MARRAKECH – Joint Meeting of the ICANN Board & the Non-Commercial Stakeholders
Tuesday, March 08, 2016 – 17:00 to 18:00 WET
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STEVE CROCKER: Welcome, everybody. This is the time for the board to meet with the -- which one is it now? No. It's the noncommercial stakeholder group.

I don't know about you guys, but it's been a long day for us, but nonetheless, we're enthusiastic to have this session.

The standard comment about these sessions is that we like to make them substantive, use the time purposefully, so we'll skip the -- all of the formalities and glad tidings. I think we're here to get some work done, and so with that, let me turn things over to -- are you chairing? Good. Take it away. This is your meeting, basically. We're here to listen. We'll interact. And we've put a couple of questions up, but much more important is to hear from you on the things that you wanted to cover.

TAPANI TRAVAINEN: Thank you, Steve. And welcome, everybody, from myself as well, and we have very little time so let's move on to the questions. We have four questions and I've asked different

people from our stakeholder group to ask them. Let's go to the first one.

Amr Elsadr, please go.

AMR ELSADR: Yeah. Thanks. This is Amr. Hi, Steve, Markus, Bruce, Rinalia. How are you? Cherine.

My first question concerns the GNSO review, and my understanding is that you've seen the questions already. First, I would really like to commend you and thank you, and thank you, Rinalia, for your comments on our work during the weekend session because you made it very clear that -- time and time again, actually, you made it very clear that you're being very patient with the working party in delivering its work. You want us to have enough time to get the work done right, and we really do appreciate that. And I believe I speak for the whole working party, not just the members of the noncommercial stakeholder group who are on it.

What I do want to ask -- and this is -- this is really an unknown for us and it would be helpful to know what is -- what is -- what your thoughts are on this.

What the working party is doing is it's going to hopefully provide feedback on the recommendations provided by the independent

examiner, Westlake; maybe possibly prioritize some of the recommendations; we will probably very likely also recommend that some of the recommendations not be implemented.

So the question really is: What are your thoughts or intentions on possible conflicts between the recommendations of the working party and Westlake? How do you intend on handling those? It would be helpful to us to sort of have an idea of what your thoughts are.

Thank you.

RINALIA ABDUL RAHIM: Thank you, Amr, for the question. So there is a process, and of course we are constantly improving the process based on actual implementation, so as we stand, what we would expect from the committee is that we would get back from you a comprehensive report that identifies whether or not there are differences between the recommendations of the independent examiner and what the community -- the GNSO is supporting and not supporting.

So we want to know what's different, and if you have a difference of view, we would like to know why, and so we would like you to explain to us, with a clear rationale, on why you are not supporting it.

And we also expect to receive an assessment on feasibility and prioritization on all of the recommendations that you support, and if there is a difference of view between the working party and the GNSO Council, if any, we would also want to know why, okay?

So when you submit to us this report and what the OEC will do is that we will consider it and we will make our recommendations to the board, and the board will take action based on committee recommendations. And the action could be accepted or accepted with modification or rejected. And if it is rejected, we will provide a clear rationale for that.

Now, the question that you have posed gives the impression that you are concerned that we may reject your recommendations not to proceed. I think -- and I speak only for myself because we cannot preempt the process of committee deliberation as well as board deliberation.

We want recommendations that strengthen the GNSO to be fully owned by the GNSO, because if you do not own it, there will be challenges at implementation. So it's important to have this agreement, moving forward.

Does that answer your question? Yeah.

AMR ELSADR: Thanks, Rinalia. And to be honest, we weren't actually concerned. I don't think there was much concern. We've been working. We've felt -- due to the great patience you've shown with us, we've actually felt quite confident in sort of getting this done together and getting it done -- it's very important for us to get this done right, and we fully intend to provide you with all the requirements that you just mentioned. This is something we've been working on.

And further to that, we are also currently working on some metrics that may help to measure success in implementation of these recommendations as well, just as suggestions.

But if I may, when you say you will either adopt some of the GNSO or working party recommendations or you may not adopt some of them and provide rationale, is there room for us to work together to sort of have a to-and-fro on this? Maybe you send something back to the working party and then back to you? Or is this going to be a final sort of decision on your part, or the OEC's part, actually, before it goes to the rest of the board? Thanks.

RINALIA ABDUL RAHIM: I would say that in the interest of getting the best result, I would be open to have my committee have this back-and-forth with

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you, to make sure that we get a nice set of recommendations to the board.

And the committee would welcome suggestions for improvement. I noted in the GNSO review working party report there is a section on next steps and concerns and that you would like to make suggestions for improvements, and we are ready to accept that as well.

So thank you very much.

AMR ELSADR: Thank you. That's very reassuring. Thanks.

TAPANI TRAVAINEN: Thank you, Rinalia. Let's move to the next question, which I have Klaus Stoll presenting.

KLAUS STOLL: Thank you very much. My question is concerning the outreach, and I -- in order to explain the question a little bit more, the question is: Does the board agree on the need for greater awareness and capacity building for broader and deeper engagement in ICANN?

If ICANN cannot find practical ways to enable deeper and wider participation in the ICANN, this will threaten the very legitimacy of ICANN's multistakeholder governance model.

The second part is: What are the parameters under which the outreach and capacity building should be implemented?

ICANN is doing a hugely commendable job in outreach and capacity building, and I think it's exemplary, but at the same time we observe that these efforts focus very often on promoting on ICANN as an organization and it's mainly executed by ICANN staff.

Would it not be more consistent with the bottom-up multistakeholder model if the outreach would focus on the DNS and its policymaking processes? And should the outreach and awareness-building not be implemented and executed jointly by all SOs and ACs following a joint cross-community outreach and awareness strategy?

I apologize that I've read it out but I -- in order for clarity, I prefer to do it this way. Thank you.

MARKUS KUMMER: Thank you for the question.

Mike agreed to answer and he will do that from the -- no. He moved up on the podium. Okay.

MIKE SILBER: I moved based on your request, Markus.

[Laughter]

Klaus, thank you, and thank you very much for the explanation because the question caused some confusion, as it was expressed, and we weren't really sure what the awareness and capacity-building for broader and deeper engagement in ICANN policy for a secure and stable DNS referred to, if there was a specific document or a specific policy that had been formulated that we -- of which we were unaware. So thank you for that.

I think you raise a really interesting question, and I think the way to answer it is to say that outreach includes a number of issues.

Yes, some are creatures undertaken by staff, and I suppose the question is: Having engaged that staff, surely they should be put to use in terms of outreach.

The second thing is that outreach often involves sponsoring or hosting meetings or events at which training takes place, and in providing that assistance but not necessarily always sending staff to conduct that outreach, we're actually assisting in

outreach and we're assisting the community in outreach by facilitating the actual events at which these things take place.

The third thing is that ICANN does work very closely with a number of its SOs and ACs in terms of training, outreach, and facilitation.

Lito over there is from the Latin American region and a board member of LACNIC as well, and he can tell you that LACNIC undertakes a lot of training in DNS across that underserved region.

Similarly, I happen to be involved in AfriNIC on a far lesser basis, and AfriNIC has very significant outreach in terms of DNS training and workshops that take place, and there have been, for example, at this meeting, DNS training that's been taking place in conjunction with the meeting.

Now, some of these are undertaken by the relevant RIRs, and ICANN is often a financial sponsor for the event, for travel, for accommodation. In other cases, the RIRs undertake it themselves. And there is a collaborative approach that is undertaken. And that happens equally with regards to other events. Some of the SSAC, some of the RSSAC outreach that's taking place is a collaborative approach.

And I don't think there's any objection within ICANN to taking a collaborative approach. A collaborative approach. But there's also a perception amongst some, and there certainly have been approaches for budget, for the community to conduct its own outreach and that ICANN must fund the community to conduct outreach without any clear planning and without the same partnership approach that we currently have, for example, with the RIRs. And so what I would encourage is if people actually have partnership proposals, rather than simply a funding proposal, that's something that we can certainly look at and we can certainly look at changing some of the current approaches, but it needs to be within that context of value-add from all sides, not just paying third parties to go to fourth-party events.

KLAUS STOLL: Thank you very much for this answer and I'm extremely grateful because I think it points the way where we have to go. And the way we have to go is to further collaboration and broader collaboration, and I really would like to -- what I would like to take out of here that we all try now to build up that collaboration a little bit further and have a dialogue about that and to see practical way forwards, because that's -- that's a new ICANN and that's what we have to do. But I also would like to remember us that we really have a problem if we don't reach more people with the message of ICANN and with the message

of the multistakeholder model, and one of my biggest problems in the transition period was all the criticism I had to hear, "Oh, ICANN, nobody knows about ICANN, nobody knows what's going on." And I really put it on my to-do list very high up to say that's one of the things I would like to change, and I hope a lot of other people will join me in that. Thank you.

TAPANI TRAVAINEN: Lito, please.

LITO IBARRA: Yes, please. Lito Ibarra from the board.

I can reiterate what Mike has said about Latin America because we do often workshops, conferences, involving LACTLD, LACNIC, as well as ICANN.   We had last year the so-called LAC-i-Roadshow, which is part of the ICANN LAC strategy, and we had it in several places, and we had this set of some topics, such as the IANA transition and the DNS -- such things like DNSSEC, and also local subjects, local topics that are of interest to the local community.

So that we -- we get these events all together, and as a matter of fact, with the cancellation of Panama, with trying to think of taking advantage of local events in other countries to spread the message or to get somebody to give a talk in Spanish or

Portuguese, you know, in the region to create consciousness and reach out with this -- all topics.

As for the parameters, I would say of course the quantity of people attending, of course DNSSEC implementation, and some more relationship with universities or local organizations.

KLAUS STOLL: Thank you very much, and I'm also happy to inform you, especially in view of Latin America, this morning in our NPOC constituency session, two of our members from Argentina presented a very, very good primer on quite simply what domain names are, how they work and how people do it, and we are really looking forward to bringing this one as part of that effort into the -- into the communities.

Just one little note and that's not a criticism.

You know, we did some research, and the situation was really -- it's shocking that a lot of not-for-profit organizations and civil society organizations really till today don't know that -- what a domain name is and that they actually have to renew it and things like that. We have to go really start from the bottom, where we think -- I mean, how can somebody not know that? -- to high topics like DNSSEC, and we have to cover all languages and all -- all different levels of knowledge.

And to close the topic here, I'm really, really pleased with this little dialogue and hope that we can build on that.

MIKE SILBER: Markus, if I can possibly just close up on this.

I think one of the issues that I'm hearing over here is a lack of coordination, and I would really encourage firstly that we need to bring the ICANN engagement team into this. We've tried to professionalize the approach for staff and board to get involved in events through the ICANN speakers bureau, but I think we need to look at events -- the suggestion of events in which ICANN should participate and how, and to make that a little more transparent, and I think that's something we can speak to Sally and her team about.

But the other thing is that in particular with the ALAC, you're dealing with a resource that is present in a lot of the places we're talking about. And I just think we also need some more coordination between the community, because what we don't want is a situation of one part of the community being funded to go to an event in a second part of the community's backyard, and I think this is some of the coordination that needs to happen within the SOs and ACs, not just vis-a-vis ICANN and the community.

Because for some reason, there seems to be a tension between certain elements of this community, -- ccNSO managers, RIRs, and others -- that doesn't involve us actually working collaboratively but sometimes in quite a competitive manner.

TAPANI TRAVAINEN: Thank you, Mike. Any others who want to comment on this one? No?

Let's move on to the third question. Neils ten Oever.

NEILS TEN OEVER: Thank you, Chair. And thanks a lot for this opportunity. And I cannot stress enough that we really appreciate the growing interest of the board in human rights as well as the intensifying conversations with the board in the period leading up to this meeting in the CCWG, but also in the CCWPHR session yesterday. I'm sorry I will have to leave early for the CCWPHR joint session with the GAC human rights and international law working group, but all this activity shows that the operationalization of human rights is a topic that is really important and at the forefront of the minds of this community.

We understand that the board intends to draft a human rights statement as was proposed by the board in the comments to the third draft proposal of the CCWG on accountability, and we

stand ready to work with you in a multistakeholder fashion and have already made suggestions as to how that could occur, and we appreciate the board's commitment to making this happen with the community in drafting the statement, given the communities work on human rights both in the CCWG on accountability and the CCWPHR.

Do you have any indication on where and how this statement will be made and how the community can be involved in this?

But also in the CCWPHR, we've been working on the preparation for a human rights policy for ICANN which would be needed to live up to the commitment to human rights which is proposed in the CCWG report.

So how does the board envision a process for the development of a human rights policy for ICANN?

And, finally, we appreciate and fully expect the support of the board and the staff as we work on these important issues within and outside the framework of work stream 2.

And for that, will there be dedicated ICANN staff working on the development of a human rights policy and who could also function as a focal point for human rights? Because in our previous meeting, we asked for a contact within the board, and I think it was real conducive of getting the conversation going.

And we hope that a similar thing could happen with ICANN staff so we can jointly bring this matter forward.

MARKUS KUMMER: Thank you for this question. And as you know, the board is committed to human rights. However, this work is in its infancy. And we had a very good exchange yesterday in your CCWG on human rights. We listened, we took notes of where your work is going. We also expressed some preliminary concerns on a personal note. We have not discussed this with the board.

But there is, I think, a shared concern among many board members that there is a risk of spreading too far with human rights and also with the scoping of human rights. I expressed my personal concerns with regard to economic and social rights as I see this as taking this really very far. This is something we will have to discuss as we go forward.

I will also encourage the other board members who were in the session to give their impressions on the discussion.

Again, it was a very good and very constructive discussion and you also assured us this is just the beginning of a mapping, and we would have then maybe to come together and narrow the scope as we go forward.

But just as a general principle, I think the more you are focused, the better the chances are of achieving anything. If you want to do everything, then there is also the risk you don't anything or don't achieve anything. But that's just a preliminary comment.

On your more specific questions, we hope that the work will focus on work stream 2 and the various strands will come together in work stream 2. There you will have ICANN staff supporting that work in work stream 2. And there will be -- the people who do that on a regular basis will be assigned to work stream 2. But there will also be people from the development and the public responsibility department who will be assigned to support that work.

And as to your last question, yes, we support the preparation of a statement but we will have to work together with the experts on how to develop because we don't have concrete ideas as of now. But we count on your input and your support.

And I see Lousewies queuing up behind the microphone. Please add what I have missed out.

LOUSEWIES VAN der LAAN: I don't think you have missed anything obviously. Sorry, Lousewies Van der Laan for the record.

I thought what was really interesting yesterday in the session we had is that it shows that a group of very dedicated people can really start moving things forward. The concern that we as a board, of course, need to have is to make sure that, you know, we are engaging with the whole community and that it's not just the ideas or aspirations of a small group.

And so to bring it into work stream 2, to make sure that, you know, it's an inclusive process so that all the voices are heard. Because then we hear from other parts of the community, What exactly are they talking about? In one of the discussions I thought yesterday that was very valuable is that we made a distinction between what are the human rights obligation of this particular corporation, which is under American laws which has to follow American laws, things that we would refer to as social corporate responsibility? We don't hire slave labor. We make sure that when we buy products that they're not mined in an irresponsible way. These, I would say, are almost basic things that we are almost obliged to do by law but which we could go further.

Then there is another aspect which is all this mapping you have been doing. Privacy is a very interesting one which pertains, of course, very much to what's going to happen with the new WHOIS policy, et cetera. In Europe, there's huge problems now

because ICANN policy has one thing. Privacy rules in Europe are another one. How do we deal with that?

Whether we call that human rights or not, this is a legal reality we have to deal with. And so -- and then there's kind of -- I would say the next step is, is there a role for an organization like ICANN in trying to do broader human rights. And here's there's a lot of, I think, controversy. I think the key thing now is to focus, to say what are we going to focus on. There's the question of the first and the second generation human rights that need to be dealt with. I think the more that we can focus it and also make sure it's done by the whole community, that we don't race ahead too fast, that will make it easier, of course, for the board to put its full support behind it.

I just want to commend the work that you guys are doing -- because I was very impressed by this mapping exercising. It is really an incredible range of things that need to be dealt with. But let's make sure it's included in the normal processes.

MARKUS KUMMER: Thank you for that.

I also noted that we all agreed that ICANN cannot just be treated by an ordinary, quote-unquote, corporation but ICANN is somewhat special through its function. And we will have to look

at ICANN differently. We cannot just take on a recipe from a commercial corporation.

I think there was broad agreement, and that may help also calm my board colleagues who may be frightened that it might go further than they intend to go.

Are there any other comments from the board? Bruce, please.

BRUCE TONKIN: Yeah. Just want to reinforce the focus part of it. I think the human rights discussion needs to be sort of in the context of what our mission is. And so if we pick a couple of elements of it, one is the registration of domain names. The other is the allocation of I.P. addresses.

Generally, those I.P. addresses or domain names are allocated to legal entities. Those legal entities could be a corporation, or they could be an individual because you can have a legal person. And so I guess there's a human rights element to the legal person piece.

The other element where we deal with humans, I guess, in the contact objects that we use in the registration process, like I.P. addresses, registries -- domain name registries maintain contact records. And those contact records, basically, are the names,

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addresses, phone numbers of people. So I think there's a human rights element there.

The other aspect that I could imagine could apply to some of those concepts could just be our meetings and the participation in those meetings and how people are treated in those meetings. So that's something that's a factor of -- obviously we have at this event a couple thousand people, how they're treated. Are we treating everyone respectfully and in consistency with whatever human rights principles there are?

So those are two areas of focus I can think of, how we treat people in meetings and how we treat people that are contact objects.

I can say what I don't think it is. I don't think we should be getting into contents of email, what's on people's Web sites. All of those things are outside of ICANN's mission, so it's really quite narrow in my mind. The contact objects and how we treat people at meetings is at least from my engineering mindset where I think it could be applied.

MARKUS KUMMER: Over to you.

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NIELS TEN OEVER: Thank you very much for these great and rich answers that give us a lot of food for thought and a great foundation to build on. And I'd like to underline that I think how we go forward should -- looking within ICANN's narrow scope and mission seeing on which human rights ICANN touches and make a really careful human rights impact assessment of that and only then discuss -- go to the rights discussion and only after that go to the framework discussion so that we have a very structured conversation and we do not get ahead of ourselves but that we have for ourselves very clear what we're talking about. And we are very committed to continue working with you on the coming time. Thank you very much.

TAPANI TARVAINEN: Okay. Thank you, Bruce, and whoever -- all of you. Anybody still want to comment on this? Or shall we move on?

Okay. Next question from Kathy Kleiman.

KATHRYN KLEIMAN: Could we advance the slide to question 4?

MARKUS KUMMER: Slide, please. Question 4, question.

KATHRYN KLEIMAN: Thank you very much. My name is Kathy Kleiman. And I understand this question has already been misinterpreted, so I will not read it. I will rephrase it.

And what it has to do is with the -- policy and other proceedings going on at ICANN.

There is a lot going on at ICANN. And I can't be the first person to tell you that today. From the perspective of stakeholder groups in the GNSO we're looking at policy development processes taking place now and shortly to start that involve new gTLDs, that involve rights protection mechanisms, that involve WHOIS2 and all the issues including privacy that that raises. We also have reviews, restructuring, accountability in work stream 2. There are charters and issue reports. There's public comments galore. There's independent reviews and much more.

So this is -- this is a problem. And I think the volunteer -- the volunteers of the organization are overwhelmed. We're tired. There's a high rate of burnout. You've heard about that. There's a problem with multitasking. There's a problem with the day jobs and the families.

So I've come here to brainstorm and discuss: Is there a way of prioritizing what's going on in ICANN and what people are involved in working on, the volunteers? Is there a controlling mechanism? And if not, can we create one so that we can create

some kind of streamline or tracking or prioritization of what's coming through.

We can come up with other ways to phrase it. But in the end, if we care about the volunteer bottom-up multistakeholder model, what can we do to help the volunteers? Thank you.

STEVE CROCKER: So I want to ask a question to sort of tease out one of the implied -- potentially implied assumptions there, Kathy.

Over in the IETF, there's roughly a hundred plus working groups in progress at any given time. And by that measure, that dwarfs the number of parallel activities that we have here or at least it's larger. I don't know. Maybe we have that many.

What's the -- is there an implied assumption that we should hold down the amount of work so that an individual can be involved in all of the things that they might want to be? Or is it just the nature of the beast that there's more things than one person can keep track of?

KATHRYN KLEIMAN: I can't speak to the IETF because I don't attend. I know many people here do.

But as I understand it, the IETF is not drafting policy.

STEVE CROCKER: Sorry?

KATHRYN KLEIMAN: Is not drafting policy. We are. And so the work that's being done, say, in our policy development processes and also in our public comments really have to do with the nuts and bolts of drafting the rules by which the domain names will function. So the drafting, the editing, the reviewing is very intensive.

And so what we're seeing -- and one of the reasons there was a reference to ICANN policy staff and the increase in it, is that there has been a professionalization around us for very good reasons. There's a lot of people coming in and spending their full-time jobs here at ICANN working on policy, working on reviews, working on the questions that are being asked. And a lot of industry people send professional staff, their directors of policy. So we're seeing a lot of people dedicated here full time working on things.

That doesn't quite answer your question. But the volunteers, it's a group -- these are complex, interrelated questions that involve a good background in order to work on them at the level that we work at them at. And I'm not sure all the volunteers can ramp

up in the same way we're seeing other stakeholder groups, other staff, other groups ramping up at.

STEVE CROCKER: Thank you.

TAPANI TARVAINEN: Okay, Bruce?

BRUCE TONKIN: Yeah, Kathy, you're certainly right, that we're hearing similar things from different groups. One of the things that came up in our meetings with the Commercial Stakeholder Group actually was just to struggle to find out what public comments were available and to make it a little bit clearer on how to navigate through the Web site, what was identified as kind of two classes of comments currently in the ICANN Web site, one class related to sort of policy development and public comment periods and then another class of activities relating to registry service requests and various other things where public comments are also called for but it's not specifically part of the policy activity.

So I think an action that David Olive took from that was to look at ways of sort of consolidating those two or multiple sets of public comments into at least one Web page. And I made the

suggestion of perhaps a weekly digest of the current activities underway. But that just helps you become aware of activity.

I think ultimately for you -- for this group particularly is you are part of the GNSO, and you elect people to the GNSO Council. And that council is managing policy development. And the constraint on how many policy development activities in my mind that can be done in parallel is you need to look to see that you have balanced representation across each of those activities.

And that's probably a big difference to an IETF model where you can have a group of engineers working on a particular narrow problem and they can work together on it. You don't actually have to have people from government. You don't have to have people from the legal departments, from the ISPs, from the business constituency or some of the non-operational concerns constituency, the NCUC, et cetera. Whereas, what we need to do is to get balance. So it's very different.

So one of the suggestions I've had there is what the GNSO could do at the council level is to get each constituency to actually map out what your actual volunteer resources are.

So, Kathy, you might say, I'm prepared to volunteer ten hours a week on the following topics. And another member of your constituency might be prepared to put 20 hours. And someone

might be prepared to put five hours. But if you just did a mapping of what your volunteer availability is just in number of hours a week and the topics they could work on, then you actually have a little bit of a matrix of the resource pool. And then the GNSO Council could manage that and say, Okay, based on that, we can do ten activities. And then you have got to prioritize what those ten activities are.

And then our job is to support you. So we've ramped up our policy staff because the community actually has kicked off lots and lots of activities. It's not the other way around. We don't employ more people to create activity. We employ people to support the activity that the GNSO itself has commissioned. So the starting point would be to go to the council, map out your volunteer resources, work out how many parallel activities you can conduct using those resources to ensure balance participation.

And maybe the limiting factor is your group, I don't know, as to how many activities can be done, and then you can recruit more resources with just a theme this week about diversity but obviously find more volunteers, right? Rather than have a smaller number of volunteers that have to spend 30 to 40 hours a week, find more volunteers that can each spend 5 hours a week. So those are different ways you can address that.

But the starting point, map out what resources you have and then prioritize using those resources. This is what every company on the planet does, and ICANN needs to start doing that, too.

KATHRYN KLEIMAN: I certainly understand the process, but when I go to the GNSO and ask them why there's so much policy development work going, they remind they they've only initiated basically two working groups. One is for the new gTLDs and then the upcoming rights protection mechanism which we expect will be approved on Wednesday, tomorrow.

The board directed PDP is kind of the straw that broke the camel's back in some ways, the WHOIS2. Huge, enormous five-year process coming in. 144 volunteers. Can we -- and GNSO throws up its hands and says, we didn't do that.

For now, for right now, with all of this going on in parallel, that's a problem. And then for the future, how do we kind of put all this into a mix and sequence it rather than doing it all in parallel. And can we start now.

BRUCE TONKIN: So it's the GNSO Council's job to manage that. The board's just requested an issues report, I think, on that topic. But again, the

board didn't sort of just randomly decide to do work on WHOIS. We had a WHOIS review team. We've also had a number of groups identify there's limitations in one of our core services which is providing information on the registrants of domain names. So again, predominantly coming from the community. We've tried to structure it by separating WHOIS in the current model, which we know has lots of limitations, and then we're just trying to kick it off to say we need a new model that can serve the organization and the community into the future. But the GNSO can control how it prioritizes that and when it gets done. We're basically just supporting that work.

KATHRYN KLEIMAN: Can I rephrase and just ask, so it would have been okay for the GNSO to say, we can get to this but in six months?

BRUCE TONKIN: If that's what the GNSO said, yeah. The GNSO -- the role in the bylaws of the GNSO Council is to manage the policy development process. The GNSO Council needs to prioritize what policies it needs to work on. And our job is to support that.

MARKUS KUMMER: Okay, thank you. There's a queue forming, and I think Cherine also wanted to comment.

CHERINE CHALABY: Why don't we let the queue first and then --

STEFANIA MILAN: Is it on? Yeah. So Stefania Milan, for the record. I just would like to contextualize what Bruce suggested, that we operate more like a company would do. I guess there is some good in that suggestion. What we are probably are forgetting here is that we are not a company, we are volunteers. So there's a lot of flexibility, a lot of other factors, as Kathy pointed out, that intervene, they're not foreseen. So probably it would be good if the board doesn't think of the volunteer body as, you know, equal with staff or with a company because we're not. Thank you.

BRUCE TONKIN: Just to be clear, I'm talking about identifying what amount of time the volunteers want to put in. I'm not directing volunteers here. So this is really about volunteers saying, I'm prepared to volunteer and put this much time on this problem, and then the -- the volunteer community, which is the GNSO Council, can then work out what it can contribute to do. So there's no directing. Like in a company you would just tell people what to do. But

this is you volunteering and then identifying how much time you've got available to spend.

STEPHANIE PERRIN: Stephanie Perrin, for the record. My comment was more about the depth of the work. There are two problems that I see at ICANN that make it very difficult for us to recruit more volunteers to share the load. Number one is that most of these issues are horizontal. I give you the H.R. issue. Once we develop some sort of a statement in framework for H.R., the complexity of applying that across the various, dare I say columns that ICANN operate in, is going to be really significant, and H.R. tends to be at the theoretical and rights legal basis level. Applying that in practical terms is going to be challenging.

The second thing is that when we bring people in, they may have expertise in one area. The research required to do a good job and -- and this is going up exponentially as ICANN gets older and older. I mean, I feel like I've done quite a bit of research in the past three years that I've been here at all kinds of levels, but I'm still not competent to join the rights protection measures group because I haven't seen the cases and looked at them all and done that level. Although I certainly know how it applies as a rights protection recourse in some of the other things I've looked at.

So I think we mustn't underestimate the complexity. Now I do understand that in a company you get a new employee, you throw them in, sink or swim, to do that. But my heart goes out to the staff that are doing this. They will never master the horizontal complexity that we, as our particular group and NCSG care deeply about, if they are busy drowning trying to figure out their own niche and their own deliverables in one of those columns. Just like to say that. Comments welcome.

MARKUS KUMMER: Rafik.

RAFIK DAMMAK: Thanks. When I heard about this idea that you can ask someone to volunteer like five hours and so on, sounds like kind of project management. But the reality is different in practice, because even if you try to bring newcomers and ask them to join, maybe to try to read all the materials and so on, they have to go through kind of a learning curve. It takes them time to learn. And I am really worried when you talk like the time that you can maybe five hours and so on. We are not like an asset or what people maybe called a human resource. We are people who come here to volunteer. And there is a reality. For example, I observe it like lately most of the working groups are in time that is hard for someone from Asia-Pac. ICANN is not my -- my daily

work. I'm not sure I can like wake up at 1:00. I stay up like 1:00 a.m. every -- twice per night to -- to get involved in some working groups or attend the conf call. So that the reality you have to deal, if you're a non-commercial, you are just volunteers, you cannot compare as like someone who is paid to do that. Doing this an hour, you know, free time. And there is a lot of efforts and learning effort -- I mean investment to get really involved. I mean, like the -- like we have like RDS and now the new gTLDs subsequent rounds.   The amount of documentation that is requested for the volunteers to read is quite heavy. It's not easy to bring a newcomer and ask him to do that. It takes time.

So I'm really bothered when I heard like you can commit five hours. It doesn't really work, even in corporate life. This is what they call the functional management. It doesn't really work. It takes much -- more time and so on.

So we need to be careful. It's not easy. It's -- we are trying to expand the pool of volunteers, but it's also taking us a lot of efforts -- efforts to prepare these volunteers to be effective and to participate. So the bar is high. So we need to be careful.

What I think personally, ICANN need to scale down because it's not just about policy development. There are so many projects that are initiated and so on. There are a lot of things. You need to scale down. You need to prioritize. It is quite important for

the community to participate in those planning and prioritization. We need to focus on specific things. We cannot do so many things at the same time.

So this is, I think, maybe the challenge also for the new CEO, is really to scale down what's happening. There was some effort, you need to scale up because there are a lot of challenges. Now we need to really now focus on some things. You cannot start, for example, three or four heavy PDP at the same time. Doesn't make sense. Thanks.

BRUCE TONKIN: No. And even worse, we're about to kick off about -- a large number of reviews. So there's another ATRT review, there's another security and stability review, another WHOIS review. And so I'm completely on your side. Particularly on the phone calls. I think we heard in the previous session, I think with the registry/registrars, might have been the chair of the GNSO Council speaking, but that can only be solved just by rotating the meeting times. I'm from Asia-Pacific as well, and I do lots of calls in the middle of the night as well. So I share your pain. So that's a solvable one. There's a way of sharing the pain. But your other issue about prioritization, I completely agree. Because we're at danger of doing lots of things not very well. I'd rather do fewer things well. So I'm completely agreeing with you

there. And I think let's do it through the councils, let's do it through each group, let's prioritize. We, I think, as a board need to prioritize the operating plan a bit more. There's probably too much stuff in it. I think we are in danger of not -- of just doing too many things so I agree with you. Prioritization is a skill that needs to be learned in the community.

MARKUS KUMMER: We're running out of time, but I saw Cherine and Rinalia would like to add something. I mean, we definitely -- we heard your concern. They were very well articulated. Can you be as short as possible? Cherine first and then Rinalia.

CHERINE CHALABY: I can't be as short as possible.

[Laughter]

No, I actually really sympathize with the point. And the answer is not -- not very easy because in -- in a corporate environment which we --- you say is it important, do we have the money, and do we have the people? I think in ICANN we say, is it important, do we have the money. We never ask, do we have enough volunteers to do the job. And that question is not answered anywhere. Nor -- neither by the board, nor by the GNSO or any -- people assume that they're just going to pop up from nowhere.

Right? So that needs to be addressed somewhere. And I don't have the answer, but it needs to be addressed, definitely that third thing, do we have the resources.

I wanted to go ask David Olive a very quick question because last year in the public comment the community said we're a bit tired, we need help. Could you recruit more people in the policy development, which we did, two additional FT. But I fear from the first question is that this had almost increased the fatigue because those people just created more power to do more work than you can cope with. So I just wanted to know from -- from David what's his reaction to this because he's closer to that. Thank you.

KATHRYN KLEIMAN: Although that's not what we meant to imply.

DAVID OLIVE: Thank you, Cherine, for that. Indeed, the board did grant us two FTs, which we have hired. One for the secretariat support. We hired that person almost immediately thereafter. And the second subject matter expert we just hired David Tate from the Commonwealth Association that joined us at this meeting. That is only for the GNSO. We also support three supporting organizations and four advisory committees. The RSSAC and

SSAC have also increased their workload and efforts. The support needed for that is being generated by our policy support team.

So no, we don't create more work. We try to support and facilitate the workload as managed by the councils and the -- and the executive committees of those organizations.

RINALIA ABDUL RAHIM: Markus.

MARKUS KUMMER: Yes, Rinalia.

RINALIA ABDUL RAHIM: Thank you. We're definitely concerned about volunteer capacity and burnout. On the reviews area, the committee has discussed whether or not the review schedule can be more flexible, and we're looking into it to make that possible without neglecting what we need to do based on bylaws and et cetera.

MARKUS KUMMER: Thank you. Can we close that question? I mean, I think we have the assurance we are taking it seriously and we have not forgotten, and we will debate it also on the board. Could be one of the issues to put on our next board retreat, for instance.

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CHERINE CHALABY: Markus. David, you didn't answer my question, but not now. We'll take it with Kathy a little bit later. Please don't -- don't go there. So I just wanted to put on record we haven't answered the question about the effect of adding additional policy people. So we'll -- we'll deal with it after.

MARKUS KUMMER: Thank you for that. And we have also asked some questions to (indiscernible) so one of them related to diversity and the other was asking your questions -- your reaction to the work of the CCWG. We already had the discussion on diversity, and I think in the joint meeting with the GNSO Council on Sunday, and you provided us some data. But I understand you would like to make some additional points on that. Please.

TAPANI TRAVAINEN: At this point, Stefania, could you please come up here? I'll ask Stefania Milan to speak for NCUC briefly, and then Rudi Vansnick for NPOC, but please be brief. We want to have some time for discussion.

STEFANIA MILAN: Thank you very much. Stefania Milan for the record.

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Given we don't have much time, I'm going to gloss over the figures. Just a few very basic ones. I'm going to speak for the NCUC.

We have 447 members. The majority of them are from -- not from the U.S. -- sorry, North America, not from Europe.

We represent 115 countries, but we represent -- sorry.

Our members come from 115 countries. Our brochure, for example, is translated in six languages, including Polish and Turkish. Our chair is nonwhite. And the six seats attributed to the noncommercial stakeholder groups, not just NCUC, are equally divided per gender.

Now, we don't have, unfortunately, the figures on gender because -- gender diversity because we don't collect those data, but we are aware that there's more work to do there.

But I would like to share with you what numbers don't tell, which are what -- all the efforts behind these diversity figures, and there are three in particular.

One is outreach. We do organize frequent events in various regions in connection with our events, including academic conferences and regional IGFs. We are very grateful to the stakeholder engagement team at ICANN for their support, which

is also financial. However, there is a problem here, which is, effective participation.

So not just collecting numbers for various countries but making sure that these people are actually contributing to policymaking, to the policy process, and it is very hard to mobilize members in this regard.

So second point, capacity building.

It was already discussed extensively here. We think it is quite important. Again, thanks to ICANN for what you have done already. There's more need to -- of resources there.

And then the final point is translation. If you were in our constituency meeting today, you would have seen our chair, Rafik, translating -- speaking in English, French, and Arabic. And sadly, the translation booths right behind him were empty.

So what we would like to ask is to consider translation resources, at least for constituency day, to support NCSG and NCUC. Thank you.

MARKUS KUMMER: Thank you. Please.

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PADMINI BARUAH: Good evening. I'm Padmini Baruah. I'm a student of the law from India.

My comment comes from the second part of your question there, and the framework I'm going to talk from is Article 1, Section 2, subclause 4 of your bylaws, which talk about broad and inclusive and diverse participation from different groups.

Two days ago, I was sexually harassed at this meeting, and while I received a lot of amazing amounts of support from everybody I spoke to, I was unable to find a clear code or a policy with respect to the ICANN community and sexual harassment. So eventually I discovered that one goes to the ombudsman, and I was again amazed that the ombudsman told me that I am the first registered complaint of sexual harassment in the history of ICANN.

Now, I went through ICANN's official records, and you have an excellent sexual harassment policy within the corporation with so many grounds on the basis of which people can seek protection.   Therefore, today I urge the board and the community to come up with clearly codified sexual harassment policies so that my participation can be more meaningful, and I would appreciate it if you took some time and got back to me on this. I don't want an immediate response. But this is my plea. Thank you.

MARKUS KUMMER: Well, thank you for bringing that to our attention.

[Applause]

MARKUS KUMMER: And I'm myself shocked to hear that, and so definitely I think I can speak on behalf of my board colleagues that we take that extremely seriously and we'll follow up on your suggestion.

There's really something missing if we don't have our guidelines there. So thank you for bringing that up, for raising this point.

Now to the -- I don't -- we've already reached our -- oh, Rudi, okay. He wants something to add. And Kathy as well.

RUDI VANSNICK: Yes. Thank you.

Rudi Vansnick, chair of NPOC.

Although NPOC is still a young constituency -- we are going to have five years in June -- actually we are close to having 70 members. Seven zero. And without having focused immediately on having the diversity as well in gender as in geographic regions, we can still be happy with the results we have, actually.

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We have 70% are men today and 50% are women, so there is a lot of work still to do at that level.

But if we look into the geographic repartition, I think it's quite impressive that we have almost equality in geographic representation.

In Africa, we have 25%; Asia, we have 90%; Europe, we have 24%; North America, 20%; and we have 11% for Latin America.

So it is remarkable that in Asia, we have 90% because Asia is a region where NGOs are not well-known and sometimes are -- they're not recognized by law in their country. So it makes it quite impressive that we have 90% in Asia.

And I have to agree with Stefania that the outreach we are doing is not that easy. It's not going to a company and saying, "Hey, we have a product. You can buy it."

What we have is a request for people to join ICANN, to join NPOC, and work with us in a volunteering way.

There is no immediate return for what they are doing, and that is one of the frustrating aspects that you are encountering when you reach out to people.

Quite often they say, "Yeah, but I have a daily job and that's my first priority and I need income, and if I don't have income, I cannot volunteer for any organization."

And that's, in itself --

As NPOC is focusing only on NGOs, the first issue that an NGO has is, do I have enough volunteers for my own mission and vision and work I have to do? And secondly, do I have the funding to do it?

And as we are asking in the third level to do the work for us and for ICANN at the same level as a volunteer, that's not easy.

And I'm happy to say that in two years' time, we have doubled our number of members, but it's thanks to the work of the team or all the officers in NPOC. And I have to thank Joan Kerr, who is our membership chair who has been validating each member individually, checking the email, to see if it's responding, checking the organization, if they really exist, they're really still there. And we are happy that today we can say all of them have been validated. They went through the process.

So we have now a basis of communication that we can go through to expand the membership and work on diversity.

You cannot start by saying we are looking first to diversity and then we'll see if we get members. It doesn't work like that. We

need a volume to be able to respond to the mission that we have to accomplish.

And to close and pick up on earlier questions, one of the ideas that we have been talking with some of my colleagues in SOs and ACs is, why shouldn't we create a working group, cross-community working group, that works on the community outreach strategy to see what we think as a strategy we need and then we try to see if it fits in the strategy that ICANN has developed and see where we have common grounds we can explore, and those who are failing, identifying why they are failing.

And especially in our context, it's very important that we are able to address our community in a decent way. And as I said, that's not easy.

I'm now in for two years. I'm quite happy that we are -- we are getting new members, although we are requesting more and more efforts from them, but it's still really heavy work that we have to do.

Thank you.

MARKUS KUMMER: Thank you for that, Rudi.

Unfortunately we are already over time. I ask for the indulgence of the interpreters. Can you maybe add some more -- 5 or 10 minutes to our time? I know Kathy wanted to say -- and we have one more question to answer.

Kathy, you wanted to come in as well.

KATHRYN KLEIMAN: I don't think I want to take away from the last question, so thank you.

MARKUS KUMMER: Okay. Can we move, then, to the last question: Feedback on final report of the CCWG?

Ed, you are taking this?

EDWARD MORRIS: Yeah. Sure. Thanks, Markus. And I want to thank the board initially, at the outset of the comments. When we were trying to figure out how to do all this two years ago, you let the community lead the effort for accountability. You didn't have to do that. So thank you for doing this.

Three board members, in particular, I want to single out from my 15 months working on this.

Bruce, you and Chris have been fantastic. Every now and then I'd get attacked on a list and all of a sudden Bruce would send "Good job" or "I agree with you" or "I don't," but it was always respectful and it was always timed perfectly.

More importantly, or even of greater importance to me, was the work Asha did.

Asha, could you stand -- a lot of our members -- you're new. A lot of our members don't know you. Would you mind standing up so they can see who you are?

[Applause]

EDWARD MORRIS: Yeah. I just want to say, Asha reached out to me at one of these meetings, had questions about something I was working on, followed up with emails -- some of which I actually lost -- but she was always asking questions, trying to learn. And then once she understood, she became an advocate for us.

And in my mind, that's what a board member is supposed to do. So I just want to thank you, and hopefully the other board members will learn from -- a little bit from one of the newer ones, because you did a fantastic job.

A lot of good stuff in this report. For me, the inspection and investigation rights were key. Hopefully it will lead into greater transparency in Work Stream 2.

But I got to tell you, the combination of those two rights put us on the path to have the most transparent corporation in the United States.

We're really leading the way, and it's due to a cooperative effort of the community and the board, and hopefully we'll be able to work this way in the other issues.

And we're going to turn this over to Robin now.

ROBIN GROSS: Thank you very much.

Hi, I'm Robin Gross, for the record. I've been NCSG's member in the CCWG for the last year and a half or so, so I just thought I'd say a few words.

For many of us, the report is ultimately a mixed bag because there's a lot of really, really good things in the CCWG report.

The -- the improvements to the independent review process, the improvements to the reconsideration request process, the creation of the empowered community with giving the

community rights to have some say in a lot of the important core governance matters are all really important.

The human rights bylaw that will be going in.

There's a lot of really good stuff in here, so I want people to understand that what I'm about to say after this, I don't want it to negate the fact that there's a lot of really good things in here.

However, many of us in NCSG still do have some concerns with respect to the government empowerment issue.

When you look at Recommendations 1 and 11 together, that changes the fundamental power structure at ICANN, changes the role of advisory committees to become decisional participants.

It's a fundamental shift in the way that ICANN has historically operated. And by design.

So a number of us have -- remain having concerns about what the impact of that is going to be on many of the issues we care about, like freedom of expression and privacy and due process and democracy.

So we just wanted to raise these concerns. And while on balance, most of the things in the CCWG report are really great reforms, this one particular sticking point remains a concern for a number of us. Thank you.

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MARKUS KUMMER: Thank you. I was going to say we could, I'm sure,discuss for hours, but we don't have much time.

But I see Avri is queuing up.

Please, Avri.

AVRI DORIA: Thank you. Avri Doria speaking. I wanted to thank Robin for mentioning that it was only a number of the people within the NCSG that felt that way.

I believe there's also a number of us that believe that the compromise that works out does maintain that balance where the other stakeholders still have a priority and such. So I just wanted to point that out, and thank Robin for making the point that it is a split in the NCSG. Thank you.

MARKUS KUMMER: Thank you for that clarification. And I think we can safely quote the chairs of the CCWG that this compromise may not be perfect but as long as everybody is equally unhappy, it's not a bad compromise.

With that, I would like to close the session and thank you for your attention.   My apologies we have to cut short the

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discussion. But we are really running out of time. Thank you a lot.

TAPANI TARVAINEN: Thank you from me as well. It is very nice to have you here. And apologies for running late.

[END OF TRANSCRIPTION]