
BARCELONA – Public Forum 1
Monday, October 22, 2018 – 17:00 to 18:30 CEST
ICANN63 | Barcelona, Spain

BRAD WHITE: Ladies and gentlemen, welcome to the first public forum of ICANN63. Board chair Cherine Chalaby will begin the session.

CHERINE CHALABY: Thank you, everyone, for joining us for the first public forum of ICANN63. On behalf of the Board, I encourage you to ask questions, make comments, share your thoughts and take advantage of the opportunity of the audience in front of you today. These public forums are very important to us.

We cannot do our jobs well if we don't hear from you. We must ensure our priorities are aligned with yours and that we are always acting in the collective interest of all stakeholders. That is why these forums are so critical. It is an opportunity for us to hear directly from you about what's on your mind.

For newcomers, this is an open mic session where all of you, whether you're here or following remotely, can ask questions to the Board. But please remember that comments made here are not a replacement for public comments that ICANN seeks on various issues and policies.

If you want to weigh in on a specific issue that is up for public comment, please use the online system. It is the only way your comments will

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receive proper consideration from the appropriate committee, supporting organization, and staff members.

Today's session will run for 90 minutes and then we will have another session on Thursday which will run for about three hours. So there's a lot of time for you to ask questions or give us your comments.

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

So now let me hand over to Louisewies Van der Laan to walk you through the format and the rules of this session. Thank you.

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

First, allow me to underscore a point that Cherine just made and that's between today's public forum and the one on Thursday, there's going to be a total of four hours of asking questions and putting comments to the Board. So if we don't get to you today, please don't worry. We will get to you on Thursday.

In just a few minutes, you're going to hear a report from my colleague Chris Disspain about the Board's priorities for the week. And after Chris' remarks, we will use the remaining time for your questions and comments. Now, both questions and comments are accepted but

obviously we prefer the questions. And there's always the classic of making a comment and just asking if everybody agrees and then turns your comment into a question. That works, too.

If we get questions that we can't answer right now, then we will see if we can get an answer to you before Thursday.

Now, allow me at this point to point you to the standards of behavior which you will see projected on the screen. The bottom line is that we respect everyone to be respectful to all the speakers in the session. And with that, I would like to hand over to ICANN's complaints officer, Krista Papac, who will be speaking about the importance of following the expected standards of behavior.

Krista, you have the floor, please.

KRISTA PAPAC:

I get to do the game show host one. Thank you, Louisewies.

Hello, everybody. My name is Krista Papac, and I'm ICANN's complaints officer. For those of you who may not be familiar, my job is to receive complaints about the ICANN Organization, research the facts, work with members of the organization to transparently resolve those complaints.

When I tell people that I'm ICANN's complaints officer, I usually get the response of, "Wow, that must be a really tough job." But this couldn't be further from the truth. You can think of the complaints office as a problem resolution office where people come to share experiences

they're having with the ICANN Org, where I then research the issue with the affected teams to see if there's an opportunity for improvement, and then the Org teams implement those improvements.

In the one and a half years since the complaints office has been established, nearly every complaint I've received has been both respectful and constructive. These kinds of complaints are the best because they enable open communication which leads to thoughtful consideration and meaningful results.

Today I have the honor of opening this Public Forum 1. And in preparing for today, I was reflecting on the purpose of the public forum which is to provide the community, all of you, time to share your thoughts, your insights, your frustrations, your wants, and your needs with the ICANN Board. With this in mind, I want to remind us of all of ICANN's expected standards of behavior which are expected and need to be adhered to. But I also want us all to think about the progress that comes from listening, from understanding, from assuming the best in others, and having impactful conversations that are kind with our colleagues.

We should always strive to work this way, not just during today's public forum but interactions with each other throughout the week and in the months and years to come.

I wish everyone a productive, engaging and kind ICANN63. With that, I'll hand it back over to Lousewies. Thank you.

LOUSEWIES VAN DER LAAN: Thank you very much, Krista. Thank you for all the wonderful work that you are doing.

Now, as with the previous public forums, remote participants can ask questions or submit comments by sending an email to engagement@icann.org and then have the privilege of having Public Forum producer Brad White read out the question from the front here as if you're going to be in the room.

Now, when the question comes in, regardless of whether it's submitted via email or actually being posed in the room, the Board facilitator will decide who might best give you an answer. And, as I said, if we can't answer your question right away, we'll try to get you a response as soon as possible.

Now, let me just go to the rules for the session. As you can see, we have a microphone here in the middle of the room where you can queue up to ask your question. When you speak, please remember three things. Speak slowly and clearly. This is also very helpful for the interpreters.

Give your name and if you are representing someone or an organization, then please let us know who that is.

Now, in order for the Board to hear from as many people as possible, everyone will be limited to two opportunities to speak. Your first comment will be two minutes and there will be a countdown, a timer, so that everybody can see that we're really adhering to this rule very strictly. The Board response is also limited to two minutes. And then if you have a follow-up question, there's another two minutes. And,

again, there will be a timer and, again, the Board will be replying in two minutes. That way we keep it fair and make sure everybody gets a chance to pose their questions.

And with those rules now very clear to everyone, I will hand over to Chris Disspain to talk about the Board's priorities for the week.

Here you go, Chris.

CHRIS DISSPAIN:

Thank you, Lousewies. Welcome, everybody.

The Board has a very busy week. In fact, it feels like we've already have -- wait, we already have had a very busy week. But our main key now that we're into the main part of the ICANN meeting, there are three or four things that we're really concentrating on in the meeting with you. One of those you won't be surprised to hear is watching and participating in the EPDP discussions. There was a session here a little earlier this afternoon.

Second one is continuing to work with you on the new strategic plan. Many of you will have heard Cherine talk about that earlier on this morning. And there are sessions on that during the week.

Thirdly, tomorrow and a little bit on Wednesday we have our usual sessions with each of the SOs or ACs or stakeholder groups. And we're very keen to hear from you on the question that we've set or asked each stakeholder group about the evolution of the model, the governance model, at ICANN.

This is a very important question. We had a good discussion with the GNSO Council on that yesterday over lunch. Talked about some of the difficulties that arise with the way things are right now. And we're very keen to start a dialogue with you all on the governance model and its evolution.

And, finally, we'd like to listen to your priorities so that we can assure -
- we can ensure that our priorities are aligned with your priorities.

With that, I will pass over now to Ram who will deal -- who will lead the first session.

Ram.

RAM MOHAN:

Thank you very much, Chris. We are ready to open to block 1 any subjects of community interest. May I please request that when you speak, you speak slowly and clearly for the transcript and also that you please introduce yourself prior to beginning. Yes, sir.

STEVE DeBIANCO:

Thank you. Steve DelBianco with the business constituency. We wrapped up the IANA transition two years ago last month. And GDPR is the most significant stress test we've confronted since we've finished the transition. And it's interesting to think that we anticipated it in some way. Stress tests Number 3 and 4 of the 36 we did actually said the stress of a new regulation or litigation that would cause, quote, significant interference with existing policies and policy development

relating to relevant activities. And those stress tests ask the question: How can community hold Org accountable for the way it reacts to those stresses?

The stress test exercise determined whether the post-transition bylaws would enhance the community's ability to hold Org accountable. You all know that the new empowered community could now under the new bylaws have standing and funding to bring an IRP or reconsideration challenge against Org for things like the temp spec, especially given ICANN's bylaws have explicit commitments for access to accurate registrant data.

But we don't need to go there. There's a far better plan. It's the one that Org and the Board have already begun working on, this notion of Org pursuing a unified access model.

And for avoidance of doubt, I would like the BC to go on record supporting that initiative in our 13 September letter to the Board and in last week's comments on the RDAP. BC supported an initiative to explore having ICANN be the data controller, assuming most, if not all, of the GDPR risk operating a central RDAP hub that would require responses from registrars and then relay them only to requesters who have been properly accredited for legitimate reasons. So we want to reiterate that support today to make sure it's unambiguously heard.

[Timer sounds.]

And we would like to say how can we help make that happen.

RAM MOHAN: Thank you for your statement and for your support.

Goran, did you want to respond as well?

GORAN MARBY: Thank you, Brian.

STEVE DelBIANCO: Anything else? Thank you very much.

RAM MOHAN: Thank you.

Yes, sir.

PER-AKE WECKSELL: Good afternoon. My name is Per-Ake Wecksell. I work for Swedish National Police. I'm dealing with online sexual child abuse.

I have used the WHOIS since I started this topic in 2006. It's a important tool -- have been an important tool for me to find children and also perpetrators on the Internet.

We have gathered some information from WHOIS to find these kids who actually today are being raped. So we have a time line to cross. We have to find those kids, find those perpetrators.

Because of the GDPR, the WHOIS went dark and it takes more time now to send out requests to the registrars and hopefully get some information back. And we really need timely access to WHOIS.

I have a question: Is there a possibility that we have this unified access model really, really soon? Because every day and as we are sitting here, children are being raped. And we as police force, we need to find them and we need every tools that we can get.

RAM MOHAN: Thank you very much. It's a very important topic.

Did you want to take this, Goran, first?

GORAN MARBY: First of all, I would like to excuse myself to Steve which I apparently called "Brian."

Steve, I'm really sorry. I have an ICANN brain right now.

CHRIS DISSPAIN: So does Brian.

[Laughter]

GORAN MARBY: So I will -- just recuse myself, I will now call everybody "Brian" from now on.

[Laughter]

Thanks for that question, Brian.

So I will probably answer this question many times. So thank you for giving me the opportunity.

The only way ICANN -- ICANN as an institution and ICANN Org could come up with a unified access model is if we become the data controller for the WHOIS data. And we hope to reach out to you and many others to finalize to see if that's legally possible and then let the ICANN community continue its policy work and ultimately set the standards for it.

I don't think ICANN, the institution, or the policy work is actually the problem when it comes to timing. It's how we engage with the European authorities, such as yours, how to come up with that answer. Thank you very much.

Back to Brian.

RAM MOHAN: Thank you.

Please go ahead.

RICHARD HILL: Hi. My name is Richard Hill, and I have a comment followed by a question regarding the new independent review process.

So first of all, I would like to commend the IRP implementation oversight team, the IOT, and the ICANN staff for their extensive and excellent work on this topic to date.

One of the action items that is still open is the appointment of members of the standing panel who will hear cases under the new process.

I have been following the work of the IOT closely. And I recall that on 29 March, 2017, staff posted a first draft of the call for expressions of interest for the standing panel. I thought it was an excellent draft, and there were only a few suggestions for improvement that were made by the members of the IOT.

Since the nomination of the standing panel requires inputs from the ICANN constituencies, the chair of the IOT, David McAuley, provided some briefings and so have ICANN staff members. A Webinar on the topic was held on 17 January, 2018, and the presentations were posted on the ICANN website.

According to the time line that was presented at the Webinar, the call for expressions of interest for members of the standing panel was almost ready to go. After that, additional consultations were held with the constituencies. And at the 24 May, 2018, meeting of the IOT, it was reported the conversations on the topic had been held at ICANN61 in Puerto Rico and additional discussions would take place at ICANN62 in Panama City.

I note that the chair of the Board stated in his blog of 11 October on the priorities under the IRP, "The Board will work to meet all of the Board's bylaws obligations in appointing standing panelists to hear IRPs."

So I'd like again to congratulate all involved for the good work on this. But the question is: I wonder whether you could let us know when it is

expected that the call for expressions of interest for the standing panel will be published? And if you can't answer now, perhaps you could answer that on Thursday. Thank you.

RAM MOHAN: Chris.

CHRIS DISSPAIN: Thanks, Ram. And thanks very much, Richard, for the question. I can't answer the question when the call will be made, but I can tell you it's likely that the Board will have before it on its meeting on Thursday a resolution in respect to supplementary procedures following the report from the working group and recommendation by the Board Accountability Mechanisms Committee today. So that at least is a significant -- likely to be significant progress.

As for the next bit, don't know yet and probably won't be able to tell you that by Thursday. But as I know you understand, once the resolution is passed, the wheels will begin to grind.

RICHARD HILL: Thank you.

CHRIS DISSPAIN: Thanks.

RAM MOHAN: Thank you very much.

Our next community member please.

TONY KIRSCH: Thank you. Good afternoon, ladies and gentlemen. My name is Tony Kirsch. I represent NeuStar. For the purposes of today, you are welcome to call me Brian.

GORAN MARBY: Hello, Brian.

TONY KIRSCH: And today represents about ten years for me in the ICANN community which I know is only half of the organization. Not as many, many of you have put in. But nonetheless, the last ten years have been a very enjoyable part of my career. And I have had the pleasure of helping hundreds of new gTLD applicants from the initial round, 2012, with their strategies and implementation activities.

And whilst I can appreciate that not everyone in the community may support my view, I'm a stern believer that we have done a fantastic job and that new gTLDs from 2012 have added tremendous amounts of value to the community.

As you'll all know, we have added over 1,000 TLDs to the root. And despite some challenges and some edge cases, generally speaking, I

think that there's been many, many success cases that we as an industry don't celebrate anywhere near enough.

So there was a session on Thursday for those of you that can attend around innovations in new TLDs where we will be talking about these sorts of things. For everyone in the room, I'd encourage you to attend.

Specifically today I'd like to talk about our efforts in gauging interest from various elements of the community towards the subsequent round. And for the benefit of the board, our results from this have been striking. Over the last few months my team have been engaging with brands and CD applicants around the world and have discovered tens if not hundreds of applicants that would be interested in the subsequent round were we able to open it in a short period of time frame, and I dare say my organization is not alone in that.

So Cherine, this morning you spoke about the governance model and what happens in a situation where the status quo was unacceptable. And in our view, and many of us, I'm sure, in the room today, the fact that it's looking like a ten-year gap between the first initial round of this and a potential subsequent round, my question is from a perspective for the board, what can you do to help this? Our organization had proposed an implementation model that is supportive of the sub pro work and that we've (indiscernible)

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will be doing also -- I mean, our comments to the sub pro group which encourages the idea of having a brands NG -- sorry, a .BRANDS NGO

group together as a first phase and then a subsequent round for generics and communities. So thank you for your time. I know it's only two minutes, but I wanted to at least share with you the data that we found and seek your counsel as to how we could perhaps work to make a subsequent round move in a more expeditious manner.

RAM MOHAN: Thank you very much. Cherine, did you want to provide a quick response to this query?

CHERINE CHALABY: Well, I want to thank you very much. And when I mentioned the status quo, I said when we disagree. I don't think on the new gTLD subsequent rounds we are waiting for the PDP to complete, and I don't think there is -- hopefully not much disagreement within the PDP, so we will wait. But the board, when the PDP is ready and put to the board, the board will react and respond very quickly.

TONY KIRSCH: Very good. Thank you.

RAM MOHAN: Thank you.

SUSAN KAWAGUCHI: Hi. I'm definitely not Brian, but --

GORAN MARBY: Hi, Brian.

SUSAN KAWAGUCHI: Everybody goes by that. I'm Susan Kawaguchi, and I'm speaking on behalf of Aptitext (phonetic). ICANN needs to provide a uniform, efficient process to access the full WHOIS record for GDPR legitimate uses. I would direct people to Aptitext's recent letter to ICANN for further background on this. But there's two aspects I'd like to highlight here.

In our letter we proposed a list of recommendations that we think would be helpful for stakeholders for access to non-redacted information, including a posted, agreed-upon process consistent across all accredited registrars that includes a format of request, identification of information required to be set forth in the request, email addresses where requests can be sent, specification of documentation required for authenticating requests, and time limitations for response to requests. We also have a short clarification. Certain registrars have inferred that Aptitext crawls through zone files for trademark matches and then sends out hundreds of requests for non-redacted data that does not relate to the trademarks that are being infringed upon. This is not accurate. The Aptitext system utilizes a manual process. The customers on the system determine the targeted domains and then the domain names are manually entered into the system. Every notice that is sent sets out the trademark or intellectual property right that it relates to, along with legitimate purpose. In some

cases when requested, we have changed our notices to registrars to include an under penalty of perjury provision along with other requested elements and re-sent those notices to the registrars.

[Timer sounds]

Our goal is to continue to work with registrars to ensure that we send notices to them in accordance with a particular process. I don't have a question, but if you have some.

RAM MOHAN: Thank you.

SEBASTIEN DUCOS: Good afternoon. I'm Sebastien Ducos, chair of the gTLD group. And on behalf of the gTLD group, I just wanted to note that we support the idea proposed by our colleague "Brian" Tony Kirsch of NeuStar just a few minutes ago, that we will review and comment publicly that proposal and are very interested also in that brand and gTLD early round. Thank you very much.

RAM MOHAN: Thank you very much. Appreciate it.

JOHN LEVINE: Hi. I'm John Levine. I'm the liaison from MAG, known to its friends as "Brian." And I want to bring your attention to a report that we jointly did between MAG and the anti-phishing working group. We surveyed

our members on the specific issues we have doing security research and remediation in the face of redacted WHOIS, and I was amazed that we got 300 responses from actual security researchers and security research companies and at ISPs and stuff like that. And we summarized it and we produced about six recommendations, which we emailed to Goran but I imagine your inbox might be sort of full and you might not yet have had a chance to pass it along to the rest of the board. And we've, of course, told the EPDP members about it. But I -- I would like you to take a look at it because I think it's -- it's the best data we have so far. Because it's 300 actual researchers giving reports of their actual experience. There's links to it on the MAG website, on the APWG website, and for the lazy typists I put it on my blog which has a very short URL of JL.LY. So I encourage you all to take a look at it. I think it's useful. It's not hysterical. It's actually -- it makes concrete recommendations, none of which will surprise you all, which I think are perfectly compatible with legitimate interests issues GDPR. So take a look, and thank you.

RAM MOHAN: Thank you, John. Goran.

GORAN MARBY: Thank you. I think we posted on our correspondence page as well.

JOHN LEVINE: Thanks.

GORAN MARBY: I think we did that.

JOHN LEVINE: Thank you.

RAM MOHAN: Thank you. Next community participant, please.

KEITH DRAZEK: Thank you. Good evening, good afternoon, everybody. My name is Keith Drazek. I'm with VeriSign, the registry stakeholder group. I'm a GNSO councillor, and I was a member to have drafting team for the EPDP charter. I just want to make an observation on the EPDP and on the discussions around uniform access model and then I'll have a question, Goran, for you.

So in the previous session on the EPDP, there was just a bit of confusion about whether the EPDP will be focusing on policy development around a uniform access model. And I just want to make sure everybody's clear that the current work of the EPDP working group is focusing on the temporary specification and the temporary specification alone. The group has been chartered to look at certain gating questions that will then inform its later work on a uniform access model. So if you look at the charter of the EPDP, there were three deliverables. One was the triage report which is complete. Second is the initial and final report of the temporary specification work which

includes the gating questions which will, as I said, inform the work of the access model discussion. The third deliverable of this EPDP working group is a policy work around an access model. So in light of that and recognizing that the policy, through a bottom-up consensus process will have the reins, if you will, on the policy work on an access model, we also have a parallel effort that Goran has been shepherding around sort of trying to get answers around whether a -- the hub and spoke model, as it's being termed could be viable, could be legal under GDPR and other regulation, and I think Goran's been very clear in that that effort is trying to inform the work of this EPDP working group when it gets to the discussions of access.

[Timer sounds.]

So my question, Goran, I think there's been some concern or questions about how the community can be better engaged in this parallel effort that you've been engaged in while the EPDP is still working on the temporary specification and the gating questions.

So I think we would all as a community welcome the opportunity to better engage and to be better involved in that parallel effort about trying to get the right answers from the DPAs, from the data protection board. So the questions is, have you thought any more about how we might be able to help. Thanks.

GORAN MARBY:

Thank you, "Brian." I'm going to make this joke all the way down the road today. It's a very good question. How do we -- first of all, I totally

agree and I know the board agrees and my team agrees on the fact that we have to make it possible for the fantastic work they do on the expedited PDP. And our job is to figure out if we can inform them on things that is unknown for us. For instance, how do we move -- how do we diminish the legal responsibilities for the contracted parties to be able to do unified access model? And to the scare of my team, I just came up with an idea? One of the things that we can this is just an idea. I'm not making any promises but an idea. To come up with a technical solution, something that I think we have to work on together, and I'm thinking about some of the excellent job they've done on the RDP. If we can sort of set up an informal working group which has a technical study, that we work together under one -- there's no policy in this. There is no -- the only thing is to see if we can come up with a technical solution that we can go to the -- to the DPAs with to see if we can diminish the legal responsibility for the contracted parties. And I will invite, I think, if not my -- and I'm looking at my team right now -- to invite you to be a part of that technical study. So instead of doing this more, we come up with something and go up and ask to do some interactive mode. And maybe, if we would be lucky enough, if we get the answers from the European institutions, we can then underline and at the end of the expedited PDPs first part of work, we can inform them about the status of that and have an open conversation. And the policy work belongs in the community and not with us. My job is together with you to figure out the ways of make -- see what is legally possible in a law that is quite new. A technical study group, I think it's a good idea. What do you think, "Brian"?

KEITH DRAZEK: Thank you, Goran. Keith Drazek for the record. Just one reaction. It's certainly an interesting suggestion worth consideration.

[Timer sounds.]

But I would also say that I think there's an excellent foundation that we can build on from the work of the RDAP pilot group that is basically, if we're going to have some sort of unified access model, it is going to be based on RDAP as a protocol. And I think that's a great starting point, and it may very well be a different group of people and expertise looking at what you're describing but I think there's a solid foundation. There was a great session earlier today of the RDAP pilot working group giving a presentation. I think there's a solid foundation there. Thanks.

GORAN MARBY: This is interaction. I like that. I like open sessions which are interactive. Thank you, "Brian."

RAM MOHAN: Keith, thank you very much. Our next community participant, please.

LILIAN IVETTE DeLUQUE BRUGES: Good afternoon for everyone. Lilian De Luque, for the record. I am (indiscernible) from Colombia. ---

In this meeting I expressed the (indiscernible) that is also the same as the other indigenous people of America. We are more than 370 million

indigenous people living in more than 19 countries around the world. We are approximately 5% of the world population. We represent 15% of the world's poor. The speed of the progress made in recent years indigenous people continuing to be the most formidable (indiscernible) in the world. The indigenous people (indiscernible) education have understood that the use of technologies and the Internet (indiscernible) for our development. In all of America we have examples of how we are working in digital literacy, cybersecurity, e-commerce. There is even a large infrastructure in Bolivia created by indigenous alumni of the global indigenous ambassador program. But the Internet has as (indiscernible) challenges, one of which is the protection of our intellectual property. We're concerned. We received information about the cancellation of the funds for the continuity of the global indigenous ambassador program. I believe I am the first American, indigenous (indiscernible) chosen in the regular --

[Timer sounds.]

-- fellowship program and in the global indigenous ambassador program. We consider our participation in this distinguished space to be of the utmost importance and we consider our voice valid. But in the (indiscernible) of the regular scholarship, they never take into account or almost take into account the indigenous American. Since almost always representative of community we are representatives of Asia-Pacific and Africa (indiscernible). That is why we ask to consider the possibility of granting use (indiscernible) in the regular fellowship program with our respective mentor. With this we will contribute to educate and strengthen the work that the indigenous people have been

doing. We can continue contributing to the construction of an Internet, more stable, open and secure. Thank you very much.

RAM MOHAN:

Thank you very much.

[Applause]

And I think from the -- from the ICANN org side and from the board's side we'll make sure that your request is reviewed. Thank you so much. Our next community participant.

MARTIN SUTTON:

Thank you. Martin Sutton from BRG, which is not Brian's Registry Group but the Brand Registry Group. The BRG is actually an association of members who have either applied and are now running the .BRAND registries or tend to apply in the future.

Writing to the chair of ICANN in May of this year the BRG highlighted many of the successes that have emerged from the 2012 application round. Particularly those registries that witnessed zero abuse and have the end users' interest at heart, providing trusted and authenticated spaces at the root of the Internet. But we also raise concerns that the pace of progress towards new application rounds was too slow. So with over six years passing and no tangible evidence that a next round will occur in the immediate years ahead. This is unfair to prospective applicants, especially those that held back previously, relying on ICANN's commitment to launch subsequent rounds as quickly as

possible, within one year of the close of the application period. Now we acknowledge and acknowledge all of the efforts of the community to conduct reviews and improvement programs of which the BRG has and continues to participate, but even six years is already an embarrassing gap. So we urge ICANN to move forward to help you to continue to promote choice, competition, and innovation in the domain industry. The BRG is also willing to explore and discuss effective ways for this to be implemented including options to conduct smaller distinct application rounds by type where the type of registry is considered as low risk could be prioritized. It is encouraging to hear others that are willing to offer ICANN ideas to help you move forward and the BRG hopes the board recognizes that you need to encourage these discussions to help deliver your long-standing commitment. In response to the BRG's letter in May, Cherine, a good advice --

[Timer sounds.]

-- would be a topic of discussion at the following board workshop. Could you let us know what the outcome of those discussions were and what the board is doing to respond to these extensive and ongoing delays.

RAM MOHAN: Thank you, "Brian." Cherine.

CHERINE CHALABY: Thank you, Martin, for this very pointed question, and Martin and I have been having this conversation for years now. For six years, I suppose.

You know very well that the board doesn't make policy. You know that. And the community made it clear times and times again, the board does not make policy top-down. So please accept that. We -- the board is ready to act swiftly as soon as the -- the GNSO completes its PDP. We have had our own meetings, discussion about what type of software and investment we could do in advance in terms of application processing systems and so on and so forth. So we've had our own discussions. We talked with ICANN org. But frankly, we -- we are waiting for the GNSO to complete its PDP. And you have my assurance, as soon as the PDP is completed, the board will be responsive. And will act as quick as possible. But we can't go ahead of the GNSO.

I'm sorry to disappoint you. I know we're having the same conversation year after year after year. I do understand -- sitting in your shoes, I do understand your concerns and the pain you're going through. It's like we're not listening. But you do appreciate also that the Board has this agreement and it's in the bylaws that the Board does not do policy top down, particularly in an instance like this where the GNSO has been working on a PDP for a number of years.

My understanding that it is coming, you know, towards the end of it.

And maybe one of my Board members -- who's closest? Avri, you can just give us an update, if you could.

AVRI DORIA:

Thank you. I think Martin, who's on the PDP, probably has as good an idea as I have.

I think, you know, definitely have to re-enforce the fact that it is the GNSO that has to tell us to go forward with a recommendation.

Now, the GNSO could have done an EPDP on a quickie round for brands but hasn't. So there really is no way.

I mean, certainly I'm very eager as you probably can expect to see another round get started and trying to find ways to sort of help set the ground for it once it's ready.

But beyond that, the PDP -- there has to be a PDP recommendation to be able to move ahead. And as one of the leaders of the PDP, I'm hoping that we see it soon.

MARTIN SUTTON: Fingers crossed. Thank you.

RAM MOHAN: Thank you very much.

I will now pass the facilitation role to Mike Silber.

MIKE SILBER: Thank you, Ram. This is the old fogies' farewell tour obviously. So thank you. While we engage in our internal farewells, can we take the next person at the queue.

VICKY SHECKLER: Sorry. I'm so much shorter than Kiran. My name is Vicky Sheckler. I'm with Recording Industry, the Coalition of Online Accountability, and the IPC.

KIRAN MALANCHARUVIL: My name is Kiran Malancharuvil. I actually work for Brian Winterfeldt at Winterfeldt I.P. Group and I am the IPC secretary

VICKY SHECKLER: We came together to show you that this is a joint -- and IPC role, if you will, first. Thank you for the work that you have done to date on considering access within ICANN and the Org and the Board. We very much appreciate that. We very much appreciate the access model. And we encourage you to think about taking it. We encourage you to explore it with the data -- with ICANN as the joint data controller -- or the data controller. And we want to be helpful in those discussions.

KIRAN MALANCHARUVIL: We'd also like to add that the IPC fully understands the extent of the legal risks that are faced by the community as we discuss access and in particular unified access model. And we look forward to being collaborative with the community in addressing those and creating solutions that mitigate those risks as much as possible. Thank you.

VICKY SHECKLER: And then finally as we continue to consider the issues surrounding redaction of the data and appropriate access to the data, we hope that

Org and the Board and the community will continue to look at the data, the anecdotes, the surveys that have come out and are continuing to come out on how the system is sort of fractured at the moment, the different experiences that are having, how it is affecting different users of the WHOIS service.

For example, I believe MarkMonitor put out a blog today about the type of experience they've received. I understand that the cybersecurity community put out a survey a couple of days ago. And there's a bunch of other datasets. And I talked about my experience yesterday.

So we ask that you consider all of that as you move forward. And, again, we're ready to support you. Thank you.

MIKE SILBER: Thanks very much. It's good to see a collaborative approach. So thank you for that.

GORAN MARBY: Please send my regards to Brian.

KIRAN MALANCHARUVIL: Happy to.
[Laughter]

GORAN MARBY: Hello, Bob.

MIKE SILBER: I suppose on that note...

BRIAN BECKHAM: Good afternoon. Thank you for the opportunity to speak here today. In response to a recent letter from Aptitext, the registrar Tucows stated that some requests, for example, one for a so-called sucks domain name veer into dangerous territory which is suggested as a clear example of fair use under free speech principles.

Tucows' letter goes on to say that some requests show lack of care on the part of the requester. For example, in the case of homographs or domain names containing a trademark buried between other text. In a similar vein, a letter from registrar Blacknight states that there is no legitimate claim to special rights for this string insta, an abbreviation of the Instagram mark.

Registrars should not be in a position to assess nuanced -- should not be in a position to assess nuanced trademark law principles such as free speech and complex new types of DNS use such as the use of homographs or trademark-contained domain names.

Indeed, an early UDRP case from the year 2000 concerning the domain name walmartsucks.com was found by the panel not to be a fair use as the registrant had admitted an intention to extort money out of the trademark owner.

UDRP and trademark law vigorously protect free speech even including a UDRP case from within the last month concerning the difficult gun control issue in the United States. Registrars and interested third parties such as trademark owners should focus their efforts on establishing a clear and uniform set of criteria that would support disclosure requests, for example, providing with sufficient specificity the trademark on which the requests supported by a good faith assessment of infringement concerns and stating in broad terms the reason, for example, from a pre-agreed list of possible infringements on which a claim is based. Once agreed, to save registrars from being in the uncomfortable and, indeed, legally risky position of judging whether a request is an infringement under applicable law, the default low bar should be to timely provide the requested information.

[Timer sounds.]

We encourage all interested stakeholders to work toward this end and we stand ready to assist where useful, including on an access model or otherwise. Thank you.

MIKE SILBER:

Brian, thank you. Can I ask a question, though, because we have had a number of interesting statements. And I suppose it's one of those questions in terms of the role of the public forum. Is this a statement being made for the information of the Board, for the community, or for those who have been writing letters? And this is just a convenient way to respond to those letters in this forum rather than by further correspondence?

BRIAN BECKHAM: Yeah, thank you, Mike. I would say it's really all of the above. It's meant to help move the bar forward. We've been sort of watching these conversations from the sidelines. This is merely an observation. We've seen the correspondence from the Aptitext people, from the registrars, and we thought this was a kind of question that was begging out for a response.

MIKE SILBER: Thanks. Appreciate it.

I don't see any comments from my colleagues.

If we can move to Reg.

REG LEVY: Hi. Thank you, Brian, for that. I will update my template.

My name is Reg Levy, and I am here in my personal capacity. One of the main reasons that I really appreciate the opportunity to come to ICANN events is to meet people in person. The Internet has often been said that it brings people together, but it can also be a great force for separation and division. It is very often difficult to remember that there is a human on the other side of the screen. These forums and these events really help fix that.

So I would like to speak to the fact that it is my understanding that ICANN staff is not allowed to come to a lot of the events that are hosted

by various third parties during these events but only to events that appear on the official schedule.

I think that this is short sighted, and I think that it would be wise for the Board to advise senior staff to reconsider that decision or proposal because, indeed, ICANN senior staff themselves and Board members come to these events. And that is good. But you are not the people that we are dealing with on a daily basis.

MIKE SILBER: Thanks, Reg. Do you have a response?

GORAN MARBY: Thank you for the comment.

I have to admit that I'm not really sure because we have a specific amount of people who's here to perform the work, to facilitate and help the community with discussions. That is our primary thing to do here. And we participate on sort of your behalf. And my team, as you probably know, works a lot of hours every day. So I think it's just that it could be seen as something, it's just that we don't have enough people to put in every avenue all the time. But I will look into it and evaluate it. Thank you very much.

REG LEVY: Thank you. I would like to respond to that briefly. I understand that you and your team are here for us and that everybody works very hard. We also take the opportunity to relax. And those are some of the best

opportunities to meet people as humans, not necessarily to get actual work done but to remember that everybody is a person on the other side of the screen. Thanks.

GORAN MARBY: Thank you.

CHRIS DISSPAIN: Mike, can I ask --

MIKE SILBER: Of course, you can, Chris.

CHRIS DISSPAIN: Thank you.

Reg, sorry, my apologies. Forgive me. Just -- I'm just curious as to whether this is -- something that you think has just happened or it's been going on forever? It's something that you are bringing up that you think has been around -- okay, cool. Thanks.

REG LEVY: Briefly, not a full two minutes, I promise. I've missed a couple public forums but this has been on my mind for literally years. And this is the first time I've actually said it. Thanks.

MIKE SILBER: Thanks. I think it's something worth engaging in terms of building a culture in the community.

Amadeu, please, can I ask you to speak slowly.

AMADEU ABRIL i ABRIL: Impossible.

MIKE SILBER: We'll pause the buzzer.

AMADEU ABRIL i ABRIL: Amadeu Abril i Abril now speaking for CORE. I have one question as you love questions. I have asked the question once, but I haven't gotten an answer so I will try again.

Some months ago on this GDPR saga, we saw ICANN suing a registrar in Germany discussing what the NRA means at the end of the day, what they have to do with that. And my question is: Why was not ICANN using the agreement and compliance?

And one of the reasons, not the main reason, but one of the reasons why we set up ICANN 20 years ago and we are still here, is because we want to prevent the individual COREs around the world to have a fragmented Internet with a fragmented vision (indiscernible) here and there.

So why is ICANN going entirely to there? I would appreciate an answer.

I still have some time.

A personal comment. I am Amadeu Abril i Abril and I am from here: Barcelona, Catalonia; Barcelona, Spain. Depending how you look at it. I don't want to raise political issues here. But I'm really worried to say the least and trying to be very polite about the behavior of ICANN staff going to, I wouldn't call that censorship, frankly, but going to extreme lengths in trying to prevent things, to ruin people from saying things or writing things, and organizing things in ways that in no way were expected by anybody on the other side. I think that ICANN is not in the role of deciding the international or local politics. And I think that your aversion to risk make ICANN Org very often overzealous. And in this week, in the preparation of this meeting, there are many such instances. I don't want to bring any formal complaint, even if I would like discussion with Krista to see her opinion. But be aware that ICANN is not the body to say what can be said by whom and where and who is here or there. Thanks.

MIKE SILBER:

Thank you, Amadeu. And thank you for being slow and concise and intelligible. Goran, do you want to respond on the question of the lawsuit?

GORAN MARBY:

Apparently not.

[Laughter]

MIKE SILBER: I'm fine with that as well.

GORAN MARBY: We have a legal case in Germany. I'm looking at him right now. And we do that because we have a difference in opinion about collection of data, which we think is a fair question to take to court. I think we have asked the same question three times, and I don't think we have a legal (indiscernible) for that.

And apart from that, it's a legal case. I can feel J.J. looking at me, and I shouldn't say more.

MIKE SILBER: And, Goran, do you want to respond on the question of -- I'm not quite sure how to describe but almost censorship is, I think, an apt term.

GORAN MARBY: As I don't really know what he meant, I have to admit I have no answer to wit.

Oh, yes, of course, refer to Krista.

MIKE SILBER: Okay. I think it's an interesting question because we do sometimes hold meetings in places that have political sensitivities. And I think it's an interesting question that you're raising because this meeting, that's in your own hometown. Next meeting may be in my hometown and we may have differing views as to what is polite or acceptable in a

particular environment. So I think it's worthwhile at least exploring and considering that one.

Sebastien, as a former colleague, I don't know if I'm allowed to call you "Brian."

SEBASTIEN BACHOLLET: Thank you very much, Mike.

My name is not Brian but Sebastien Bachollet. And I'm going to speak slowly, and I hope that everyone is going to listen to the interpretation. Thank you so much for our interpreters.

I'm going to take a hat -- I don't know which one I'm going to wear today. But I would like to go back to the issues of the meeting format. As you know, I was the head of the working group for the strategies on public meetings. And I'm going to read that in English. And it said --- on the same day of the opening session and went 19 minutes in length. The Board will hear from the community. SO/AC chairs will join the Board in this session to hear and give brief updates from the community and listen to topic of interest by the community.

My first question -- my first question will be: Did we implement the second part of the recommendation?

And, secondly, the meetings -- the General Assembly that we have at the end of the year supposedly should last eight days. It was a strong request to go to seven days. Why are we doing six days and a half with an introduction to have work on the seventh days? It's not possible. It's

forbidden. And I think it's missing, and it's not what was scheduled.
Thank you very much.

MIKE SILBER: Thank you, Sebastien. I am not sure if anyone wants to take the very specific questions that were raised or if we rather hold that over and respond in more detail regarding the way the meeting is structured.

CHRIS DISSPAIN: That's a Thursday response, Mike.

MIKE SILBER: Okay. In which case let's hold that over on Thursday and get a response on that one.

In which case, colleagues, it's been nine years of pleasure. Thank you very much. I will pass on to my colleague, George Sadowsky.

GEORGE SADOWSKY: Thank you, Mike. Well, let's continue the conversation.

The next community member, please.

TARUN TAUNK: Tarun Taunk, public forum. I am from India. I'm running a technical media host, I.T. Voice.

I have two basic questions. The first question I haven't had -- this is my first visit to ICANN. I have never seen a press and media conference or

press and media update form. If it should be there, it's good for every country, every representative who can get the messages from here about what is going on and what is the best for their country.

And, second, I shared some cards from ICANN members. I got some of the cards as mobile number, some doesn't. If there is any further, I can say, rules or regulations someone can publish their card or not publish their mobile number on their card from ICANN.

And if it's a public PR session, it should be there. It's good for everyone. This is my comment.

Any of the press and media that can be covered?

GEORGE SADOWSKY: Goran.

GORAN MARBY: On the first one, we have tried and continue to try different types of interactions with media. And sometimes they are successful and sometimes they're not successful. As an example, we have done press conferences with no journalists. And we decided to do other types of reach-out tools to media, by inviting them to participate in the ICANN community.

When it comes to mobile numbers on business cards, we -- I have a very dedicated staff which is highly motivated by working but also like to have some time off sometimes. And, therefore, we've decided to go

through switchboards to reach them instead of direct mobile numbers. And I hope you can respect that privacy. Thank you.

GEORGE SADOWSKY: Thank you. Next member.

MIKE SILBER: Sorry, George, if I could just add. One of the issues is, of course, people are not always aware of the time zone in which somebody is located at a particular point in time, especially when people travel as much as the ICANN Org does. So it's very possible that you're calling somebody on their mobile number when it's an ungodly hour in the morning either in your time zone or in theirs.

GEORGE SADOWSKY: Thank you, Mike.

Next community member, please.

ELLIOT NOSS: Thank you. Elliot Noss from Tucows. It's only Monday and already this week I have personally experienced more cooperation and good work towards trying to resolve the issues around WHOIS access in a GDPR world than I have seen on this issue in the year and a half that it's been live and perhaps on any issue in my 20 years in this community.

We saw that in a forum that Stephanie Perrin ran. We saw that in some of the RDAP work. We saw that in some of the preparations for this very

open mic comment session where people were careful to make sure that it was not win-lose, that it was not -- some people were careful to make sure that things were not acrimonious, that it was understood what was being intended and was working together.

I have some fear about the unified access model. My fear is not with the idea of the unified access model. I think it's a good idea. I think it's also an incredibly difficult idea that may or may not succeed, much like the EPDP itself. My fear is that a singular focus on it can take significant energy and time in a zero sum game away from that good work that is going on now. So I really want to urge everybody in the community, while we're working towards an EPDP, while we're working towards a unified access model, to continue the work towards improving the business processes, towards improving the technical implementation -

[Timer sounds]

-- and towards improving our likelihood of reducing in the shorter term the frustrations that a lot in the community are feeling. Thank you.

GEORGE SADOWSKY:

Thank you very much. I feel very heartened by your comments about the fact that this seems to be working well for the community and I'm delighted. Goran, would you like to respond?

GORAN MARBY:

Well, I actually would like to answer a little bit higher up. If I hear many people right, that the GDPR has brought the question of privacy to a focus in ICANN and since we started a process -- started a process I think it was South Africa what we started what we called the Calzone process which led up to the -- to the temp spec, and I promised not ever to come up with a new project name for anything in my team. There is something I talked about earlier, and you and I have discussed this earlier, that the ICANN community has another obligation and that is actually to talk about, and I call it a balance between privacy and the right of privacy and the need for information. And that is a bigger question, because WHOIS is one of all the databases exist in the ecosystem. And we -- and I believe very much that we can pass the point of what we're going to do with the expedited PDP and how are we going to diminish the legal obligations for you. So -- and we should reach a point we can have that conversation.

That's not going to be an easy conversation because it's going to be -- it's really hard and no one has been able to have that conversation before. But I'm convinced, and maybe that's one of the reasons I have this job, is that this community together is probably the best place in the world to have that, because if we can agree, we can make a really big difference. And I think we can balance out a lot of different interests together. So I reluctantly then earlier actually do agree with you.

ELLIOT NOSS:

Don't be so hesitant.

GORAN MARBY: It's just unusual. Thank you very much.

ELLIOT NOSS: Yeah, if I could, I want to pop up one level higher than that. I think that we're sitting at a unique opportunity to demonstrate what the multistakeholder process can achieve that would be much more difficult to achieve in a typical regulatory environment inside of a nation state. And I think it's that piece of work, frankly, that keeps me coming back year after year. Thank you.

GEORGE SADOWSKY: Thank you very much. Becky, would you like to comment?

BECKY BURR: Yeah. I just want to take one minute to get to the importance of the policy work that's going on and make sure we highlight that. We can talk about unified access models and we can talk about all of those things. I think that there are many things that are worthwhile to explore in there. But it's all dependent on the policy work. So I just want to reassure you that the board is very cognizant of the importance and the need to keep focus on the policy work as well.

ELLIOT NOSS: Yeah, and I very much appreciate the hard work you're doing, you know, personally around UAM and it's my deep believe that the work that will go on underneath that, while all that is taking place, between

community members of good intent, will do more to inform the eventual outcome than any PDP itself. Thank you.

GEORGE SADOWSKY: Thank you. I'll now pass the facilitation role to my colleague Jonne Soininen.

JONNE SOININEN: Thank you very much. And you, sir, are next.

AJAY DATA: I'm Ajay Data from India. I heard in welcome speech around \$8 million is being spent on icann.org. I would really -- I'm really happy to listen that. But I am really hoping that we get Hindi as a language which is serving almost 10% of the world's population and we do not have it on the site. And we have the languages which is represented by very small populations. And why I say that is we are coming with IDNs, we are coming with new gTLD rounds, and we're going to have those applications much more and more revenue is likely to come. It makes total business sense if we have that icann.org to even have the languages where the population is very high. That's one request.

Second request is walking the talk. We promote IDNs from ICANN and we do not have our own IDN. At least for the languages we have on site it really doesn't take much, we all know that, to enable IDNs and redirect that content of, let us say, Cyrillic content on that IDN. It will become really walking the talk, and we have the IDNs launched. We are

going to Kobe which is probably an IDN focused. That would be a great thing to plan a strategic thing and launch it around there. Thank you very much.

JONNE SOININEN: Thank you. Goran, do you want to answer about the icann.org website?

GORAN MARBY: No, but I'm going to make my life much easier and ask you gentlemen to come to speak to Mr. David Conrad -- the man is also well known for not breaking the Internet -- who is responsible for what we call the ITI project. Go and talk later.

AJAY DATA: Thank you very much.

JONNE SOININEN: Okay. Thank you very much. And next participant, please.

ARSALAN IQBAL: Good evening. This is Arsalan Iqbal from CTM360, representing the private sector community, sir, cybersecurity sector. So my question is, in light of redacted WHOIS information, what we've seen is so ICANN's remit is mainly around domains. And when it comes to content, there are resisters who have complete autonomy, so to speak. So it's not about policing content from an ICANN perspective, but I would like to understand that in some cases you will have analysis paralysis where

registrars will take their time to understand when there's a problem. There are also certain registrars in certain territories that are complete black holes, and in those cases, it's quite challenging for cybersecurity researchers, even when there is proof, and maybe this is for the broader IPC constituency as well, how do we get ICANN, the resisters, and the private sector on board so that, you know, we can move forward with that as well?

And secondly, I actively look forward to getting access to the UAM as well. Thank you.

JONNE SOININEN:

Thank you. Is there -- thank you very much.

STEPHEN DEERHAKE:

Hi. Stephen Deerhake, acting in my personal capacity. First I'd like to thank the departing board members for their service to the community. I'm actually here to ask a question about risk and the reserve fund. As you know, it is -- the community seems to have agreed it should be a year's worth. It's currently at about six months' worth. The precise shortfall is in the neighborhood of 68 million. I know there is a plan afoot to try to fill it at something like 5 million a year or -- or 2 million a year over five years or something like that. My question is, barring some IRS regulation that would put the corporation's tax status in jeopardy, why you don't do the obvious solution and backfill the shortfall out of the auction fund and then apply the 2 million a year replenishment to the auction fund? I don't understand why this has been so hard for the

board, and I don't understand why the board is leaving the corporation at an ongoing higher risk level than it needs to be. I don't see how that squares with the fiduciary responsibility of the board. Thank you.

JONNE SOININEN:

Thank you. And I give this to Ron da Silva also the chair of the Finance Committee.

RON DA SILVA:

Yeah. Thank you, Stephen. That was a good question. I think it's -- let me talk about the risk piece and then I'll talk about the mechanisms for where we are with regards to replenishing the reserve. So first on the risk, I mean, certainly the organization has a lot of assets in several different accounts. If you think about the funds that are in -- the auction proceeds you mentioned, you think about the funds that are in the -- the new gTLD program, you think about the funds that are in our reserve, there are assets available. If -- if there was a crisis situation today, we do have the capability to draw from these different funds to address a gap. So I don't think there's a risk, per se, today that the organization is going to fundamentally run out of cash and not be able to operate. So that's just to touch on that piece.

So you're right, there was an effort underway to identify what the appropriate level of a reserve fund should be. That was established through a iterative process with the community. We established that one-year threshold and then we did a gap analysis and identified that 68 million that you had mentioned. And we are actively working on how

should the organization -- excuse me -- fill that gap. And we're looking at several components to it and had some consultations already with the community around different options in front of us. And one would be drawing from the reserve fund. One would be asking a task to the organization over some numbers of years to meet. Another could be using some of the new gTLD funds. Another could be raising prices. See, these are all things that we threw out there, and I think we had some dialogue and interaction from the community on it. And the BFC met this weekend to discuss the different options that have been put forth from the organization as a recommendation. We've come with a recommendation to the full board. The full board is now deliberating what the best option should be around that.

[Timer sounds]

And hopefully we'll have something soon to share with the community and get some additional interaction on the -- how we're going to fill that gap.

STEPHEN DEERHAKE: Thank you.

JONNE SOININEN: Thank you. The next speaker, please.

PAUL FOODY: Paul Foody speaking on my own behalf. Back in 2010 Harald Alvestrand said that a root of a million names would be a very bad thing. Reversing

what he said three months before in Seoul when he said he was looking forward to a root of a million names. In 2014 when I asked the board if there was a number of names in the root at which point the addition of names stops becoming a good thing and starts becoming a slightly bad thing, Dr. Stephen Crocker responded that as there was an absolute limit of a thousand names per year being entered into the root that it could take a thousand years before a root of a million names was possible. Now I'm listening to the .BRAND drive, and if you are going to let companies have their .BRAND, you're going to have to let every company have its .BRAND. So has the board changed its opinion on the devastating effects of a million name root and if so, when did it change its mind and how did the absolute fixed limit of 1,000 names per year, which was voiced by Dr. Stephen Crocker, one of the most brilliant people ever to have anything to do with ICANN, how only four years later is that being thrown by the -- by the wayside?

JONNE SOININEN: Thank you very much. Ram.

RAM MOHAN: Thank you very much. I just want to state a few things and just clarify a few things. There has never been, from the board, a limit set to the number of names in the root zone. And the second thing I want to clarify is that the thousand per year limit that was set was an operational decision that was made and the primary reason for that decision was prudence to make sure that the rate of addition into the root is not very fast.

Now, the question that has been raised is kind of a really -- really not the right question or not even --

PAUL FOODY: May I explain?

RAM MOHAN: May I finish what I'm saying, sir? Is not even factual because the board has not set aside any limit because there was no limit set as to the total number of names in the root zone. The limit that was set was focused on security and stability and the intent was to carefully and deliberately allow the total number of names into the root zone on a per year basis.

PAUL FOODY: Are you saying you didn't hear Harald Alvestrand say a root of a million names would be a very bad thing and repeat it again in Belgium in 2010?

RAM MOHAN: So -- just briefly, individual board members have opinions and are certainly free to express them, as are any other members of the community. I'm speaking as the board and saying that the board did not actually set any such limits. Thank you.

PAUL FOODY: May I point out why this is very important? You advertised the new gTLD round as increasing number of registries. Okay? When you're talking about increasing it by a factor of a million, that stops being a registry.

That starts being a domain. And what you're then doing is porting the dot-com registry to the top level, which is what I said you were doing in 2009. And as such you need to take the quarter of a billion dollars that you are sitting on and you need to spend it on letting everybody on this planet know that dot-com is being decimated and you are insisting that companies who want to have a bona fide position on the Internet need to stock up 185,000 and then the auction proceeds because otherwise this is just you guys carving up the pie amongst yourselves. Thank you.

JONNE SOININEN: Thank you.

MIKE SILBER: Paul, firstly, welcome back. We've missed you, and I think there are a couple of bingo cards that will need to be rewritten given your return to the ICANN community.

PAUL FOODY: I don't doubt it.

MIKE SILBER: I'm quite sure. Paul, I think it's just worth making one comment. You say "we" and "us." This is not something that is being driven top-down. We have requests, we have suggestions. There is a policy development process that is underway. Some of your concerns are reasonable and the correct place to raise them is not lecturing this board and impugning our intent or our bona fides by suggesting that we're trying

to carve up some mythical pie between ourselves and that we're money grubbing in this environment. The correct place to raise this is to actually get involved in the policy development process and to actually engage in developing policy with other colleagues because that's where your views need to be considered. Not lecturing to us, because this board is not going to impose its opinion on others. We're going to consult with experts and we're going to take policy that's given. And I think that's a lesson to everybody, is this board is not a top-down decision-maker but is rather a shepherd, a steward, to ensure that the community goes through a correct policy development process and we're there to test it and sometimes to provide guidance and sometimes to ask silly questions that we're not yet to impose our views.

So I'll say the same thing as I've been saying all the years that you've been standing at the microphone which is, it's no use lecturing us because we're the wrong party. We're not making the decisions you're complaining about.

PAUL FOODY:

It's a consensus. Any group I get involved in here, it's a consensus. So my voice just gets drowned out. That's why I talk to you guys. It's fun. Thank you.

JONNE SOININEN:

Thank you very much. Next speaker, please.

FIRDAUSI FIRDAUS: Thank you for the opportunity. My name is Firdausi. I'm a bit overwhelmed because this is the very first time I'm attending ICANN events, the administrative event itself.

First, I am interested with many of HGML [sic] sessions. I was wondering, is there anything that can be done to make it more interactive because the conversation is every country saying -- representing their country about their views and so on. I am expecting it going to be more interactive. Like, there is more discussion on it. Is it possible, for example, maybe in the future?

And, second, for the young generation, because I have been studying -- I'm from -- my background is law. I have been studying related law Internet since undergrad. I just realize about ICANN when I start studying in the U.K.

So I was wondering if I can actually have them promoting to the young generation, especially outside of U.S. and E.U.

And in regard to this, I was wondering if you also invite other institutions which is not specifically related with Internet and so on but maybe like representative of the region, for example.

And last, but not least, because there are -- there has been going on about WHOIS and so on, I was wondering if the needs for the event to invite, for example, the guest speaker or even as participant those who are from law enforcement or even from the INTERPOL. Thank you.

Because -- I'm overwhelmed about the last question because I often attend events like late because I need to attend another session on the

same session. I need to attend several sessions. So if you understand what I mean, it's like maybe I lose some information, who is the person representing something and so on. Okay. Thank you.

JONNE SOININEN:

Thank you.

So, Chris, would you want to answer?

CHRIS DISSPAIN:

I just wanted to refer specifically to the government -- thank you for the questions, and thank you for coming and being prepared to come to the microphone at your first meeting.

I just wanted to respond specifically in respect to the high-level meeting. That is actually a meeting that's run by the government. In this case, the host is the government of Spain. So they decide how that meeting is set up and set out, so that's not for us to interfere with.

Does anyone else want to respond on anything else? Goran, did you want to say something?

GORAN MARBY:

No. You're right. It's a governmental setting and they follow the governmental principles of noninteraction. Thank you.

JONNE SOININEN: I think, Goran, there was a question as well that have we reached out to young people also outside U.S. and E.U.

GORAN MARBY: Oh, we reach out all the time, for the different programs we have, everything from next gen to fellowship programs to outreach which we do on a local basis.

I think that many people here who are in this meeting have been coming here through the outreach programs we do.

And we do that very often together, for instance, with our At-large who has been very successful with who they chartered.

Alan Greenberg who is here somewhere, Alan told me that we have now gone from how many charters to how many charters in just a couple of years? We are talking about hundreds. So the outreach is fairly effective.

The diversity question in many ways is important to us where to bring new people in is something we do invest a lot in. Thank you.

JONNE SOININEN: Thank you.

Was there one more?

CHRIS DISSPAIN: The question about law enforcement.

FIRDAUSI FIRDAUS: Law enforcement participant or even is guest speaker and so on.

JONNE SOININEN: So I think different agencies do actually participate in the ICANN meetings. And in different situations, there have also been presentations done by them.

GORAN MARBY: One of the first speakers in the open session today was a representative of the police force. I happen to know because he was from Sweden.

CHRIS DISSPAIN: That was today in the high-level session. Okay? Thank you.

JONNE SOININEN: Thank you. And the next one, please. And I understand that we're getting a little bit out of time so you will be the last one to have the pleasure to talk tonight.

MICHELLE CHAPLOW: Okay. Thank you. My name is Michelle Chaplow. I'm a member of the business constituency. I'm speaking just now in my own capacity.

I have been -- I was very much involved in ICANN. I have been out for about three years. My last meetings were Dublin and London. And I

want to provide you with some insights into going out and coming in three years later.

One really good thing that I've seen is there is much more young people coming through. And the fellowship and next gen seems to be working excellently.

I was a part of the meeting strategy working group, and I was very sad this morning to see at the opening ceremony there was no element of cultural significance, something that we fought very hard to have included in that report.

Also, we had five men making jokes about ties. Now, please don't take my word for it. Ask any woman in this room what they thought about the tie jokes. Thank you.

MIKE SILBER:

If I can respond, can we set up a support group for those who went out and are considering coming back in.

I'm not sure if it's to help ease the transition of coming back in or to stop us from ever doing it again.

MICHELLE CHAPLOW:

I really think it's the diversity that should be looked at because even -- look at the board of directors. We've got three women here. What's happening?

MIKE SILBER: Sorry. I didn't mean to joke unnecessarily because I think your comment about diversity is a very important one.

In terms of events of cultural significance, that is largely up to the host.

But in terms of middle-aged white men, yeah, as one myself, I accept the comment and the critique very absolutely. And that's one of the many reasons why I'm leaving.

[Laughter]

To be replaced by another middle-aged white man.

MICHELLE CHAPLOW: Let's hope it's a middle-aged white woman. Thank you very much.

Thank you.

JONNE SOININEN: Thank you. And now it's back to Cherine.

CHERINE CHALABY: Well, thank you, everyone. I think it's been a productive session as always. And the Board does appreciate your thoughtful comments and questions even though sometimes we feel that we're unable to answer certain criticism, particularly when we're asked to make policies.

I know not everyone got to ask their questions so please remember to join us in the second public forum on Thursday at 1:30 in this same room.

I think at that time, the new Board will be seated and there will be five new Board members replacing Mike and others.

So I was going to say just Mike, but I felt like I had to say "Mike and others."

[Laughter]

So thank you very much. This session is closed. And I wish you a very productive week. Thank you.

[Applause]

[END OF TRANSCRIPTION]