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SAN JUAN – Public Forum 1  
Monday, March 12, 2018 – 17:00 to 18:30 AST  
ICANN61 | San Juan, Puerto Rico

BRAD WHITE: Ladies and gentlemen, we'd like to welcome you to the first public forum and our board chair, Cherine Chalaby. Please welcome Cherine and the Board.

[ Applause ]

CHERINE CHALABY: Thank you, everyone. I hope everybody takes their seat. Thank you for joining the first public forum of ICANN61.

On behalf of the Board, I wish to encourage you to ask questions, make comments, share your thoughts, and take advantage of the opportunity and the audience in front of you today.

These public forums are very important to us. We want to hear from you because it helps us do our job properly. We must ensure our priorities are aligned with yours and that we always act in the collective interest of all stakeholders. That is why these forums are so critical. It is an opportunity to hear directly from you about what's on your mind.

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For newcomers specifically, this is an open mic session. But please remember that comments made here are not a replacement for public comments that ICANN seeks on various issues and policy.

If you want to weigh in on a specific issue that is for public comments, please use the online system. It's the only way your comments will receive proper consideration from the appropriate committee, supporting organization, and staff members.

So today's session is 90 minutes long. And then we have another one on Thursday which will be about three hours long. So there's plenty of time to ask questions and give your comments.

I also want to encourage you to make use of the talented language services that we have here supporting you. If you so desire, you can ask your question in Spanish, Russian, French, Arabic, Portuguese, and Chinese in addition to English. The interpreters in the room will give us the English translation.

Now let me hand over to Ron who will walk us through the format and the rules. Thank you.

RON DA SILVA:

Thank you, Cherine.

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As you just heard from Cherine, we're going to have a little over four hours between today and Thursday. We welcome you to participate and, in particular, to bring your questions. Your comments are lovely, but if we can focus on questions that, I think, would be better for this particular forum.

In a moment, Chris Disspain is going to share some comments about the Board's priorities for the week and immediately after that, we'll use the balance of our time this afternoon for our public comments or questions.

So let me talk about expected standards of behavior. It's very important that we take advantage of this time to raise questions but to do so in a respectful manner, in a way that is respectful not only to others in the room but others who may be listening online, which brings me to my next point.

There is an option for those of you who are online to participate. To participate remotely, sending an email to [engagement@icann.org](mailto:engagement@icann.org) will put you in the queue.

Now, those of you that in the room and may feel a little shy, I will encourage to not use this as a way to avoid the queues at the microphone. Still come to the microphone, please, if you are here in the room. But, indeed, if you are not, there is a mechanism here to participate. And we welcome you in doing so.

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Now, while you're at the microphone, we ask that you speak slowly, give your name, and if you are representing any particular entity other than yourself, please disclose that and share with us from what entity you are representing.

In order for the Board to be able to hear from as many participants as possible, we will have a timer and it will be a two-minute timer to give you sufficient time to formulate your issue and to raise your question. "Question," singular.

And, in turn, the Board will take two minutes, up to two minutes to provide an answer. And if we're unable to provide an answer today, we endeavor to have an answer for you at our next forum on Thursday.

However, if we provide an answer and there is still some clarity you desire, you will have the opportunity for another two minutes on that same question to provide additional clarification and, in turn, the Board will spend at most two minutes to respond to that clarification. That's not an opportunity per se to bring up additional questions.

And I would encourage you if you have more than one question that you would take one question at a time at the microphone and go back to the end of the queue to give enough time for other participants to have time in the queue.

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Now, that's a lot of rules. I see the queue is already filling, which is delightful. But before we get to the queue, let me turn it over to Chris.

CHRIS DISSPAIN:

Thank you very much, Ron. Good afternoon, everybody. And welcome.

I'm going to take a couple of minutes just to tell you what the Board's priorities are for this week. In essence, we're here to listen. We're here to listen to whatever it is that you want to tell us. And specifically this week we're here to listen to you on the budget. The comment period has just closed, but that doesn't stop you from talking about it and commenting on it.

And we're here to listen to you about GDPR and the cookbook and the calzone and whatever other names we've decided to invent this week to describe the bits and pieces that make it up.

We're also here this week -- our priority is to start a conversation with you on streamlining the reviews to assist with volunteer fatigue and budgetary requirements and also to enable us to do some real work on measuring the impact of those reviews, which is quite hard to do when they're all happening at the same time.

Those are the main focuses for the Board this week. Those are our priorities. But mainly what we hear this week and what we

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do this week is up to you. So let's open up the microphones and hand it over to you.

I'm going to pass the microphone now to Leon who is going to facilitate the first session. Leon.

LEON SANCHEZ:

Thank you very much, Chris. So I guess now is the time where we begin with the questions and answers. So I see a lady who you might know or not in the microphone.

So, please, Marilyn, go ahead.

MARILYN CADE:

My name is Marilyn Cade. ICANN was born 20 years ago this fall in 1998. In some ways, ICANN is like most 20-year-olds, maturing, growing, becoming accountable, learning to be physically -- learning to be fiscally stable and growing up. But when we founded ICANN, there were 147 million users on the Internet and they primarily came from 11 countries. By 2005, there were 1.4 billion and many, many more country's citizens were using the Internet. Today there are 3.5 billion.

At ICANN's first major community meeting in Berlin, there were probably only about 350 or so attendees and there were 25

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governments that formed the GAC initially. Today there are well over 150 governments participating in the GAC.

We started with somewhere around 40 to 50 of the ccTLDs. And today there are so many more who are so actively involved in ICANN.

The growth of ICANN's community is well-known to all of us because we're participating in it. But when we launched ICANN, there were only ten board members. It took us a while to add the next five by election. The first CEO and President, Mike Roberts, was not even paid a formal salary. The first chairwoman and the Board had no dedicated staff support. The first general counsel was provided pro bono by a law firm.

Today here we are in a maturing and growing organization, and we're recognized as an international organization. So it's time to celebrate.

Many of those who collaborated in the process that led to ICANN are in their 50s, their 60s, or like me, in their 70s.

[ Timer sounds. ]

Can we have a round of applause for that?

UNKNOWN SPEAKER: Yay!

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[ Applause ]

MARILYN CADE: So I ask the Board, the CEO, and the president -- and I invite the community -- to come to Barcelona and let's have a birthday party for ICANN in Barcelona at the AGM ICANN63.

[ Applause ]

Just so I know it's so difficult to plan, I'll volunteer to help.

LEON SANCHEZ: Thank you very much, Marilyn.

MARILYN CADE: I'm sorry, I didn't hear you.

LEON SANCHEZ: I said, thank you.

CHRIS DISSPAIN: Cherine is having a bit of trouble with his throat right now.

So, thank you, Marilyn, for pointing out that it is, indeed, ICANN's 20th birthday and that is, indeed, worthy of celebration.



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The budget discussions being what they are, let's reserve how we're going to do that. But I agree that we need to celebrate. So thank you for bringing it up.

MARILYN CADE: So apparently I'll be baking the cake?

CHRIS DISSPAIN: Everyone -- yeah, bring your own plate party might be the way to do it. Thank you.

LEON SANCHEZ: Thank you very much. Could the gentleman in the microphone, please.

AMADEU ABRIL I ABRIL: My name is Marilyn Cade. No, sorry.

[ Laughter ]

As I always agree with her, I can confuse her with my name.

My name is Amadeu Abril i Abril. I will speak in poor English and I hope the translators will help translate.

Thanks, Marilyn, for inviting everybody to my city. I hope you will come and celebrate the 20th anniversary.

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You say that ICANN is like any 20-year-old. I don't know for you. When I was 20 years old, I didn't have the budget of more than \$80 million. It's probably different in your case.

I don't want to talk about the GDPR, imagine, or the budget. I just have initially requests for the Board.

In the old days, ICANN meetings were what they were but all sessions were open except for the GAC. These days, ICANN meetings are what they are and most sessions of the GAC are open. There are more and more and more sessions from other groups that are closed. Each time I go to a closed session, I ask the first question: Why the session is closed? 80% of the times I don't get any answer or any valuable answer. Well, you know, perhaps... Because, well, perhaps, perhaps. And sometimes, Well, because we are discussing our affairs. Our affairs are the community's affairs.

So my request to the Board is pretty please request to the community to reconsider this stupid -- I don't have any other word in English. I have many other words in Catalan that are even worse than that one. That stupid habit of having more and more and more and more closed sessions for nothing. Thanks a lot.

[ Applause ]

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LEON SANCHEZ: Thank you very much. I believe it's up to each SO and AC to decide how they manage their meetings even though we are all committed to transparency.

Next in the queue I see Sebastien Bachollet.

SEBASTIEN BACHOLLET: Thank you very much. I'm going to use the interpretation services. My name is Sebastien Bachollet for the transcript record. I would like to thank the chair for what he said this morning, particularly for talking about the different elements on which the Board wants to work with the community. And I think there were ten elements that could go and be looked into that's quite interesting.

I know that it is a -- the five-year strategic thinking is very interesting, whether we like to do more about it. How do you want to organize this five-year strategic plan? How are you going to work on those different work paths? And how are you going to work together on the elements that are going to be able to build a strategic plan? Thank you very much.

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CHERINE CHALABY: Thank you very much, Sebastien. I'm going to answer to you in French.

We are going to start in San Juan with Theresa Swinehart, with the staff. We're going to put together some sessions with the communities to talk about those work streams, those ten work streams, and even more. They already started with a session, with a Board session, and they started with the SO and AC chairs, just to start. And between San Juan and Panama, they're going to try to do as much as possible. Several constituencies said they were too busy to do so in Puerto Rico. They want to do it in Panama. And I think we have quite some time to take into consideration all the ideas coming from your community, so it's going to well organize. You're going to work with us. And, Theresa, do you want to say more about it?

THERESA SWINEHART: Sorry about that. I think, Cherine, you covered it. We had sent a communication out to the SO and ACs prior to coming into Puerto Rico, but appreciating that many of the schedules had already been taken and occupied. We'll be doing some follow-ups after Puerto Rico for sessions that were not run here and offer up the same support with regards to going into the Panama meeting.

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And I'm happy to take any questions offline from anybody around that.

SEBASTIEN BACHOLLET: Just a few seconds. Sebastien Bachollet.

Thank you very much, Cherine, and thank you, Theresa. I hope that we will not just stick into the silos.

Thank you.

LEON SANCHEZ: Thank you very much, Sebastien.

We have some online participants, some remote participants, and I would like to turn to Brad White for some online questions.

REMOTE INTERVENTION: Thank you, Leon. We have a question and a comment from Jamie Baxter, dotgay LLC.

Almost a decade ago the global gay community began engaging in an opportunity aimed at changing the trajectory of the online experience for lesbian, gay, bisexual, transgender, queer, intersexual and allied individuals and organizations. The response produced a unified community application for .GAY built on the foundation of stakeholder input and endorsed by

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over 260 LGBTQIA organizations from every corner of the world where it is safe enough to be vocal and visible. Community priority was designed to avoid gTLD showdowns between community interests and others. Yet instead, it has attempted to rewrite history on the common and universal use of, quote, "gay," end quote, to encapsulate the community of LGBTQIA. Criticism of the CPE providers of the CPE process have been far reaching and with cause. The record for .GAY already shows that CPE providers were charged with not complying to CPE procedures, raising further questions about training, due diligence, and oversight.

The Board's call for a CPE investigation has unfortunately missed the mark during implementation, squandering the opportunity to look hard at CPE issues, such as Cherine Chalaby's observations about, quote, "inconsistencies applying AGB scoring criteria," end quote. Also, it has fallen on deaf ears that the FTI admits in their own report that the guardrails were imposed on their investigation. Without the freedom to dig deep, the FTI report should not be mistaken as exoneration of inconsistent CPE scoring.

What are the Board's plans for addressing the claims of discriminatory treatment --

[ Timer Sounds ]

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-- not addressed by FTI, and what is the explanation for barring FTI from investigating all claims of inconsistency in CPE standards and scoring?

LEON SANCHEZ: Thank you very much, Brad.

Chris.

CHRIS DISSPAIN: Given the -- given the length of that, I would prefer that we treated this one as one of those ones that we don't respond to immediately, and we'll take this one out of the public forum and, in our usual way, undertake to provide a response as soon as possible.

Thank you.

LEON SANCHEZ: Thank you very much, Chris.

Next in the few I have Tijani Ben Jemaa.

TIJANI BEN JEMAA: Thank you very much. I'm going to speak -- No, it's not in my personal name. I'm going to speak in English today.

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Tijani Ben Jemaa. I am one of the co-chairs, one of the three co-chairs of the Cross-Community Working Group on Accountability, and I would like to update you on the progress of our work.

The CCWG Accountability met on Friday, 9 March, here in San Juan, and it made the second reading and approved the final reports of three subgroups, which are diversity, ombuds office, and staff accountability. It also made the first reading of the subgroup on jurisdiction -- the first reading of the final report of the subgroup on jurisdiction in the morning session of the plenary. And after some modifications, this first reading was approved.

In the afternoon session, the CCWG made the second reading of the jurisdiction subgroup, and it was adopted.

The CCWG have already approved, after two readings, the final reports of the other subgroups, which are human rights, SO and AC accountability, transparency, and guidelines for good faith conduct.

Now that all the subgroup reports are adopted, the CCWG will compile them all in one single report, and it will be put soon for public comment before being considered by the chartering organization.



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I would like to highlight the professionalism and the commitment of our wonderful staff --

[ Timer Sounds ]

-- who put a lot of energy and a lot of time to help us reach this result.

Thank you.

LEON SANCHEZ:

Thank you very much, Tijani, for this update.

[ Applause ]

And I wish to convey on behalf of the Board our congratulations to the CCWG and our recognition to all the hard work that all of you have been doing during these months and taking us to transition.

So next on the queue I have the lady who happens to be a newcomer as far as I can tell.

DIANA MEDVEDNIKOVA:

Good evening. My name is Diana Medvednikova. I am from Kazakhstan, (indiscernible) Legal Media Center, and I am fellow and I am newcomer. I would like to thank you for the great opportunity to be here and my question is very short. What do

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you think about to organize one of the next ICANN meeting in the post Soviet Union area? For example, central Asia or maybe Western Europe?

LEON SANCHEZ: Thank you very much. I think Nick could -- could you comment on this? Is Nick...

Sally?

SALLY COSTERTON: Thank you. Nick is here somewhere, but I'll do my best Nick impression.

Thank you for the question. There -- there is an established process for applying for ICANN meetings, and so, yes, absolutely, we would love to encourage you to do that, and I'd love for me and my team to work with you and Alexandra in terms of looking at how we might start that process. And thank you very much for making such a generous offer. Thank you.

LEON SANCHEZ: Thank you. I think we can take another online question, Brad.

BRAD WHITE: We don't have any other online questions at this point.

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LEON SANCHEZ: Okay. Thank you very much.

So next in the queue.

DIANA MEDVEDNIKOVA: Thank you.

LEON SANCHEZ: Thank you.

MICHAEL PALAGE: Good afternoon, Michael Palage from Pharos Global.

My question is as follows. Is Dan Halloran, ICANN's chief data protection officer, a data protection officer as set forth in the GDPR? And the reason I'm asking this question is I've asked it several times to ICANN's General Counsel and have not been given what I believe is a satisfactory answer. Specifically, what I would like to do is I would like to cite from the Article 29 working party. It's document WP-243, Rev 1, and it was revised and adopted on 5th of April, 2017. And I'll quote. This is from page 6.

Nothing present -- nothing prevents an organization which is not legally required to designate a DPO and does not wish to designate a DPO on a voluntary basis to nevertheless employ

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staff or outside consultants with tasks relating to the protection of personal data. In this case, it is important to ensure that there is no confusion regarding the title, status, position, and task. Therefore, it should be made clear in any communications within the company, as well as with data protection officers, data protection authorities, data subjects, and the public at large that the title of the individual or consultant is not a data protection officer.

The DPO, whether mandatory or volunteer, is designated for all processing operations carried out by the controller or the processor.

The reason I am raising this question is all of the discussions to date have not involved Dan Halloran, the designate DPO. If he is not a data protection officer, give him the appropriate title but do not call him a data protection officer --

[ Timer Sounds ]

-- and then limit his responsibilities as clearly set forth in the GDPR.

So again, my question, yes or no, is Dan a chief data protection officer as set forth in the GDPR?

[ Applause ]

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Leon Sanchez thank you very much. I will defer to Goran.

GORAN MARBY: May I ask a question to you? When you refer to ICANN, do you refer to ICANN the institution, including the contracted parties, or do you refer to ICANN org, the incorporation in California?

MICHAEL PALAGE: So my question would be, as a stakeholder, a data subject -- and if you recall, I asked the question in Abu Dhabi about my personal data that was collected by ICANN as part of the new gTLD process. So as ICANN org, I believe that Dan Halloran is responsible for all operations since ICANN, in my professional opinion, is a controller dictating the specific requirements that contracting parties must collect. I would say yes, he is -- he is acting as -- my impression of Dan Halloran is he is a data protection officer for ICANN org, a data controller. That's my opinion. What is yours?

GORAN MARBY: I'm -- this is a very legal question in the sense that he is -- he has that role within ICANN org, a California incorporated organization, reporting to our chief legal officer, John Jeffrey, which I think is the same answer. But we don't have a control

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mechanism over, for instance, the information that is sent from registrars and registries, which is the institution.

We are some sort of data controller, and that's why we also think, for other reasons, it's important for us to have that role.

I don't know, J.J., if you would like to comment more.

MICHAEL PALAGE:

Just to follow-up on that point about ICANN org, ICANN institution, I guess I would follow back with follow the money. And the money that is coming in that are paid by the contracting parties are going into the bank account by which Dan is probably being paid. So I would always go back to follow the money, and that would be my proposition.

I would encourage you -- again, I'm not trying to be controver- -- I'm not trying to be confrontational. We just need predictability. And in your discussions with the Article 29 working group, it would be good to get their input: Is ICANN required to designate a DPO? If they are, then that DPO should have the responsibilities and independence to make recommendations.

During the last webinar, John Jeffrey specifically stated that he disagreed with some of the legal opinions set forth in the Hamilton memo. That's great. It would be more important to have the DPO give his opinion. That is his job. If ICANN org

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disagrees with it, there are procedures by which they can document those disagreements.

I think it's really important to get this right. You yourself said, Goran, earlier that six months ago we had nothing. Please get it right.

Thank you.

LEON SANCHEZ: Thank you. Next on the queue. Please.

ABDELDJALIL BACHAR BONG: I would like to speak in French.

So I'm Mr. Bachar Bong from Chad, and I would like to talk about budget regarding fellowships and next gen.

I started during ICANN 55 in Marrakech with next gen, the next gen program, and I went to ICANN60 as a fellow, and I would like to tell you that the program is really very important for us. It's an important program with next gen, with world integrated program, and we learn a lot.

I discovered the world of ICANN, the community with fellowship as well during ICANN60. So it's very, very important, and I would like to ask you to revert your decision. You have a budgetary decision about those two programs that are extremely crucial

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for us as developing countries who want to be part of the ICANN world. So please do not cut those budgets.

Thank you very much.

[ Applause ]

LEON SANCHEZ:

Thank you.

Cherine.

CHERINE CHALABY:

Yeah. Thank you very much for this comment. I did mention this morning in my speech that the Board understands and is cognizant that there are concerns regarding budget cuts for certain community programs and request mechanisms, and that we -- we consider the comment period that just ended to be very valuable in expressing your opinion and your priorities. And I hope you have submitted your request and the comments you've just made here.

You have our assurances that the final budget, before it's closed, it will take into consideration all the comments and all the ideas put forward by the community. Our aim really is to balance fiscal responsibilities with the ability for the community to participate effectively. With regard to the Fellowship Program in



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particular, I know that it is important for you and we understand that. And the issue here is not just about money but also is about the effectiveness of the project, of the program. I need to really understand what we're trying to achieve and make sure we will achieve it.

Thank you.

LEON SANCHEZ:

Thank you very much. Goran, do you want to follow-up?

GORAN MARBY:

First of all, thank you. It is -- The process we're in is really for you to comment. I think I've said many times I've heard it firsthand, but in the end, the comments that come from the community actually has a value. And I echo Cherine.

Just a -- just a small -- just a small point, which I -- because I know that this is coming up in certain places, is that, just to give an example, next year we are actually cutting traveling for -- for ICANN staff between 12 and 13%. And in total, we actually increase the cost for traveling for the community with about 12 to 13%. And it's very much the diversion between where those increases goes. And it may be good to remember as well.

Thank you.

LEON SANCHEZ: Thank you, Goran.

We have a remote participation question, so if you could please bear with us.

Brad.

REMOTE INTERVENTION: We have a question from Volker Greimann with Key-Systems GmbH.

As no data processing of personal data can occur without legal justification in accordance with Article VI GDPR, when can we expect ICANN to provide the specific justifications for all processing acts proposed in the cookbook?

LEON SANCHEZ: Thank you.

Goran, you want to comment on that?

GORAN MARBY: When the DPAs has helped us with further guidance, we can answer that question. Before that, which I think I've said many times, it is a little bit of a guesswork.

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Of course we do it, and I've said this many times and I really mean that. I'm so grateful for the community who has, over a very short period of time, come up with something that is very, very good when it comes to having a solution and a discussion about compliance with the law. But we will know -- we will -- the word "know" being exact is when the DPAs, the court systems, and that that process is done.

Thank you.

LEON SANCHEZ:

Thank you.

Next on the queue, please.

CLAUDIA SELLI:

Thank you. Good evening. My name is Claudia Selli. I'm here representing the business constituency. I wanted to share with you our views regarding the budget that we just filed.

So the BC has several concerns; in particular, regarding the ICANN reserve fund, the revenue projections, proposed growth in staff numbers and expenditure, capacity to fund new priority projects. We are concerned about the magnitude of proposed cuts in communities support activities such as the CROP, special

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budget requests, the onboarding program, ICANN wiki, and fellowship.

The BC recommends expenditure reduction in next gen, ICANN Academy, and in the frequency of NCPH intersessional meetings. We are proposing, for example, to skip the financial year '19 NCPH. Thank you.

LEON SANCHEZ:

Thank you very much.

Ron, you want to comment on the process?

RON DA SILVA:

Yeah, sure. So I'm chair of the finance committee. And I just want to reassure you that we hear all this information. We hear all this feedback. We're collecting all these comments. And it's not going to the BFC. The BFC oversees the organization as they conduct the process for developing a budget to ensure that the process is followed and, ultimately, we have a budget before the Board to consider.

So this is very valuable. In fact, all the comments that came in through the open comment period are also just as valuable. That is all being taken into consideration by the organization, by the executive team, to then reassess what -- based on the

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proposed budget where they can make changes to accommodate some of that input. So thank you very much again for reiterating your input. That will be taken into consideration as the budget is refined going forward. Thanks.

LEON SANCHEZ: Thank you very much. Next in the queue, please.

IORELLA BELCIU: Fiorella Belciu, ICANN Fellow.

I was actually an intervenor in the discussion in the GDPR session this morning. But I didn't have the chance. I hope this is the right place.

If not, I'll try to find another GDPR slot to do so.

Actually, in parallel with the GDPR, we have been working on a series of other frameworks and initiatives that would support other companies from third countries outside the EU transferring personal data.

One of these frameworks is actually the -- what is called the privacy shield that was designed by the U.S. Department of Commerce and the European Commission. And, if you go on the privacy shield Web site, you can find a list with the companies

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that have signed up to show that they are compliant with the data protection requirements for the transatlantic transfer.

So I was wondering whether there have been any discussions at ICANN around this topic, specifically, whether registrants could also sign up for the privacy shield or if ICANN as well? Thank you.

LEON SANCHEZ:

Thank you very much.

Becky, would you like to comment on this?

BECKY BURR:

Yes. The U.S. privacy shield is available for U.S. companies that are subject to jurisdiction of the Federal Trade Commission.

So you would have to be engaged in commerce and subject to the Federal Trade Commission or the Department of Transportation's jurisdiction. Just for a general individual, the FTC's jurisdiction probably wouldn't apply. And, therefore, privacy shield would not be available. The same is true for not-for-profit companies. For example, they cannot participate in privacy shield.

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So the hook is you have to be subject to jurisdiction of the Federal Trade Commission in the United States in order to certify your compliance with privacy shield.

LEON SANCHEZ: Thank you. Next in the queue, please.

CAROLLE VOUDOUHE: Hi. My name is Carolle. I'm part of the next gen program. And I will ask my question in French if it is okay.

Sorry. The following question. ICANN is a big organization with a lot of resources. Those resources are for the protection of end users of the Internet. As such, why doesn't ICANN set up an organism in charge of controlling the content of the Internet?

Protecting the Internet is not only the infrastructure of the Internet but also the content, which sometimes is very prejudicial to the end users of the web.

So I would like to ask that following question.

LEON SANCHEZ: Thank you very much.

Chris?

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CHRIS DISSPAIN:

Thank you for the question.

Content is entirely outside of ICANN's very limited mission, which is limited to -- which is set out in the bylaws and is limited to dealing with the infrastructure and policy. So, in fact, it wouldn't be possible for ICANN to do as you suggested because it would be outside of its remit and its mission.

But ICANN does involve itself in Internet governance issues to help and advise where possible. So if input from us on infrastructure is helpful in the content debate, we will usually be around and help to do that. But for us to actually take that role would be outside of our role and our mission.

Thank you.

CAROLLE VOUDOUHE:

Thank you.

LEON SANCHEZ:

Thank you. Next in the queue, please.

JEFF CHAN:

I'm Jeff Chan from SURBL. I wanted to ask earlier in the GDPR session. SURBL is a provider of reputation data about spam, phishing, and malware. It's widely used by ISPs, webmail providers. Looking at the interim model for WHOIS access, it



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seems that the reduction in transparency would result in more end users being phished, getting infected, and seeing more abuse in general from the Internet.

What is the procedure for getting accredited for gated access to the WHOIS data? And how is ICANN working to solve that?

LEON SANCHEZ:

Thank you very much.

Goran?

GORAN MARBY:

Right now, none. The latest communication we had, which is public, implied that the DPAs of Europe would like to see the tiered access model. The tiered access model or layered model implies that there has to be an accreditation. And the accreditation --

Forget the WHOIS just for a moment. Say that the current WHOIS doesn't exist in Europe. So you have a line of potential accreditation.

You could say it starts at geo process, that you have to have a court order for anyone to have access to it, including police forces. That's one way of doing it.

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So far we have understood that the DPAs think that a diversion from that cannot be a self-accreditation system. And there has been DPAs who, for instance, the Berlin paper said that, if ICANN did that, that was also self-accreditation.

Our goal has to be, because I also have to weigh in what the community has decided before, to find a proposal for an accreditation model which the DPAs can accept.

And in all transparency, we publicized just a couple of days ago what we refer to as "the cookbook" where we're sketching a proposal how to achieve that. The details of that has to be -- sort of the reasons for that has to be clear with the DPAs preferably before the law is enacted.

I deeply respect your important mission and I respect your wish to know. And we've been working hard -- ICANN org, the community, the Board -- to be able to answer that question. Thank you.

LEON SANCHEZ:

Thank you very much.

We have another remote participant's question. Brad.

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**BRAD WHITE:** We have a question from Malisa Richards. "Dear board members, I am an ICANN61 fellow from Georgetown, Guyana. My first ICANN meeting was in Copenhagen where I was coached by (saying name).

Her coaching allowed me to transition smoothly into ICANN as a then newcomer. I am deeply grieved when I read about the suggested budget cuts that will affect the fellowship program. My question to the Board is what was the rubric used by the board in your decision relating to the budget cut that affects the fellowship program."

**LEON SANCHEZ:** Thank you very much, Brad.

I will defer to Goran again. Goran.

**GORAN MARBY:** First of all, I'm happy for all the questions. It gives us a time to talk about things that is essential for everybody.

And every time I answer about the budget, I will add a little bit more information about it. One of the things that we've been very bad at from ICANN org is to produce a sort of what does the money go to? We have produced Excel spreadsheets with a lot

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of projects. And I can understand that you don't look into them. So, therefore, I should give you some of those things.

In reality, 80-85% of every year's budget is already locked in. And that is because of decisions, policy decisions, results out of reviews, things that you have said that we should do.

So we're actually talking about 15% about the budget that we sort of move around between years.

And so that's what I can do, because I can't change.

I will take the discussion about the reviews, for instance. During this week, there is a lot of people who started to talk about that next year we're going to run nine reviews at the same time, which I think is also a problem for the fatigue of the community.

Before we take out one of those reviews and move them one or two years later, if we don't align the reviews and we only have four reviews per year, we will save \$700,000 next year on the budget and about \$1-1.2 million per year going forward.

The thing is that we have to figure out a way how to make that as a joint decision. This is actually in the bylaws. So, therefore, it has to be a bylaw change in order to do that.

I hope this conversation that we're having could lead to that we can look into not only the 10-15%, 20%, that is on top but also

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some of the things that builds up the 80%. Because sometimes you actually won't like to do that as well. Thank you.

LEON SANCHEZ: Thank you, Goran.

Next in the queue, please.

GABRIEL JIMENEZ: Hi. My name is Gabriel Jimenez. I'm from Puerto Rico and also a ICANN fellow. I would like to ask my question in Spanish.

In December 2017 the Federal Communication Commission from the United States approved to revoke net neutrality, what we know as net neutrality and neutrality issues.

I would like to know what is ICANN's point of view about this? I would like to know how ICANN's mission is affected if we take Internet -- if we remove Internet neutrality. And, if this happened in other countries in the world, if other countries followed this trend that has been in the U.S., how ICANN's mission to provide access to Internet to the whole community and a neutral access and access to the network by the community, how all this would be affected.

LEON SANCHEZ: Thank you very much for your question.

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At the very beginning I can tell you that this is out of the remit and mission of ICANN.

But I would like to give the floor to Ron for him to answer it to you and provide you with further information. Ron, go ahead, please.

RON DA SILVA:

Thank you, also, for the question.

I think it's important to realize that the FCC and the net neutrality policy from the FCC doesn't have a direct impact on our remit. What ICANN is responsible for is, basically, the underlying infrastructure. And content regulation that may be or may not be part of U.S. regulations don't directly impact the infrastructure that we're responsible for here.

So I think it's a great topic. Thank you for raising it. But it's not really for us.

Out of scope.

CHERINE CHALABY:

Can I just say something else?

LEON SANCHEZ:

Yes, Cherine, please.

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CHERINE CHALABY: I just want to add to what Ron said.

I think sometimes we can forget what is our real mission. It is very clearly the secure and stable operation of the Internet's unique identifier systems. And we must always remind ourselves that that is the reason why we exist.

And, therefore, the temptation to talk about content management, talk about net neutrality and expanding the mission of ICANN is interesting. But it actually takes away the focus of our mission. And we really need to all the time keep on focusing why we're here. We're here for that very simple reason -- the secure and stable operation of the Internet's unique identifier systems. Thank you.

LEON SANCHEZ: Thank you very much, Cherine.

I'd now like to turn to my colleague Lousewies for the next block of this public forum. Lousewies.

LOUSEWIES VAN DER LAAN: Thank you very much, Leon. I'm going to be moderating the last 30 minutes of this public forum. So, please.

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ZAHID JAMIL:

Thank you very much. My name is Zahid Jamil.

I am the chair of the Nominating Committee for this year. And I wanted to inform everybody and remind them that the Nominating Committee deadline for people to apply is the 19th of March this month. So just in about nine days or so, it's going to close, eight days. So please just, if you could, apply to the slots that are available.

Go to [nomcom.icann.org](http://nomcom.icann.org), which, by the way, is a new Web site. And you'll find the information. I also wanted to acknowledge the significant assistance of staff and the BGC in this year us being able to complete a lot of our work.

In the context of the NomCom review, I have something to say. You may be aware of the distinction within the NomCom between voting delegates and non-voting unlimited term delegates. This gets a lot of challenges within our processes. And what I'd like to propose as chair of the NomCom is the following: That as -- the Nominating Committee would propose that the bylaws be changed to allow the SSAC and the RSSAC liaisons to be term limited and to be able to fully participate as voting members of the Nominating Committee, if that is possible. We wanted to leave that part out. That is what we noticed would make our jobs within the Nominating Committee a lot easier.



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We, of course, would be providing our comments to the ongoing NomCom review and working closely with them. But in our internal processes, we found there were challenges if this normalcy of everybody being able to vote doesn't come into affect. Just a comment. Thank you very much for your time.

LOUSEWIES VAN DER LAAN: Thank you very much for your comments, Zahid. Appreciated.

Yes, please.

AJAY DATA:

I'm Ajay Data from India, for the record.

First, I want to thank you. Because after coming today with \$200 million company and 5,000 employees, first time ICANN gives me a capacity to serve the public at large.

And, while working with NBGP group for building LGRs for manuscript, I think, when I heard the chairman in the morning today, to get the next people online, we need to do a lot. And one of the things is the language barrier.

And we need to focus and I request the Board and the executive team to have a little bit more focus on the countries which are language specific where the language is a real barrier where the

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language is really not able to -- is really a barrier on not allowing people to come online.

Second job I have under Ram Mohan's leadership in the USG -- and I think we have done a great job there. And I would request for this forum to everybody to look at USG.tech and look at the documents which we've created, solve the problems -- because this is how the Internet is going to be growing. And we will accept all the domains and addresses equally in the applications. Thank you very much.

LOUSEWIES VAN DER LAAN: Thank you. Thank you very much for your question and for your comments.

I actually think that the work that we're doing on internationalized domain names is one of the most fascinating parts of the work we do. And I'd like to hand over to my colleague Akinori Maemura who chairs the working group on IDNs.

AKINORI MAEMURA: Thank you very much, Lousewies.

Thank you for your comments, Ajay.

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I'm now tracking the IDN program of the ICANN. And I know that ICANN is quite keen to do the promotion and the deployment of the international domain names. And then I know that in the last December we had quite good activity in subcontinent area, including with your country. And I have a lot of active participation from that area. And then we have quite good progress in the script and the languages around there.

So thank you very much for your key involvement in the IDN program and advancement of IDN. And I'm really happy to keep in touch with you for this event. Thank you.

LOUSEWIES VAN DER LAAN: Thank you very much.

And for universal acceptance I'd like to pass to my colleague, Ram Mohan.

RAM MOHAN: Thank you, Ajay. Thank you for your kind comments about the work that the ICANN community is doing on universal acceptance.

And I'd like to acknowledge the work that you and your colleagues have doing, both on universal acceptance as well as

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on building the LGRs, the various rules for the Neo Brahmi script that you mentioned. Appreciate it.

Universal acceptance is an important priority for ICANN. And the ICANN -- the effort itself is a community-based effort. But ICANN's GDD has been funding the universal acceptance work since its inception.

But ICANN's GDD has been funding the universal acceptance work since its inception, and there is a specific focus that is occurring now on advancing universal acceptance both in domain names and applications as well as in emails. But the specific focus, on the Indian subcontinent as well as the greater China area. So you should expect to see more work coming your way. Thank you.

LOUSEWIES VAN DER LAAN: Thank you very much.

Next in line, please.

ABDALMONEM GALILA: My name is Abdalmonem Galila, ICANN coach. For the record, I would like to get your thoughts on how you foresee the impacts that the cuts to the fellowship program will have in engaging with development -- developing countries.

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Conversely, your thoughts on maintaining the fellowship current numbers in relation to the same issue, developing countries and participation in ICANN. Thank you.

LOUSEWIES VAN DER LAAN: Goran.

GORAN MARBY:

So I will continue to sort of add on things to say.

The funding actually slowed down already this year. So this year we've been down savings for about 6 to \$8 million internally because that's the numbers we saw less than anticipated.

And next year, ICANN org internally has found savings and efficiencies for about \$8 1/2 million which represents about 6 1/2% of the total budget. And, again, the whole outreach program we're doing is very important for ICANN. Only last year we re-emphasized the regional offices to make sure we do better plans for the whole -- for any individual region. We will look at your comments and the comments you make here or in the budget process and as Cherine and other ones have looked into.

There's no decisions made yet. There is a proposal to be discussed and commented by the community. And we will take it into account going forward. Thank you.

LOUSEWIES VAN DER LAAN: Thank you, Goran. And before going to the microphone here, we have an online question.

Brad, can I ask you to read it, please.

REMOTE INTERVENTION: We have a question from Tarau Bauia, an I.T. manager and a new ICANN fellow. And I would like to ask a question: Can ICANN enforce DNSSEC to ISPs, Web hosting companies and, so forth? This question comes from the way Web hosting companies set charges in which they give options to customers to either buy DNSSEC for extra charges or not as an alternative? Whereas, this isn't necessarily the requirement to minimize man-in-the-middle attacks like what I saw in the presentation yesterday.

I only hope if this is enforced from ICANN, then it can improve a safe and secure Internet. Thank you.

LOUSEWIES VAN DER LAAN: Thank you very much. And I'm going to pass that to Ram, please.

RAM MOHAN: Thank you for that question.

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ICANN in its own remit is specifically focused at the TLD level when it comes to names. And, in fact, the ICANN Board has required gTLDs in the new gTLD round, require all gTLDs to enforce -- to actually sign and have DNSSEC. So that is already an enforcement mechanism and a plan in there.

And on the ccTLD side, many, many ccTLDs have signed their zones and is continuing momentum in that area.

The question at the second level and lower levels of the DNS tree, those are in general the remit of the registries that are running those various zones. And while ICANN and the Board in general is very supportive of the signing of these names, that is something that is directly within the control and the remit of the registries that are involved.

LOUSEWIES VAN DER LAAN: Thank you very much, Ram.

Yes, please.

Yes, we're continuing back in the physical room. No more online questions for now.

AMADEU ABRIL i ABRIL: My name is still Amadeu Abril i Abril, and I represent CORE Right Association, a registry for 22 -- for three 3 TLDs and 19 other

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TLDs from customers where -- basically in countries where privacy is taken seriously at the legal level, not always at the practical level.

I have a question regarding cookbook because I'm not sure I understood that. I have a comment, but I want to have the answer first.

This is for, I guess, Goran or Goran. I don't know how to pronounce that, but it is written President and CEO.

So the question is: Ideally according to your model, the (indiscernible) model, not your personal but the model that has been presented, is that we have a centralized certification procedure and accreditation. And, therefore, people are accredited or not. If they are accredited, it means that they get access to all the TLDs for all the data in the WHOIS. Is that correct?

LOUSEWIES VAN DER LAAN: Goran.

GORAN MARBY: First of all, I would like to do a little marketing here, is we decided after the GDPR session today that we are squeezing in a new session where our on-staff guru J.J., or should I say chef



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over the cookbook, will be able to take detailed questions about where we are.

To answer your question, the thought process we're having is that when you get in under the accreditation model, you will have access to the information in there. Thank you.

AMADEU ABRIL i ABRIL: Well, then the comment -- I will be as short as possible. I think it is a good model but a very bad result. It cannot be that once you're accredited you have access to everything in every TLD. You may be perfectly reasonable for some research institutions or for law enforcement to have access to everything, even so. But not everybody that needs access is certification for having access to all the domains in all TLDs. Still the purpose for the configuration be examined. So I think this should be introduced in the model. Otherwise, it won't fly. But, frankly, thanks.

LOUSEWIES VAN DER LAAN: Do you want to reply, Goran?

GORAN MARBY: I'm not in a position to say you are right or wrong yet because this is one of the concerns we're also asking -- as you have seen in the cookbook, that there are things that we don't have an

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agreement with and when we are -- within the community because there are diverging views within the community about this. And instead of we trying to find the middle way of those, we decided to take those questions back to the DPAs in a transparent way, and that's why we wrote it down.

During the last couple of days, today, yesterday, and probably during the next couple of days as well, we will receive more of those things that the community doesn't have one opinion upon. And we will rewrite that and send that out again so we can bring that up.

It is -- I thought it was important for us to be as transparent as possible about what we will send to the community. And, therefore, we did it before -- sorry, to the DPAs. Therefore, we did it before this meeting started so we have something to talk about.

But your point is well-taken. Thank you.

LOUSEWIES VAN DER LAAN: Thank you, Goran.

Marilyn again.

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MARILYN CADE:

Thank you. My name is Marilyn Cade. I have been examining ICANN's budget since it was around \$8 million. Before ICANN had a budget working group, members of the community voluntarily established such a group, working with the ccNSO, the ccTLDs, other parties, folks from the registry, folks from the business constituency. We waded through our much shorter set of budget documents at that time. And I waded through every page, chart, details. And I want to compliment our financial team on the great progress that is being made in providing detailed information.

I also find the Webinars very valuable. However, I want to remind -- and perhaps ask, if there could be progress made -- in the high-level summary we have repeatedly asked for.

But now I want to point something out. When I reviewed the cuts, frankly I found some of them perhaps a bit draconian in their impact. But I also found in the draft budget that was given to us no information about the following.

I come from the business sector. I ran -- I had responsibility for P&L in a computer company, in a health care company, and in an ISP. I managed downsizing for a fairly large computer company in the Northeast region.

I don't see what I would have expected reflected in the draft budget given to us. I expected to see a freeze of all hiring. I

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expected to see no pay raises. I expected to see suspension of executive bonuses. I don't see any of that.

What I see --

[ Timer sounds. ]

-- in writing in the draft budget given to us is a focus on the services to the community. Since being here, I've heard a few words about what ICANN org is going to do or perhaps what the Board will do voluntarily. But let me go back to the fact that we have a lot of work to do in the community.

Is there a document that describes the cuts that ICANN org is going to put forward and the Board is going to put forward to provide more balance in the budget so if the cuts don't appear to show up only on the side of services that affect the community?

And if there is such a document, can I please have it before I have to spend all these extra hours in the three operating plan and budget review meetings so I'm not spending another 12 hours wading through materials that aren't accurate or up to date?

LOUSEWIES VAN DER LAAN: Thank you.

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[ Applause ]

Thank you very much, Marilyn.

So, Goran, there was two questions. One was on the high-level summary, and the other one is on the way the budget is being proposed.

GORAN MARBY:

Thank you. What was your name again?

[ Laughter ]

We can provide you with a list -- we can provide you a list of the budget cuts. I don't have any problem with that. You know, they are substantial already this year. So it's not a problem.

There's one thing you're wrong. We don't have bonuses. We have something called at-risk salaries. That means that if you don't perform, that will hit your salary. It's very American, and I can't say I always appreciate it.

We have for the next year decided that we will reduce what we call the annual compensation and merit funds from 4 to 2%. Actually, I'm going to tell you something that I don't know how to share. I asked Cherine and the Board -- because I have in my contract the right to increase my salaries, and I actually declined that. So I will not have any salary increase in total in four years

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or something. It is not that much money, but I wanted to send that message. And I did that several months ago.

I think one of the things -- and I'm not going to answer all the questions because some of them are sort of the same.

One of the things I think pointed to another thing you say is it takes 15 months for us to do a 12-months budget. Through this process we don't really have time, me, you, or I, to really go through the sort of strategies of what we're trying to do.

And I'm not talking from the Cherine standpoint but really to have a conversation because we always think -- it's become so short in time, and it's become so intensive. And it's very much a dialogue rather than someone decides and we kick back and forth. That's not the multistakeholder model.

I had one dream, that maybe if we can do it -- not a dream. But maybe if we can do it in a two-year process, we have a two-year budget instead so it gives the community time also between ourselves to have the conversations. We don't end up saying, Someone I want that money and I want it to be taken from there.

Maybe that could be something that could enhance the process for budget going forward, especially when it comes to the things that are fixed.

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So, I will provide you with that. We don't have a bonus system. And it's the discussions itself that I think is important.

I think I now missed one of your questions, so please repeat it to me.

LOUSEWIES VAN DER LAAN: It was a request about the high-level summary on the budget.

GORAN MARBY: Okay. One of the things we did -- and it's probably -- the communication exists when the receiver understands what we're saying. We did put an effort this year to not only have the Excel spreadsheet. We provided more information, what we call the narrative, where we describe what we think are the things we would like to do. So you don't have to read through all the 300 projects to be able to better understand -- so you can understand the decisions, the proposals we have made so far. And we will look forward for your guidance and help to make that even better. But it was at least a start, and I hope that was a start (indiscernible) point. Thank you.

MARILYN CADE: I would just like to say quickly, thank you. I did read all of those 300 projects.

GORAN MARBY: I'm not surprised, whatever your name was.

[ Laughter ]

LOUSEWIES VAN DER LAAN: Does the chair of the Finance Committee want to respond as well? Ron.

RON DA SILVA: Yes, thank you. I think also there are some opportunities this week while we're here to engage with the finance team on getting clarity on any of these specifics. There's a session tomorrow, and I think there are two sessions on Wednesday. So I encourage you to participate in those.

And then just to add to the documents, there were a number of additional documents provided this year that we hadn't seen in previous years. And you're right, there are a lot of materials. I went through them as well.

If you look at documents -- Document Number 5, there are two documents labeled Number 5 -- or Number 6. I'm sorry. I'm forgetting. But there's a great summary that provides aggregation by function, if you will, for the organization. That may address some of the summarization you're looking for. But



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I would encourage you to take that plus one of these feedback sessions that are coming up to really get to the details you're looking for.

MARILYN CADE: Sorry, Ron. It's Marilyn again. I think I need to clarify something I said. I will be at all three of them.

LOUSEWIES VAN DER LAAN: That is great. Thank you very much.

I just want to let you know that we have ten more minutes in this session. So I'm going to probably close the queue after the last person there, unless there's someone who urgently wants to jump in or who is going to jump the queue by putting an online question.

Yes, please.

SEBASTIEN BACHOLLET: Thank you very much. I would like to speak on the same topic. I think there is a communication issue the last ICANN meeting we talked about finances and budgets. We were not expecting to receive the documents a few weeks later. If it takes 15 months to do a 12-month budget, it would be great not to wait until the last minute to get the information.

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Secondly, there is a summary of Document Number 6, that means that somewhere it exists. So we should be able to receive it instead of having us to look through all the documents to find a summary.

I know that now we're going to become specialists of cookbooks. And in a cookbook, depending on the recipe you want to do, we look at the end of the book and we find what we want to do with the recipe. And we do that meal and prepare that meal.

Now, I think we can do better. We can use our time more wisely. And when you want to discuss on a topic, we have to know all the elements to have the debate.

I feel that, Goran, that when you answered our questions today, you proposed new things about the reviews, about doing it over several years to save some money. I think this is great. Let's put that on the table. Let's have a document about it.

[ Timer sounds. ]

Just like the ten work streams we talked about with the chair on strategies. Ten points for the evolution of the ICANN budget to reduce cost would be a great thing for the community instead having to read 300 pages. Few of us have the time to read all

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those pages, especially when you have 300 more pages to read about Work Stream 2, of the CCWG, and so on and so forth.

So let's do better and let's decrease the need to read so many pages. Let's have more summaries. That would be great. And to end up in Barcelona, let's bring recipes and have a celebration and a birthday cake like that. Thank you.

LOUSEWIES VAN DER LAAN: Yes, I'm going to give your question to Xavier and Goran.

GORAN MARBY:

I don't remember your name either.

I'm trying to equal here.

We have tried -- transparency is fantastic, and we are -- we should always be scrutinized for transparency. But sometimes we think about transparency as disclosure. And we've been very good of disclosing everything we to the extent it's hard to find. And I agree with that. And we're working hard trying to understand how we could -- how can we put things together without making it nontransparent. And your point is very well -- please comment on -- not only on the facts but also how we can improve the materials itself because I know how much you have

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to read. And being volunteers, we're asking a lot of you. So please let us know.

On the specific points when it comes to reviews, when you say that, come with a proposal, that's when I can come. When the community says I can come with a proposal, that's when I come. It's a little bit hard for me as the CEO to come up with a bylaws change proposal that's going to be an effect on the community. It really has to be an iteration and dialogue between us.

But I'm starting to sense that it is maybe something that we can have a more formal discussion about because that's the sense I think that the Board gets as well.

We're not there. We haven't made a decision, but it's an interesting avenue to follow.

I don't know, Xavier, if you would like to say something more. I spoke more than a Frenchman. Thank you very much.

XAVIER CALVEZ:

Let me answer in French as well. Sebastien, Marilyn asked a question about the high-level summaries. The first document, not Number 6 but out of the six documents, the first document is a high-level summary. It's six pages long. And it gives you an overview of the budget with very few information. And the remaining documents do give many details about the budget.

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So this is the structure we're trying to put together in order to enable those who want to have a summary in very little time, to have that summary. And those who have more time can read in details. That is why we have six different documents.

And we also added some information about several activities, like engagement. We have about ten pages describing ICANN engagement and other activities that were added to the budget to give more information so that it is clear -- very clear budget. Cherine added that those ideas that were offered are going to enable to think in strategic terms. It's going to take time. We have to propose it now and we have to make sure the community takes that into account, uses them. Then now it's going to be -- then later it's going to be reflected in the budget. The budget is the consequence of what is decided by the community. It's not when it's time to do the budget that we can change anything. That is why we have to work early on and the community has to work in advance on those budgets. Thank you very much.

LOUSEWIES VAN DER LAAN: Thank you very much. (Speaking in non-English language.)

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SEBASTIEN BACHOLLET: Just to answer, I am supposed to have two minutes to answer, and I just would want to take ten seconds.

LOUSEWIES VAN DER LAAN: I will give you that. I just want to remark that the queue is closed and that we're already going to go into overtime. So I'm happy to let you respond, but it would be great for everybody that we make sure that we stick to the time.

SEBASTIEN BACHOLLET: Okay. Thank you very much. I just -- I am not allowed to say that to you, Goran, but if you have good ideas, take them to us. Doesn't matter if it's not your job or it's -- you don't need us to tell you that it's -- it's a good idea. Come with that and I think it will be easier, the conversation, with the organization. Thank you.

LOUSEWIES VAN DER LAAN: All right. Yes, you may.

GORAN MARBY: Sebastien and everybody else, I always have a lot of ideas. Ask my team. Most of the times I'm blessed so they stop them. But I have a fundamental belief which guides my life, and you may not believe it but it is that the multistakeholder model is not

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something I should participate in. ICANN is yours. I'm here to serve you. I really don't want to be a CEO who comes in and sort of makes deals and comes up with ideas and goes around and try to change things that you decide. Because that, I don't think, is the right thing for me to do. This is you. But we can have a dialogue. That's what I think is good in this community. So that's why I'm sometimes putting for myself a line in the sand saying that it -- this question in the end through the Empowered Community for bylaws change and other ones belongs in the community. It's not because I want to take my responsibility away. It's because I'm respectful of the model. That happens to be one of the reasons I'm here. Not always personal. Thank you.

LOUSEWIES VAN DER LAAN: Thank you very much. And I know we're going a little bit over time, and I know that everybody's very keen to go to the gala, but I still would very much like to have the three people who are lined up behind the microphone to be able to have their opportunity to ask their questions. So please.

TOM BARRETT: Hi. My name is Tom Barrett from EnCirca. I am the chair of the NomCom review working party. I just want to give you a quick update. Our final report of recommendations will be coming out towards the end of the month, and as you can imagine, there's a

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mix of recommendations that staff can implement and recommendations that the -- is better implemented by a community-led effort. And there are resources and financial considerations for that. And so something for the financial department to be aware of, if they want to implement these recommendations.

But I also want to invite the entire board, as well as the community, to attend our public session on Wednesday morning at 9:00 a.m. where the draft of the recommendations will be discussed and hopefully we have a dialogue about those and see if there should be more. Thank you.

LOUSEWIES VAN DER LAAN: Will there be coffee?

THOMAS BARRETT: There will be coffee.

LOUSEWIES VAN DER LAAN: Then I think you'll have a lot of visitors. Thank you very much for your comments and for that invitation. Next, please.

SARAH INGLE: Hello. My name is Sarah Ingle. I am one of the next gen participants from Canada and I'm also ambassador for the youth



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IGF in Canada. In his opening remarks this morning Cherine spoke to the commitment to human rights as a part of ICANN's strategic objectives moving forward. And so I wanted to ask how has that perspective informed the board's discussions of the GDPR WHOIS issue as well as how it might impact internal data protections and ICANN's approach to emerging data regulation frameworks as they come forward in the next few years?

LOUSEWIES VAN DER LAAN: Thank you very much. Who would like to -- Becky, would you like to respond to that?

BECKY BURR: Certainly. Obviously ICANN has an obligation to comply with the laws of any country in which it does business and where the laws are applicable, and certainly GDPR is premised on views about fundamental privacy rights and privacy personal data protection as a fundamental human right. So the -- it's inextricable that those are bound together. I think rather than -- we have not really had much occasion to debate the importance of personal privacy, that's something that we all take very seriously and, of course, we also haven't had much reason to debate the importance and criticality of complying with the applicable law. So they're inextricably bound up but we have not really had a

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need to debate them because we believe very strongly in both of those things.

LOUSEWIES VAN DER LAAN: Thank you very much. And thank you for your question. And the last person for today.

CHRISTOPHER WILKINSON: Do I still have one minute?

LOUSEWIES VAN DER LAAN: Absolutely.

CHRISTOPHER WILKINSON: Thank you. First of all, in relation to what Cherine and Chris have said about the --

LOUSEWIES VAN DER LAAN: Would you be kind enough to state your name for the record?

CHRISTOPHER WILKINSON: Christopher Wilkinson. I've been in ICANN off and on in various capacities since the first meeting in Singapore 20 years ago.

In relation to what Chris and Cherine were saying about ICANN's mandate, I -- just allow me to say that yesterday I attended a

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very business-like meeting of the Customer Standing Committee which is a very small but critical oversight group for the PTI, otherwise known as the IANA function. And I think it's important that we recall that that is the foundation and anchor of everything else that we do. I'd just like to pass that on because it's important not to forget that.

Also, on a lighter note, if I may pass on informal sentiment otherwise known as corridor gossip, I encountered the opinion that we shall certainly not have nine reviews in one year and Cherine has just given us a marvelous incentive to rationalize that situation. So please do with that what you will. Thank you

LOUSEWIES VAN DER LAAN: I think that might require a change of the bylaws, but we can't do that before drinks. So for the closure I'm going to hand over to our chairman of the board, Cherine.

CHERINE CHALABY: Thank you very much, Lousewies, and thank you, everyone, that contributed to this session. If there are any questions that have not been answered, we will do our best to answer them by Thursday because on Thursday we will have the second public forum. And on Thursday it will last, I think, three hours.

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So with that, I hope we see you all this evening at the gala in Bahia Urbana, and best wishes for the rest of the week. I'm sure we will have a productive week. Thank you very much.

**[END OF TRANSCRIPTION]**