections are scheduled to conclude, so that this can be one of the earlier things that our new leaders - such a strange word, leaders - but our new leaders can take a look at and do something about.

David Cake: So (unintelligible) you think this is a good idea, but we should - the timeline for finalizing it should be after the election of our new leadership team?

Avri Doria: Yes.

David Cake: Wendy?

Wendy Seltzer: Yes, I want to thank Rafik and Bill for getting this document started and illustrating what I think is an important principle of the way we operate, which is that those who write, text and do things can have a big voice in the way the constituency works.

                   And that's good and we need more people - if you have an issue that interests you and want to contribute texts, there's - we don't have a lot of formal process. We don't have a lot of formal barriers to creating new positions and new processes.

                   So please float ideas, float ideas in the form of texts and proposals most effectively and help make those into positions that NCUC can take forward. Look at the new ICANN site or the old ICANN site or the speeches that (Fadi) is giving or the ideas around the rooms during the week and pick something

that's of concern to you as a non-commercial user and help us to develop the strategy around it.

David Cake: Have any further comments on the strategic plan? Robin.

Robin Gross: Yes, I just would like to thank Rafik and Bill for sort of taking this up. And, you know, ICANN does a strat plan every few years, and I think it's a good idea for NCUC to sort of adopt this broader, longer range of thinking and , you know, just try to tie everything that we do back to the strategic plan and remind ourselves what our goals are, what we're working on, and then we've got a benchmark to measure our success against. So thank you, Rafik, and Bill, in particular.

David Cake: Yes, thank you Bill and Rafik very much for getting - for the substantial effort on this. Okay, we hit official break time. So I think we will have a brief coffee break. That marks the end of the sort of internal - most of the internal issues. We've got basically policy to talk about after the break. We will also have a visit from NomCom, and I think so that's it.

We'll have a break now for probably about 25 minutes. Reconvene - what? Well, okay, how long do we want to have a break for - 15, 15 minutes. Okay, 15 minutes, we'll reconvene at - yes 10:50. And thank you, operator, we can cease recording for now.

We should get ready to start again. If everyone could resume their seats. Okay, let's get started again. Okay, for one thing, there's a attendance list going around. I know most of you have already signed it. But I think some of you haven't, and could you please send that round again and anyone that hasn't signed the attendance already, could you make sure you've signed that?

Also if anyone - I know there are a few people in the room who haven't introduced themselves to the room. So if you could do that, that'd be

appreciated. Anyone who hasn't yet introduced themselves to the room, could you briefly do so?

Yes? Kathy, you have not yet.

Kathy Kleinman: Sorry to have missed the morning session. I'm Kathy Kleinman along with many other people in the room, (Carlos) and Milton, I'm a co-founder of NCUC, and now I'm going to turn you with (Fletcher Hilton-Mildred) in Arlington, Virginia.

David Cake: I don't think the - yes, folks on the Red Cross up there, haven't introduced yourself.

Catherine Gribbin: Good morning. My name is Catherine Gribbin, and I'm from the Canadian Red Cross.

Chris Rassi: And I'm Chris Rassi. I'm with the International Federation of Red Cross and Red Crescent Societies in Geneva, and this is my first ICANN meeting.

David Cake: Is there anyone else? Okay, so this half - there's the list Avri is holding out if you are not yet signed the list. Okay, we're moving onto policy, and the first thing on, as we mentioned, is our list of questions for the board to make sure that we have good answers for the questions for the board. I don't quite have that list in front of me. I'm just looking up - yes, Robin, could you let - run us through those?

Okay, that first - just briefly want to go over each of the questions on the - that are in the NCSG board discussion and make sure that NCUC have a position and that we preferably have someone who's willing to talk to that - yes, yes. (Unintelligible) visible - where is Brenden? Yes.

The first item on that list is concerns over the RAA negotiation and board's reaction to European Data Protection Office's evaluation of proposals as

unlawful. We probably - is there anyone who isn't aware of this issue? We've probably gone over this one a fair bit. Is there anything we want to discuss about - anyone wants to bring up a point about this discussion? Rafik, yes.

Rafik Dammak: By chance we have someone from an issuing organization, which replied to our letter about the privacy issues we've released through our accreditation agreement, is here. So it can maybe help us later. That's not just the working group 29, which raised the issues about privacy and data protection.

Man: (Unintelligible)?

Man: Okay.

Man: Yeah, you were referring to the - yep, do you want to speak?

Man: Really want to but, yeah, we do reply the letter is that the need for night support, (unintelligible) some concerns on the privacy that was contained on the registration (unintelligible) accreditation agreement.

And we did some findings. I'm not sure if our findings are like the community are sharing right now on the thick and thin registrar database on that kind of stuff.

What we are concerned of is on the mandatory access to the voice database, we think that the mandatory access is way beyond the international standards regarding data protection -- the fact that everybody can access the voice database, and not only from a domain-to-domain basis, but also on like a terminal commands, in order to retrieve like a bulk data.

So we think that voice database access should be more restrictive. And when some people request the access to that database, should even (unintelligible) themselves in order to keep track of who is obtaining this data in order to avoid the formation of a huge box of databases with the domain owners'

information -- personal information I'm talking about -- not only email addresses, but only physical addresses, phone numbers.

And we think that if you mandatory force every registrar to give away that information on a public basis without any filter, you can't enforce non-lawful access to this data. Also you can't help the formation of these giant databases. You lost the control of this data. And also you can't track. The other issue we found is that seems there are (unintelligible) can subcontract these databases to other database management to other parties.

We think at some point you can lost the control of these databases, and help these third parties to sell this data or to possess (unintelligible) when we don't want to, or the users aren't allowing to.

So our concern letter is mainly have these issues. We analyzed the draft agreement that was being discussed on that point, and we sent a letter to the ICANN Board on the current CEO at that time, who was the interim CEO. And we received an answer like acknowledging the reception of the letter, but we're not sure if it would make it into the last report on (unintelligible) these concern letters.

I don't know. Maybe it was because of my (unintelligible) is not at this point a member of any constituency or if they called the group. We are outsiders to the ICANN systems right now.

But that's our main concerns regarding this accreditation agreement. Not - we didn't like search (unintelligible) beyond all the draft, but we did these findings. And we think that domain owners have to be protected on the international standard basis.

I think the Group 29's like looking for other issues like (unintelligible) that some important agencies are looking for in order to have a two-year or so for data retention on the (unintelligible) basis. We also support that

(unintelligible) standard because two years is too much and it's not on the international standard.

So that (unintelligible) our attention. I think it's more suitable to ask for a year of this retention. But most of all we think we shouldn't allow any private party to collect this data and distribute it indiscriminately in order to avoid the processing of this data to (unintelligible), we don't really know.

And (unintelligible) at that time both, as I said, phone numbers, private addresses, even email addresses can be (unintelligible) that we do not only share - only compromise the security of some activities.

And also it generates a (unintelligible) effect, and it's that people will go after an organization's services on the voice database. For instance, when you register (unintelligible) information, it seems they are forced to give away all the information. Some people will not...

Coordinator: (Unintelligible) the recording's going.

Man: Thank you.

Man: Are we ready to...

Woman: So are there things that we can fairly discuss while we're waiting? We recognize that this is not a (unintelligible) meeting with all of the remote participants that we would like to have. But is there anything we can usefully do among the people in the room?

Man: (Unintelligible).

Woman: Thank you very much.

Man: Shall we ask the operator to - the operators are back on line? Operator, are you there?

Coordinator: I am here, yes.

Man: Can you start recording?

Coordinator: The recordings are begun, sir.

Man: Okay. Let's carry on and hopefully remote participants will come in if they - so I think that's enough on - do we have any further speakers on that particular question? Do we want to discuss it further or should we move on to responses to the next question, which was the one about safeguarding multi-stakeholderism and the processes? I think this is one the - yep, Avri?

Avri Doria: Yeah, I wanted to ask a question in terms of - this is Avri. In terms of - I think that's a good letter. We're talking now about what NCUC's position is on the discussions we're going to have to the Board. So what did we take out of that as being NCUC's position that we're taking to the Board -- taking to the NCSG discussion to take to the Board?

Man: Well I think the real question there is - I mean we already have a signed speaker on that issue from NCSG. We've got someone from...

Avri Doria: Who's speaking?

Man: That's Wendy. I think we've already - so we already have - we've already got...

Avri Doria: That's already folded into the discussion.

Man: Yeah, we already have a policy position on that. It was really useful to know that we also have someone else here who will support that position.

Wendy Seltzer: And if I could just mention, if you could - the folks from South America, ONG Derechos, if during this discussion with the Board this afternoon, if you could also make an intervention and tell the Board what you came up with in your research during the course of this discussion, that would be fabulous.

I think they would really appreciate hearing some input, particularly from newcomers who have particular expertise on this issue as well.

Man: Yeah. Now so who's the speaker on the multi-stakeholder - Wendy, on both?

Wendy Seltzer: Wolfgang.

Man: Wolfgang, yep. Now do you want to briefly (unintelligible)? And do we need to have other people ready to respond on that one?

Wendy Seltzer: I should say I asked Wolfgang. I'm not entirely - I didn't get a response, so I'm not sure you saw my request. But I was asking if you could be the primary discussant with the Board on this particular topic, this particular issue, which is safeguarding the integrity of ICANN policy development process, including multi-stakeholderism, standing by community, consensus and the equality of stakeholders.

So I mean I think really what we were trying to get at at this point with this particular question is a number of things, one of which is, you know, once the GNSO, once the community, comes up with a policy recommendation, makes a commitment, that's what we stick with and that's the consensus, and that's what we go forward with.

We don't always - like some other members of the community then try to take that compromise, and then chip away at that by lobbying the Board, by lobbying the GAC, and so continually chipping away at the compromise position.

So I think that was what we were getting at with this standing by community consensus issue, and then with respect to the equality of stakeholders, this thing we were talking about with Fadi the other day that when it comes to non-commercial users, you know, some stakeholders are a little more equal than others at ICANN.

And, you know, Fadi has assured us that we're entering into a new era of equality of stakeholders; so, you know, what that means to us, and that we expect parity with commercial users and the non-commercial users.

So this is sort of, you know, kind of what, when we sent this question to the Board, where we had gone with it. And I sent a note yesterday to Wolfgang. And I'm not sure if you've seen it yet, so I apologize if I'm just sort of...

Wolfgang Kleinwachter: (Unintelligible).

Wendy Seltzer: Okay, so I apologize if I'm springing this on you.

Wolfgang Kleinwachter: (Unintelligible).

Wendy Seltzer: Thank you, thank you.

Wolfgang Kleinwachter: (Unintelligible). Okay, on microphone. And the thing to ask, the introduction of this new term, equal stakeholder model, raises a number of questions. So that means what really means equality. And as I said, you know, some constituencies are seeing themselves as more equal than others.

And so that means it would be very nice, you know, to have a debate what is our understanding on the multi-equal stakeholder model, because this is indeed important. I mentioned we had so far the definition from the

(unintelligible) which says the stakeholders participate in their respective roles.

So and at this time (Bill) and Avri and I wanted to add in the definition in 2005 on equal footing. So but this was eliminated, so on equal footing did not make its way in the definition.

But now if it comes back, you know, with the (DCO), so then to say okay, stakeholders more or less equal. So this raises a number of very interesting conceptual questions, but it means this has to be seen in the context of the respective role and on equal footing.

So but I think for us it's extremely important to take this and to fill it with content so that it does not remain just lip service when you start a new season. So but it has to, you know, now Fadi has to deliver.

And what does it mean concrete? This has to be seen. But we should develop a conceptual idea what is our understanding of, you know, multi-stakeholder model, and it's our respective roles on equal footing. But I'm certainly ready to take the lead in this discussion.

Man: Avri?

Avri Doria: Yeah, Wolfgang, I actually think that's a great approach.

                 And I think one of the things that you can actually do -- and I'm hardly the one to be saying this -- but actually thank Fadi for ICANN actually bringing back the, you know, with equal footing that was rejected, you know, so much earlier and actually, you know, give ICANN the sort of gratitude for, you know, leadership in this multi-stake - now, you know, obviously I should wash my mouth out with soap after all this gratitude, given my normal reputation.

But I think that this is really a good place to grab onto what Fadi said, and thank him for, you know, the ICANN leadership into this on an equal footing, and in putting that back in, because that had been a difficult fight that hadn't been won yet. But to see ICANN leading the way on that is wonderful.

Carlos Afonso: And hi, this is Carlos Afonso from (unintelligible) foundation. So sorry I missed the first part of our conversation. Just one thing to remind you all, guys, that can be helpful in the conversation with the Board later today, that yesterday in the meeting, at the GAC Board meeting, the Brazilian representative suggested that a study on how (moot) stakeholder systems are being applied in different countries is made.

So the suggestion was made by the Brazilian representative, and of course it has the Brazilian model on (moot) stakeholderism at the CGIBR as one of the examples. But maybe we as NCUC could support the idea.

I know that we had enough studies on a bunch of issues and we have some examples from the Whois studies and studies of almost everything on the ICANN universe. But maybe a good study on how (moot) stakeholderism has been applied in different countries could be something helpful.

And we could have some good examples to fly around, especially examples in which third factor and civil society had played an important role, and I think Brazil is one of those examples. But this is just something that maybe we could support in our discussion with the Board.

Man: (Bill)?

(Bill): The second question actually puts together two rather different, I think, sets of concerns safeguarding the integrity of the policy process. This is the kind of concern that's been raised consistently by the Council generally about Council decisions being (end-runned), people going - lobbying directly to the Board and all that. And I think that's one conversation.

I think the question of the equality of stakeholders is another conversation, and it has a number of different parts. So I, you know, if that's how we want to do this, but I certainly would like to speak to it, too. I have some specific points I would like to raise.

So I don't know if you want to - we could split it or something, or you could just say, "Get this guy in, too." But we - I would like to not have an incoherent conversation that blurs back and forth between two completely separate subjects.

I think we do want to have a focused discussion of the equality of stakeholder groups in past and current models. And that's a separate question from whether the policy process at the level of the Board is used to trump the GNSO or be a vehicle for end-runs.

Man: Wendy?

Wendy Seltzer: So, yes, shall we take up (Bill)'s suggestion of segmenting our discussion to make that most effective?

Man: Yeah, I mean it sounds okay to me. And we can have - we can have more than one speaker on these issues, yeah.

(Bill):   There are resource dimensions. There is - I mean right now we've already just heard yesterday that another constituency is getting funded to go to Baku to speak on a panel where NCUC members are not being funded to go, okay?

                We have had constant problems with - some have direct relations to senior staff and are able to work out deals and understandings, and get levels of support. Others don't have that.

Some stakeholder groups are very transparent and inclusive in what they do. You can go on the Web site; see who the members are; see all their discussions and so on. Other stakeholder groups or constituencies, that's not true.

There's just a complete lack of conformity across these things, so that at this point the notion of multi-equal is a little bit hollow in some ways. And the point would be to suggest in a positive manner concrete steps that could be taken.

Wolfgang Kleinwachter: I think this has two dimensions, and probably it's indeed a good idea if we (unintelligible) approach, because on the one hand it's a theoretical question, a conceptual question. What is the understanding, evolving understanding, of the multi-stakeholder model?

So I was also surprised to see yesterday or to hear in the GAC that nearly all governments expressed their support for the multi-stakeholder model. If we would ask them, you know, what is the understanding of the multi-stakeholder model, probably you would have got different answers. But even to the Chinese and the Russian government, the multi-stakeholder model is a good model.

So and it remains to be seen, you know, how deep this goes and how the people sitting here from this government will inform other peoples which will go (unintelligible) that they will continue with this approach. But this is a more general political level.

The other side is what means equality, concrete in ICANN. But it means this is not the big policy question. It's the very concrete policy within ICANN. And probably, you know, (Bill), you could concentrate on this more or less internal equality within ICANN. What does it mean?

And I would, you know, speak to the further development of the concept by bringing back the question of equal footing into the definition, which was adopted by the World Summit in 2005. Is this a fair share?

Man: Thank you.

(Bill):   I personally don't know what the advantage of referring back to the (unintelligible) process is in this context. It's almost ancient history, and that language was the result of a political negotiation. I mean you and I are very into that. For most other people it's not a very lived, expositive document.

Wolfgang Kleinwachter: The point I wanted to raise, and what Avri supported, was to remember that in the discussion on the definition the issue of equal footing was discussed, but disappeared. Now it comes back, and I think this is a good reminder that the concept as such is not yet fully defined.

So it's a concept which is evolving, and there's different understanding by different parties. And so Fadi brought a new element into the debate by referring to this equal footing, which is an interesting thing and we should build on this.

Man: I think it's clear that this issue is one where we have a lot to say. It's one of the ones that we're particularly interested in as regards the spending time on it in the Board discussion. But I'd also - since we are running pretty short of time, so I'd like to wrap this one up and move on to the next issue if that's all right.

Woman: (Unintelligible).

Man: Yes. So I'll just finish up the queue which is, you said, Wendy...

Woman: Wendy, Avri, (unintelligible).

Man: Okay. Yes, so Wendy, then.

Wendy Seltzer: Thanks. I just wanted to ask if we wanted to take the discussion up one level
                further. I've been increasingly concerned in the GNSO Council that the
                stakeholder silos and the constituency stakeholder house model is making it
                impossible for us to do any work.

                And so I perhaps reserve to a later discussion the - does NCUC want to
                support a call to radically restructure the Council and its mode of operation?
                But for this discussion, the less we can talk about stakeholder groups as silos
                and rather talk about equality of interests and participation, I think that will
                help us.

Man: Next was Avri.

Avri Doria: Quite quickly, one, I think that it's good to talk about this as an aspirational
                thing that we look at being, you know, considered in any future reviews of
                GNSO.

                Two, I advise we stay out of the weeds in this discussion, especially since it's
                at the NCSG level, about who has more influence and who gets more
                pennies and nickels and dimes; and that we continue that. That's certainly
                important, but I would stay out of those particular weeds in this particular
                discussion.

Man: I wasn't suggesting to name names.

Man: And last up was Robin Gross and Kathy wants to be - okay, and then we'll
                end it there, thanks.

Robin Gross: Yeah, I want to support two things that Avri has said. One is staying out of the
                weeds. I think we want to keep this at a really high level. We don't need to
                give specifics on, "Why did they get travel funding and we didn't?"

We don't - let's just get buy-in on these big concepts. And then when these issues come up we can then benchmark them back to the buy-in on the concepts of equality.

And I also want to support what Avri and Wolfgang were saying about telling ICANN this is where you are having leadership by bringing equality back between the stakeholders. ICANN is in a leadership role. They're better than the (ITU). They're better than the (IGF) and the other institutions that are dealing with Internet governance issues, because ICANN has made this commitment to equality of stakeholders.

I think ICANN will love that. They will love to hear that. That is what they want to hear. That's what they should be doing. Let's encourage them. Let's congratulate them for recognizing this as being an important thing, and thank them for that. So I just wanted to support that.

Man: Kathy?

Kathy Kleinman: What's the triangle then?

Man: Okay.

Kathy Kleinman: Definitely want to support a positive message. Also wanted to point out that even though there are silos, a number of us in this room operate across silos and have even been members of other stakeholder groups and other things, so that we should - I mean ICANN works on relationships and so let's - just pointing out to whoever's in leadership, make sure you use the relationships that we have.

And there's lots of goodwill for NCUC and NCSG out there at lots of levels of ICANN. So, you know, we can enjoy that.

Man: Okay, well we were just about to end that topic anyway. And as it happens, right on cue, NomCom has arrived to speak to us. Sorry. We have the chair, chair-elect and previous - 2012 chair, 2013 chair and chair-elect to speak to us, and other NomCom members. Please take six, and I would - Vanda, are you going to...

Vanda Scartezini: Yeah.

Man: Okay.

Vanda Scartezini: We've (unintelligible) some...

Man: Microphone.

Vanda Scartezini: Thank you for having us here. We don't want to waste much of your time, but we have posted most of our (unintelligible) and recommendations and the final report about the (unintelligible) statistics and especially the matching issues that we have.

I can show you up or we just can talk about that. The idea is our matching metrics was based on the recommendations we got from each (AC) and (SO) last year in Dakar, and this year in Costa Rica. And we analyze each candidate in two groups. One group is inside our committee. The other group is hired -- a professional organization to analyze each profile.

So it was this matching metrics that is posted in our Web site. It will show you that how we - each group, the slate of Board candidates, and also the - each candidate for GNSO; for ccNSO; and those candidates for ALAC, matching the requirements the group asked us to look for.

So it was the idea of ATRT to explain how NomCom have choosed each candidate. So it was - and we are here now again for the 2013 to ask you again to analyze those requirements that you gave to us this year, and check

if there is any other comments, any other information or requirements or recommendations that you want to NomCom to pay attention when selecting any candidate for the Board and for your group, like the GNSO.

So there is the general idea, and certainly we can respond to any questions here. But I'd like to give us some opportunity for Yrjo to address some words to you as the new chair for the 2013. Yrjo, please?

Yrjo Lansipuro: Thank you, Vanda. Yeah, good morning. Yrjo Lansipuro from (unintelligible), Finland, and now the chair for the NomCom 2013. We have here the new chair elect, Cheryl; and the new associate chair, Adam. Okay, I don't think that they need any more sort of presentation in this group.

We, that is to say the NomCom 2013, will start its work on Friday. And we have quite an overlap actually between the two committees. There are 11 people who were already in the old committee and will continue now. And then we have new people.

We are hampered at our first meeting by the fact that people from some parts of the world don't seem to get easily visas for Canada. And that is something that we have to try to do something about for the next meetings, because we try to be global. We try to be inclusive. And then what happens is that people just can't travel. But that's another matter.

For our meeting, we will take the recommendations from the NomCom 2012 and go through them, and try to see whether and how we could incorporate their elements into the rules of procedure of the NomCom.

I just would like to conclude by asking for your help because our selections cannot be better than the candidate pool from where we operate. That is to say I'd like to ask you, all of you, because all of you know people whom you think that would make a good director of ICANN or members of various councils or committees.

Please ask them to apply. Information on how to apply will be shortly up on the NomCom Web site. Thank you very much.

Man: Does anyone else wish to speak to - yep, Kathy?

Kathy Kleinman: Kathy Kleinman, and congratulations and thank you for taking on the new role of chair. Quick question. Does the way NomCom is working, does that change this year? Is that part of the changes? Is there anything new about your procedures that we should know?

Yrjo Lansipuro: I could answer that question after Friday and Saturday. As I said, we take the recommendations and we see if there is a way to incorporate some of them. They are - there's one change which is obvious from the calendar because this coming year, all ICANN meetings are historically late.

I believe that there was never a spring meeting as late as the Beijing meeting will be. And this will actually impact our work quite heavily. But whatever other changes we may implement, that we'll know after we have our first meeting. Thanks.

Vanda Scartezini: The problem is six months certainly will impact the timeline. This year we have a huge impact with the new gTLDs because of the time where everybody was focused on the new gTLD and also, you know, announces and so on. So after that, we got 50 candidates. And after the announcement of the new gTLDs -- remember end of the March, beginning of April -- it was, you know, all the others came.

So we have more than 50% extra after (unintelligible) this kind of, you know, distraction from the NomCom. And certainly this six-months' period is quite important because we are leaving now. And only six months after, people will really get in contact. And between this, you know, December holidays in some places and so on, so it was really need to probably - we went back the

final announcement, because we'll need some postponement of the timeline to give the opportunity for everybody to really apply.

Kathy Kleinman: Thank you so much, and thank you for your incredible term as chair.

Man: Yes.

Vanda Scartezini: Thank you. Thank you. Thank you. It was not easy, but a lot of fun.

Man: Thank you. Wendy?

Wendy Seltzer: Thanks. I think I just want to briefly say that the NomCom is of course an important part of ICANN procedurally and substantively. And I think to help the community appreciate the work that NomCom do, I would advocate the greatest amount of transparency humanly possible.

                  There's been a lot of turmoil around the NomCom. We from the outside have no way of knowing how much of that is merited. But the more you can do in public, I think, the more confidence and trust of the community you can earn.

Man: Cheryl?

Cheryl Langdon-Orr: Thanks. It's Cheryl Langdon-Orr again. Wendy, as you well know because you were in the same room as I was, we heard these requirements for as much transparency as is possible during the ATRT experiences as well. As I said in another room earlier today, NomCom was the subject of community input to the Accountability and Transparency Review Team, almost equal to any other subject.

                  So I think NomCom is very aware. I think under its tutelage of various chairs it's done what it can to make more and more change. And I suspect if you watch this space, you'll continue to see change. And it is limited by what it can do in terms of confidentiality.

But whatever it can possibly do to make things both as transparent and as public as possible -- because they're kind of two different things sometimes -- I'm sure it will do, especially in the challenges that are being put down publicly for us at the moment. Thank you.

Man: Maria Farrell?

Maria Farrell: Hi, thank you. Yes, thank you Vanda and Yrjo. And I was the Non-Commercial Users Constituency person on the NomCom last year, for anyone who doesn't know.

Three things to say. One, Thomas Rickert, who is a previous NomCom appointee to the GNSO Council, is an individual that some of the NCUC people on the Council have nominated for election as chair of the Council. And so I think it's a good signal that, you know, there can be very, very good appointments and they think that it's a good source of talent.

Secondly, could you give us information about which regions of the world the board directors for next year are being sought? Because that will help us to put the word out amongst our networks to try and source good non-profit people in senior positions that could potentially be strong candidates.

And thirdly, like I said, I do have a little bit of an axe to grind in that I really would hope and encourage this year's committee to work very hard to ensure that particularly when you're looking at putting people on the GNSO Council that the people you're looking at putting on don't have alternative routes to a seat on the Council via any of the constituencies in a very obvious way; and that they are, you know, people that we can be confident from the get-go without them having to prove themselves, who will not have come to the Council with an implicit set of voices in the very, very contested environments that we're working in.

You know, let's call a spade a spade. Let's not put people on the Council who look like they should belong to one of the constituencies already, and be put there via that method. So be aware the Council is, you know, very carefully constructed. And just please do try and keep in mind all of the various political complications (unintelligible). Thank you.

((Crosstalk))

Yrjo Lansipuro: About the geographical, I mean the - you all know what the geographical (unintelligible) now and what it will be. Of course the NomCom -- as you well know, having served on the NomCom -- the requirement is that there has to be one Board member from each of the five regions. And on the other hand, you can't have more than five members from one region.

And within those limits, of course, the NomCom is theoretically free to act however it finds reasonable. I think that - I mean there's been a lot of talk about Africa. And I think we should this year or 2013, we would look - we should look especially hard at Africa, and that means that we also need to make a great outreach effort on that continent. But of course I mean otherwise, you know, this - we know one year from now.

Man: Thank you.

Vanda Scartezini: And just (unintelligible) that, there is no limit, you know. Like this year we should select someone from Latin America. It was our demand because the only candidate from - the only member from the Board that was - it was (unintelligible) the third from Latin America. So we needed to select those kind of people.

And but for the next year, we're going to have three members from 2013. It was (Victor), (Shenin) and (Erika). So it's two from Europe and one from Africa. And so those are the positions that are open for that. Yes, please. Over there.

Man: Avri.

Avri Doria: Sorry, didn't realize I was already in the queue. I guess there's one thing that I've noticed that perhaps NomComs have trouble with. And that's getting sort of on anyone who is currently a NomCom appointee and (unintelligible) things, being able to get references on them from their current chairs and vice-chairs. Because by getting a reference on someone, you might be revealing that someone is a candidate.

And so I'd like to recommend that before you start collecting candidates, you get recommendations from the current chairs, vice-chairs, of all the appointees whose terms are up, whether they're planning to continue or not, so that you can get that at a neutral time and a non-prejudicial time when you're not making any presumptions about announcement. Thank you.

Vanda Scartezini: Yeah, one thing that the (unintelligible) from the governance committee from the Board, just said to me that they will do beforehand is to make information openly about the performance of the three interim members of the board without any, you know, concern about if they will apply or not. Just send to the NomCom their ideas about the performance of each one of those members. I believe it was in our minds all the time. And so I just have this feedback from last night from (Bruce). So I do believe that answers your question.

Man: Follow-up. Will that happen also with ALAC, GNSO and CCNSO?

Man: Do we have any further questions for NomCom or further speakers?

Adam: Alright. I understand that Rafik Dammak is your delegate to the NomCom this year. So please help him. As (Urig) said we just need names for candidates as much as anything else and ideas, people that we can select from. The better the pool, the better the chance we have of giving good candidates. So

support the young man and give him ideas and candidates and it'll be fun to work with him too. Thank you.

Man: Thank you for that call for support and expression of support (Adam). Do we have any further questions and in particular do we have anyone who wants to comment on the question we were brought about how - you specifically asked us about candidate choice criteria. Do we have anyone who wants to comment on that specifically?

Woman: You don't have time also to reveal what you asked us as requirements last year and give feedback about that and send all the information he wanted to have or withdraw or whatever. Feel free to do that.

Man: I think our main comment I think would be to generally - my personal comment anyway - would be to echo (Maria's). And we should be careful to consider where the candidates have alternative routes to the board but all be it the position that might be effective and make sure we get people we would not otherwise have got or not clearly in particular, you know, identified with an existing group or so.

Okay. Do we have any further comment?

Robin Gross.

Robin Gross: Yes. I just wanted to make sort of a request of the nominating committee to take into consideration the way that the structure of the nominating committee and who its membership base are. And, you know, at this point we've only got one member of the nominating committee that represents the non commercial user's constituency and non commercial users generally. So we have found it very frustrating as members of the non commercial community to actually get our candidates any support within the nominating committee because it is often has much more business representation and other spring organization's representation.

So I would like to ask of the nominating committee to sort of, you know, take that into consideration that it's really hard for us to get non commercial users in there because of the way the structure is set up and to take that into account when you're evaluating these applications and strongly consider non commercial users for a lot of these positions because we have a really hard time getting support for them within the nominating committee in the past. Thanks.

Man: Thank you. Of course the competition of the nominating committees is not in our hands but at some point there will be a review of the nominating committee again and I'm sure that the question of the competition is something that will come up and thank you otherwise for your comment.

Man: It is notable actually that there is no non commercial representative which means it's...

((Crosstalk))

Man: Which of course is not this constituency but it is a non commercial, yes.

Maria Farrell again.

Maria Farrell: Sorry. Just to follow along to what (David) said a minute ago - I think the point is also about candidates who have alternative routes to the board and to the GNSO council and should maybe - I'm not saying put them aside but I'm just saying let's look at bringing on fresh people that won't necessarily disrupt the balance both in the board but also particularly in the council where it's really quite structurally delicate.

Woman: Just remember that this year for the GNSO that we need to select two vote members.

Man: Does anyone else want to comment further? If no, I think we're probably done. Thank you very much for your time.

Woman: And thank you for receiving us and please send your recommendations and make sure that all of those points are really wrapped around, you know, to be in the metrics for next year, okay.

Man: Thank you.

Man: Let's have just a very short break and then we'll get back onto policy issues. By short I mean five minutes or less. Thanks.

Coordinator: You are on hold for a conference call. Please press star zero and the coordinator will assist you momentarily.

Man: I realize not everyone's back but we've got fairly little time so let's get started again.

                Everyone, could we please get started again? Okay, just working our way quickly. Just a reminder - we've only got less than half an hour no so could we please push forward fairly quickly with each one of these. I'd like of course everyone to be succinct. The next question of our proposed topics to the board was including human rights concerns in the ICANN policy development process. And that was (Aubrey's) question. And perhaps we'll move that one to when (Aubrey) gets back.

                Yes. Rafik Dammak did you want to say something?

Rafik Dammak: If you remember you recall in Prague we talked about maybe we need to encourage ICANN to show the GNI initiative framework. I already started to be in touch with GNI folks and to see how we can work on that so just to update and share with you this information I just got like two weeks ago and to see how we can do it.

Man: I mean is there anything that comes out of that that you would need for the board discussion or is that just a general update to the constituency?

Rafik Dammak: It's part of the constituency but we can tell the board that there is some interest from GNI and see how we can go from that. It is not just that option at this level.

Man: Okay that's it. I'll leave that until (Aubrey's) back.

So the question the board asked us if one has any additional input on the who is policy review team final report which is - Wendy Seltzer was to respond.

Wendy Seltzer: So the council is submitting a letter around the procedural aspects on the substantive questions of who is review team final report. I think we find ourselves aligned with the SSAC which submitted our report saying that before you can answer any of the questions that the who is review team reports to address, you need to address the prior question - what is the purpose of who is data collection and use and all work on the who is question should be stopped until this prior question is answered. And I believe we would strongly support that.

Man: So then we are going to put a position that is separate to the general GSO position. And really I thought we were in agreement with SSAC.

Wendy Seltzer: Yes. Just to clarify the GNSO is so far only responding procedurally on whether a policy development process is required. We've also found that outliers there are doing that PDP is required to address these issues. But we would also say that many of them should not be taken off at all but rather first we should ask why.

Man: Would it be fair that's a somewhat critical position to take on the who is review team for not answering that question in the reviews?

Wendy Seltzer: It's a challenge that the framing of the task was adopted.

Woman: (Aubrey) is missing this. If there's a question about the who is review team, I'd be happy to answer it.

Man: No. I mean do you have any comments about the who is review team?

Woman: I just ask can you review what just happened?

Woman: Very briefly, we're going to endorse the SSAC report.

Woman: Okay. The SSAC report is not deemed to be negative of the who is review team.

Man: Okay. Do we have - is there anything else that anyone thinks we should be saying about the who is review team?

Woman: Yes. I'd like to object to the idea that everything has to go through a PDP on the who is review team. That's being taken very negatively. Obviously some of the stuff we intended was for policy development like property privacy and we never used the word accreditation and I'm really concerned about accreditation. We used best practices that use and develop some proxy privacy best practices and then kind of shot them around and see if you could get people to sign on.

                  So that's a PDP but some of the stuff is kind of pretty pure in presentation. And we don't really need to go through PDP.

Man: Right. I know there's a range of using the GNSO about how much of that report needs to go through PDP. I mean, some say none. Some say all.

Some say somewhere in between. Do we want to present a view on that to the board?

Do we have a strong opinion on exactly which things, you know, do we believe everything needs to go through a PDP? Is that the position we're taking or some?

Woman: In the essence of other input, we've said that everything requires PDP.

Woman: Okay. Tell me when and where and we can go through every recommendation because it's ridiculous. We are out in the world and saying everything goes through a PDP and that's kind of silly because not everything's policy in our recommendation.

Man: Well, I mean, we need to - probably we should then talk a little bit more about that. But I'm just concerned about what we're going to say this afternoon.

Woman: This afternoon I do not plan to address the procedural question of whether it requires a PDP or not. I plan to say we endorse the recommendations made by SSAC.

Man: Okay. That seems pretty clear. Should we move on to the next issue?

              (Aubrey) is still not here. The next issue would be the board has asked us about - yes - the security stability and review drafting team which I'm planning to answer. Do we, I mean, I was on that team. I don't think there's anything in that recommendation in that report that NCUC is particularly concerned about.

It says a lot of things but mostly it says we should have more - mostly to very, very briefly summarize it that the security and stability processes need to be made very visible to the community, that we need a clear security plan and that we strongly - one of its major recommendations was that we need exquisite risk

management and that the board has somewhat prevented that by even before we delivered the report they had already decided to create the board risk management working group which we strongly endorsed.

Yes, Robin Gross.

Robin Gross: Okay. So I would sort of add to this along the lines of, you know, the ICANN community talks securing security, the internet security, the internet - that's our goal. And yesterday during the DNS abuse session somebody said, you know, I think we're really framing this issue wrong when we just talk about security, security, security when really we're talking about the health of the internet. And, you know, yes security is a big part of that but really the health of the internet is our big goal.

So, you know, maybe there's some way we can tie this in because, you know, I hear all this oh my God we've got to get things secure. And it's kind of scary to me. So how about we have to get things healthy?

Man: I think that's a good comment but it's not necessarily directly relevant to the report.

Man: I fully support (Robin's) intervention but we should be careful. You should not forget that China's government is using this terminology - healthy internet - as a key concept. But if you introduce the health of the internet as a key conceptual element, you produce probably some misunderstandings or you feed, you know, other parties which have a different understanding, you know, what a health internet is or not.

So while I fully acknowledge that we have to look for to go away from putting security onto first place and to turn it into a positive banquet. But this terminology - the healthy internet - is already occupied by the Chinese government.

Man: I just wanted to, I mean, the idea of the security is the terminology which it's around security and increasing dialogue around sub security is certainly a really interesting one. It's not one that was addressed in the report so I don't think that we need to - I don't know that's necessarily what the board are asking. And stability and resiliency are included there.

One other thing I was planning to say is that I noticed that (Fadi) has made himself personally responsible for compliance and compliance in particular is a key resiliency and a lot to do with that resiliency as well as the other requirements. To say the stability and resiliency parts are just as important as security and, you know, we are pleased to see that that is being taken very seriously.

And generally I think the conclusion of that is also that we - one of the things to report to them is we are in general the review team was quite happy with the operation of SSAC and the end with ICANN security staff even though they haven't had the best year.

Okay. Do we have any other questions on that one or should we move on? I guess we'll move on.

And the last issue to come up there - no, sorry not the. Two or three more issues yet. Feedback on the responses to corporate input on impact of the new GTLD program and ICANN structuring processes discussion on how to move forward. Milton Mueller?

Milton Mueller: So, yes. The board is very aware of the fact that the introduction of, you know, hundreds of new domain name registry operators and the vertical integration of registries and registrars has the ability to change the nature of the GNSO's politics.

In other words currently the representational structure is based on we have a sharp registry registrar distinction. And you have this distinction between so-

called consumers or users of domains which includes business users and trademark owners and the suppliers of domain name services.

Now when you have brand TLD's you have blurred the boundary between the consumer and the supplier in effect the major brands - and I think this is a healthy phenomenon - are supplying themselves with their own top level domain service. So there're issues about whether the GNSO needs to be reformed yet again. And there will be a GNSO review. So I think the board at this stage is just interested in ideas and concerns being expressed about what should be done about this if anything. And if anybody has given it more thought than I have, they should speak.

Man: Wendy Seltzer?

Wendy Seltzer: I think the GNSO needs to be totally revamped and that the soloed constituency and stakeholder group and house structure needs to be done away with. We need to get away from voting on party lines and toward consensus finding and out of the box thinking. I think how we say that in the way that's useful to the board - I've been trying to articulate how we can get reform of a bottom up structure catalyzed from the top but not dictated from the top.

So because council has shown itself to be incapable of even acknowledging that council is broken where it's obvious to anyone on the outside that council is where things get sent to die because we're incapable of working through APDP. So how can we restructure and reform without it just being an imposition of another broken structure from the top but get people to recognize let's fix things ourselves.

Man: Yes. I don't know whether this is the right place to share a concern which I've heard the last couple of days in various forums. And this is about, you know, the new players which will join sooner or later the GNSO and here in particular to discuss the issue is still the future role of Google in ICANN. You

know, there is a rumor that originally (Larry Page) wanted to have 1000 new top level domains only for Google. And there was a group around him which wanted him down to 100. And, you know, this is enough.

And now this is under negotiations. And there's even among the big players in ICANN including (Virsand Filas) is the concern that okay what will happen if Google, you know, because Google has a totally different business model for the domain names. And it means that they are more interested in traffic and not selling domain names. So what will happen if they give it away for free - 100 domain names - and shift the whole business model, you know, of the DNS from the last 10 or 15 or 20 years.

So I think this could be some, you know, it's a subject of speculation at the moment. Nobody knows really what will happen but one thing is for sure that we will in the next two years we will be confronted with a lot of innovative forms and we should be prepared, you know, to face these new challenges and to look, you know, what all these new players which we are so fond of are a part of the process in ICANN - what they will do, how they will, you know, accept the stakeholder model or whether they will want to use this platform to special cases and individual businesses.

So I don't know whether this is the right place but, you know, I just thought that probably it's a - we have to raise the question. So I do not expect an answer and probably this is not the place here to discuss it. But I wanted to share the concerns I've had the last couple of days.

Man: I think that is precisely the kind of concern that they want to hear about. I do believe there will be business model changes. I actually welcome those changes and I think it would be pathetic if the GNSO structure and the GNSO policies were set up to protect a cartel of existing registries and their existing business models. And the fact that a new company can come in and kind of up end things is probably a good sign but it does raise issues about the representational structure of policy making.

I want to take issue with Wendy Seltzer however. I do believe that there are problems with the current structure. But this sort of - I think I've heard this before from the GNSO improvement groups and from (Susan Crawford) that if we just didn't have these structures, we would all go into working groups and come out with consensus. I think that is just not a realistic view that there are material interests in conflict with respect to for example trademark owners and registrars and the representational structure.

They make it hard to get beyond those but they're going to be there in some form or another no matter how the GNSO is structured or even if there is a GNSO. And I think one thing we have to be very, very careful of is we just gotten this hard one reform of the GNSO where the reputation is more balanced so that we actually have some kind of voice in it that is structurally protected. And just throwing that away after basically a year after it comes into place again strikes me as something that makes me nervous.

Man: Robin Gross and then I'll put myself in queue after Robin Gross. And then Wendy Seltzer do you want to speak to this?

Robin Gross: Thanks, yes. I want to make two points. First I want to support what Milton Mueller has said about how hard we fought for parody in the GNSO between the commercial and non commercial users. So please let's not do anything that will change that. I definitely want GNSO reform but the parody part is not the part that needs to be changed.

But on this question of, you know, the impact of the new GTLD program in ICANN, one of the concerns that I have is this influx of brands that are all now coming to ICANN and trying to join all of the various constituencies and all of the different stakeholder groups. So we're seeing, you know, some of the registries are being taken over by brands, the registrars, other stakeholder groups as well.

So I think we need to be cognizant of this has opened up opportunity for the trademark interest to really come back in full force and to play a much more active role in the policy development process. And so that needs to be contained that we need to make the board aware that with all of this brand, brand, brand and GTLD processes and applications that we're seeing, I'm concerned that this will lead to far more favorable policies to trademark holders and far less favorable policies to individual registrants and non commercial users in the GNSO policy development process. Thanks.

Man: Okay. So I'm just going to briefly say I think there's a very strong case that the change in makeup of the GNSO will have to change and adapt in some manner. It's going to have a lot of pressure on the existing structure. I think what we should say to the board is that we think there is a clear case of change in the GNSO and we encourage them to take very seriously and not maintain the existing representation of especially non commercials but of non contracted parties generally I think but certainly non-commercials to be sure.

Does anyone else have any comments on this? Wendy Seltzer of course but anyone else on the queue?

Wendy Seltzer: Thanks. I think this is a subject for longer discussion. I'd like to discuss it further because I think while nominally we have balanced representation in practice - what that has meant is that everything is declared is a 75% consensus in favor of the commercial plus contracted parties. And given that we are then always a minority in our house and in the council, we never get effective impact on anything. This has sort of taken away from our ability to negotiate places where we agree with the registrars and registries which happen more often than agreement with our fellow house members - the commercial stakeholders in the current arrangement.

And I'm far from thinking that abolishing voting and going back to consensus will make us all happy and content. But I do think that unlocking the ability to collaborate across stakeholder lines could lead to better solutions.

Man: Do we have any other comments? I just want to say I mean with all of the discussions we need to be focused on what we are going to say to the board. So the last part from we're still waiting for (Aubrey) to come back and talk about - (Bill).

(Bill):   The one point that I would really like to emphasize whether it's during this question or in the question during equality - whichever - is the concern about whether or not it is possible to get into all stakeholder groups equally and form constituencies. I want to problemetize this CSG thing that locks out - based on so much time attacking us and saying we're not representative and we're not this and we're not that. The fact of the matter is we're far more diverse than the NR and more focused on. So, that bothered me.

But in the particular context, you know, when you've got people like these telesensors who are coming to us because it's hard to go into their, you know. That's just wrong. I think all of the stakeholder groups have to have an obligation to be open to the real constituency proposals rather than saying no, we don't entertain those. Otherwise it just sends everybody to go forum shopping and end up trying to get into places where it's a wrong fit. And then you have a conflict over that and, you know, it's just a ridiculous mechanism. So there has to be parody there.

Man: Thanks (Bill).

We're running very short of time. The last two items on this list of discussion for the board rather I think we'll just - rather than having a summary of the existing positions and the person nominated to speak on it to say is there anyone else who wants to say something about these two items which are the human rights concerns which I know we've discussed a lot. So I just want to say if anyone who has not been involved in the existing discussion wants to add something to that, I would like to hear it.

The same with the issue of deterring patent policy development.

Robin Gross then Wendy Seltzer. Wendy Seltzer.

Wendy Seltzer: If we don't have a signee talking about patents I'm happy to say something brief about that.

Man: (Collin)?

(Collin): I was saving this for the any other business but just to make a point here - in the last meeting that we had with the board, we need an invitation for them to join us for the workshop in the IGF on human rights and ICANN. And so far we received no response from them. So it would be a great idea for us to remind them about this invitation. We mentioned that personally in the last ICANN meeting. We sent a couple of emails to them on that. I spoke with (Bertram) during our session last Friday. He said he was waiting to participate in our workshop but he is running a workshop at the very same time in Bochco so he will not be available to attend.

So maybe it would be a good idea for us just to remind the board about it.

Man: Would you be willing to bring that up in the discussion?

(Collin): Yes, sure.

Man: Great.

Okay. Do we have anymore discussion on these policy issues because we've got about a minute or two to discuss any other business, so?

Man: Just a point. Can I read a summary of what I took away from the discussion very quickly - take about a minute?

Man: Yes.

Man: Okay, so. Number one, we welcome - this is to tell the board, right - we
                welcome disruption of traditional registry registrar business bottom. We do
                not think the GNSO policy should be structured to preserve that. We agree
                that the non contracted party house is not functional and we think that that
                needs to be looked at in some way but we don't want to do so in a way that
                disrupts the balance of representation.

                We had some concern about the impact of brand TLD's and overlapping
                representation across SG's and constituencies. We have concern about
                gridlock on the council.

                Is that right? Anything I missed?

Wendy Seltzer: I think that sounds great.

Man: We feel there's a strong need for change or there will be a strong need for
                change in GNSO with the influx.

Woman: Excuse me. I guess this is just a reminder of something else that someone
                else said earlier. This will come up in the SG meeting that we have after
                lunch. So it would be a matter for the SG to decide who speaks and on what
                topics, right. And perhaps it would be an opportunity for constituencies to say
                something.

Man: Yes, it's true. We still have some opportunity. We're responding as an SG but
                NCUC can respond separately to any one of these questions, yes.

                Is there any other business?

Man: Yes. I come back to the very first point. It was the plan basically admitting it
                was more or less decided and it would be good if we decide on the

conference chair or what else that we go out here with the clear implications otherwise, you know, we lose another four or six weeks until we have a team that is ready to operate.

Man: That's about the - you're talking about the Beijing policy conference?

Man: Yes.

Man: I don't think we need to decide that at this meeting.

Do we have any other business?

(Carlos) did you want to talk about the IGF? You did talk about the IGF panel.

Woman: (Unintelligible).

Man: Well I think we might - perhaps we might close the meeting and then you can show the video.

Woman: Okay. We just finished a video called the Google multi stakeholder storytelling project. And after the meeting closes we'll show it. Rafik Dammak is in it and he's brilliant. And it was something that I filmed in Prague with people all over the world talking about why they participate in ICANN.

Man: Right. So if you talk to (Brendan) about that but there being no other business I think then I think we're probably in a position to close the meeting.

Man: Excuse me.

Man: So. What have we got? We got - yes?

Robin Gross: Hi, this is Robin Gross. I just wanted to remind everyone this afternoon is the NCSG open meeting. So all of us in this room and NCUC as well as all of the

people in the end part come together in the afternoon and we have our NCSG meeting together. And that meeting goes on from 13:30 to 15:30 in the board's - no, I'm sorry. Let me tell you the meeting room in a second. I don't have that one in front of me. Give me a second and I'll tell you that.

Peer two and three. It is this one. Okay.

Man: And I'm just going to - there were a couple of policy issues that were listed on the agenda that we didn't get to. Those can generally I'm assuming that means that we have nothing specifically NCUC and we're going to discuss those in NCSG. Some of them of which I know we actually have a fair bit of agreement with.

Okay, yes.

Man: I just wanted to say I think there is at least one issue that wasn't discussed and I understand why but also just to volunteer that I am with the federation - the international federation - happy to discuss with anyone any of the issues related to the Red Cross red crescent emblem and designations. And I'm here for the next few days and happy to discuss it. I just wanted to throw that out there.

Man: Okay. I think that issue is likely to come up at NCSG so we're likely to discuss it.

Okay, one last final call. Is there any other business? There is? Kathy Kleinman has something.

Kathy Kleinman: This came up in the NCSG policy committee meeting and I wanted to put out a call for anyone that wants to help on some of the intellectual property rights issues in these top level domains.

We spent many years - we, NCUC - spent many years negotiating trying to get in due process and freedom of speech and fair use and freedom of expression into the rules. And now there's questions about implementation. It's a good problem to have. We want to see that they implement what we worked on. But we have too few people working on it. So I want to know if there's anybody in the room that is familiar with intellectual property rights, trademark issues and wants to help me defend due process.

(Wolfgang) are you volunteering? Others please. We need several people.

Wendy Seltzer: And let me just underline (Kathy's) call for assistance on this issue. We need more help on intellectual property rights issues because there's a lot o these issues happenings right now. And since (Constantino) wants to go with ISOC, we've really got a whole year. And people participating remotely - people at home - this applies to you also. We need more IP people working on these issues. So please see Kathy Kleinman see (David) see me, see any of our counselors and we'll get that going. Thank you.

Kathy Kleinman: Any other volunteers?

Man: Kathy Kleinman sign me up. Like I don't have like a lot of time to spend on that but certainly I can be of some help.

Kathy Kleinman: Thank you.

Man: This is not an issue we want in the discussion about the importance of protecting the policy process. This is one where, you know, a long arduous policy process came up with some pretty clear policy that is being - suddenly wants implementation policy changes are being slipped into implementation process. And we would like to object to that very strongly and it might be something to bring up.

Wendy Seltzer: Well I'm impressed with what we got. We're actually in the good seed of defendant.

Man: Defending existing policy and not letting it be changed in the implementation.

Wendy Seltzer: And don't worry. We'll teach. We'll teach because we know exactly where we are with that.

Man: Alright - that being the final one, only eight minutes overtime. I'm going to declare this meeting closed and thank you all very much for your attendance.

                              END