

Chat Transcript

Plenary Session: ICANN's Multistakeholder Model within the Internet Governance Ecosystem

Tuesday, 15 June 2021 14:30-16:00 CEST

00:59:24 Maxim Alzoba: Hello all
00:59:43 Harold Arcos: Hi everyone,, hola Javier, otra vez desde muuy temprano,,
00:59:45 Paul McGrady: Hello all!
00:59:48 FANNY SALYOU: Hello all,
00:59:58 Charles Shaban: Hello
00:59:59 Chantelle Doerksen (ICANN org): Hello, my name is Chantelle Doerksen, and I will be monitoring the chat for this session.

During this session, questions or comments will only be read aloud if submitted within the Q&A pod. They will be read aloud during the time set by the Moderator of this session.

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00:59:59 Harold Arcos: Hi everyone,, hola Javier, otra vez desde muuy temprano,,

01:00:09 Herb Waye Ombuds: Greetings from the ICANN Office of the Ombuds. Our virtual Office is open for drop-in visits during ICANN71. Details are posted in the discussion forum on the main ICANN71 page. Anyone wishing to speak with the Ombuds team of Herb & Barb can also reach us at ombudsman@icann.org
Stay safe and be kind.

01:00:19 Matthew Shears: Hello all!

01:00:19 Ana Maldonado Cid (GAC-ES): Hi everyone! Greetings from Madrid

01:00:19 Jonathan Zuck: Greetings, people.of Earth!

01:00:27 Javier Rúa-Jovet (ccNSO Council): Hey Harold! Abrazo.

01:00:48 Juan Manuel Rojas: Hi everyone! Nice to e-see you all again!
01:01:04 Yaovi Atohoun: Hello everyone
01:01:13 Jonathan Zuck: Greetings, people.of Earth!
01:01:22 Tripti Sinha: Hello everyone!
01:01:23 UY Beatriz Rodriguez: Hi everyone! Greeting from Uruguay
01:01:51 Rick Lane (Iggy Ventures, LLC): Greetings Jonathan and everyone
01:01:52 Mary Wong - ICANN Org: Hi PANELISTS - we've alerted Olivier, but FYI Jovan is still not here. We'll let you know if/when he arrives.
01:01:59 Harold Arcos: Hi Juan Manuel! great to e-see you,,
01:02:08 James Bladel: Thx. Mary. I also had difficulties joining.
01:02:16 Satish Babu: Hi everyone!
01:02:21 Javier Rúa-Jovet (ccNSO Council): @Zuxk: Do you come in peace? Should we take you to our leader? Who is that, by the way?
01:02:32 MAEMURA Akinori: Congrats Rafik and Marilyn!
01:02:47 Rafik Dammak: thanks Olivier :)
01:02:50 Philippe Fouquart: Olivier + 1: well deserved!
01:03:11 Jonathan Zuck: yes, congrats Rafik!
01:03:19 Olga Kyryliuk: Congratulations, @Rafik! So well deserved!
01:03:20 Philippe Fouquart: Olivier + 1: well deserved! well done Rafik.
01:03:44 Matthew Shears: + 1
01:03:48 Amrita Choudhury: Congratulations Rafik
01:03:51 Holly Raiche: Congratulations to Rafik
01:04:16 Manal Ismail: Very well deserved to both .. Congratulations Rafik 🎉🎊
01:04:42 Ron Andruff: Congrats Rafik AND our dear passed friend, Marilyn!
01:04:43 Charles Shaban: Very well deserved Rafik, congratulations
01:04:47 desiree_miloshevic: Congrats Rafik
01:04:54 Tripti Sinha: Congratulations Rafik!
01:04:58 Nigel Hickson: Excellent Rafik; well deseved.
01:05:03 DANKO Jevtović: @Javier - you are the leader now - you stepped up!
01:05:23 Nigel Hickson: Brenda, can you make me panellist; thanks
01:05:25 Sarata Omane: Congratulations Rafik
01:05:52 Nigel Hickson: Olivier, yes (taking notes); you are the boss!
01:06:01 Rafik Dammak: thanks all!
01:06:04 LenovoHome: Good Morning All: My Name is Peter ODURO from CANADA - Kitchener- Waterloo, ONTARIO. ICANN
01:07:28 hadia Elminiawi: yes there is a Q&A pod
01:07:39 Lito Ibarra: Congratulations, Rafik, and a tribute to Marilyn
01:09:23 Chantelle Doerksen (ICANN org): As a reminder, during this session, questions or comments will only be read aloud if submitted within the Q&A pod. They will be read aloud during the time set by the Moderator of this session.

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01:09:51 Mary Wong - ICANN Org: Hi Nigel, perhaps you can intervene from the floor during the discussion section?

01:11:07 Olivier MJ Crepin-Leblond: If any of you want to catch my attention, put your hand up please

01:11:17 Olivier MJ Crepin-Leblond: so you can intervene as and when desired

01:12:04 Nigel Hickson: Mary; am giving a "summary" so thought it easier to be on panel thanks

01:13:46 Ozan Sahin - ICANN org: Dear Panelists and Olivier. Please note that the questions in the Q&A pod can be responded to live or by typing an answer. So far we have only one question from ISOC Belgium.

01:14:23 Mary Wong - ICANN Org: Welcome, Jovan - confirming that all our panelists are present.

01:14:37 Rick Lane (Iggy Ventures, LLC): +1 Jorge Very insightful

01:15:26 Cheryl Langdon-Orr: how to more effectively communicate

01:15:42 Olivier MJ Crepin-Leblond: anyone else would like to comment on this?

01:16:04 Jim Prendergast: I can

01:16:18 Olivier MJ Crepin-Leblond: ok you're next

01:16:47 Paul McGrady: I Would. I'll make it short. The next question is my favorite and will want to address that one too.

01:16:54 Olivier MJ Crepin-Leblond: James you're next

01:16:55 Jorge Cancio: I feel it is fair to say that government reps are used to negotiating - what I intended to stress is the perception that sometimes the „tone“ gets too adversarial...

01:17:21 Javier Rúa-Jovet (ccNSO Council): +1

01:17:39 Paul McGrady: +1 Jim P.

01:19:06 Javier Rúa-Jovet (ccNSO Council): +1 The essence of what we do and the value it brings is holding back the constant pressure towards multilateralism by proving Multistakeholderism is a superior way of conversing globally.

01:20:30 Jonathan Zuck: And need it to be "credible "

01:20:50 Jorge Cancio: indeed: acceptance & performance

01:21:21 Jeffrey Neuman: "Negotiations" can only be effective if the parties negotiating each have an incentive to compromise. To date, the compromise has not been always possible because there are no incentives for certain parties to move away from their initial position. Stated otherwise, there is more of an incentive to not compromise.

01:22:31 Herb Waye Ombuds: Must switch to phone... brb

01:22:54 Chantelle Doerksen (ICANN org): Panelists- 5 minute reminder. Per the agenda, next part is a 15 minute discussion with the audience

01:23:28 James Bladel: I

01:23:30 Jeffrey Neuman: It is also very difficult when certain parties do not have the authority to compromise. Do consultants/lawyers representing clients have the

authority on behalf of their clients to compromise? Do governments that participate have the authority to compromise at an ICANN meeting without having to go back to their home governments? Etc.

01:24:23 Brenda Brewer - ICANN org: A gentle reminder for presenters to speak a bit slower to assist the interpreters. Thank you!

01:24:31 Jeffrey Neuman: I should have said, do government reps have the authority to negotiate without going back to their home government for approval to move off of initial position

01:25:03 Jim Prendergast: happy to follow paul if wanted

01:25:11 Olivier MJ Crepin-Leblond: ok you're next

01:25:15 Jeffrey Neuman: And when individuals participate, what is their incentive to move off of their initial positions?

01:25:27 Nigel Hickson: @Jeff; good points. We all though have incentive to move forward as well, and thus compromise is essential. Well all (or most of us) have bosses but we do what we can.

01:26:18 Javier Rúa-Jovet (ccNSO Council): <Comment> ICANN as an institution and a culture not only allows, but also invites, natural persons -individuals- to direct the processes that actually end up creating norms and rules fir the global Internet. That is not normal in state-centric models. IICANN is space for international participation and self-government that does not pay much attention to statehood or nationality and that expands opportunities for individual international action: individuals sitting as equals at the same table with China or Iran or the US in globally concerted public policy conversations. ICANN is a counterweight to those state-centric approaches. I prefer Multistakeholderism to Multilateralism for more legitimate and complete conversations and consensus.

01:26:25 Judith Hellerstein: @jeff Yes very good comments

01:26:52 Jeffrey Neuman: @Nigel - But what is moving forward :) What you may believe is moving forward may be perceived by others as taking a step backwards.....What we all need to learn how to do is to put ourselves into the shoes of the other participants.

01:26:56 Rick Lane (Iggy Ventures, LLC): +1 Jeffrey's "Negotiations" comment. The biggest risk to ICANN is ICANN itself acting more like an CP Association. We all hope that the multi-stakeholder process works, but if constituencies are feeling hopeless, they will look to other ways for help. The Whois EPDP process is a perfect example of Jeffrey's comment.

01:27:07 Chantelle Doerksen (ICANN org): Thank you Javier for your comments. As a reminder, comments will be read aloud if submitted via the Q&A pod.

01:27:26 Jorge Cancio: would like to make a comment on participation

01:28:12 Olivier MJ Crepin-Leblond: Jorge you are after Jim

01:28:25 Claire Craig: there are generally some advantages to being F2F, but the pandemic is giving us the opportunity to do things differently

01:28:41 Paul McGrady: +1 Claire.

01:29:00 Rinalia Abdul Rahim: +1@Jim.

01:29:05 Jonathan Zuck: +1 Jim. Empathy!

01:29:10 Paul McGrady: +1 Jim - it allows people who could not travel join the effort.

01:29:15 Matt Serlin: Totally agree with Jim that this hybrid model is the future for sure to expand the reach of the community

01:29:15 Cheryl Langdon-Orr: Well noted @Jim

01:29:15 Claire Craig: +1 Jim

01:29:47 Judith Hellerstein: +1 Jim. Yes very challenging indeed

01:30:12 James Bladel: @Mary, I have reconnected via phone, can I be converted to panelist, pls?

01:30:15 Donna Austin, GoDaddy Registry: To Jim's point, maybe we can look at reasons to meet in person, perhaps primarily for dedicated WG efforts with one AGM to bring the community together.

01:30:22 Marita Moll: also comment from me on participation

01:30:31 Olivier MJ Crepin-Leblond: only 1 question Q&A pod - I'll open the floor to all participants now?

01:30:37 Olivier MJ Crepin-Leblond: After Marit

01:30:46 Jim Prendergast: yes

01:30:49 Nigel Hickson: Think "hybrid" may be the steady state; we have leant perhaps to be more inclusive

01:30:49 Roberto: +1 Jorge

01:31:07 Claire Craig: Participation may not be the same for everyone, whether F2F or remotely

01:31:56 YingChu Chen: Agree with Claire Craig. If we don't have the pandemic, things will go as usual as in the old time, nothing be improved. People know about the gap and limitation in different countries, and some problems show in this time and waiting to be solved.

01:31:56 Paul McGrady: +1 Jorge. Very good thoughts here.

01:32:33 Claire Craig: agreed Jorge, participation is very important

01:32:36 Seun S. Ojedeji: Absolutely Jorge; getting the policy simpler and more on principles is really the way to bringing in more views on the MS table

01:32:44 Seun S. Ojedeji: Absolutely Jorge; getting the policy simpler and more on principles is really the way to bringing in more views on the MS table

01:33:28 Yrjo Lansipuro: +Jorge

01:33:44 Nigel Hickson: +1 Jorge and Claire

01:34:16 Edmon Chung: agree with the "built up social capital"

01:34:24 Donna Austin, GoDaddy Registry: Agree with Jorge. It also seems that we have a mesh of incompatible processes and structures an expectations that are difficult to reconcile.

01:34:51 Maxim Alzoba: laws prevail tech

01:35:29 Goran Marby: Not really a choice...laws always is higher in rank

01:36:02 Jorge Cancio: if Larry Lessing heard us... 😊

01:36:06 Marc Trachtenberg: @Goran - so what if the laws conflict? Or are harmful to the DNS?

01:36:11 Goran Marby: As we cannot force anyone to break laws...

01:36:12 Rick Lane (Iggly Ventures, LLC): Policy by code will always be trumped by policy by governments.

01:36:25 Bruna Martins dos Santos: I am sorry but think this session might be a little over optimistic. As much as we want to be out of this pandemic, the last 18 months

have affected some parts of this community way more than others. I see a lot of our members adding work to voluntary work, all together with some level of burnout from being locked up for years and see this as a real issue. Either continuing online or going back to f2f meetings, I'd say we would need to be more careful than ever with including new ppl and bringing back our members, after all we cannot say everyone was affected the same way and vaccines might still take a lot of time for the majority of the world.

01:36:52 Jorge Cancio: agree Bruna

01:37:05 Amrita Choudhury: Agree Bruna

01:37:51 Goran Marby: I think the intent with GDPR was restrict the access to WHOIS among other things.

01:37:52 Chantelle Doerksen (ICANN org): Panelists: 5 minute reminder.

Part 3 of this session, ICANN within the Internet governance ecosystem, is scheduled to begin in 5 minutes

01:37:58 alangreenberg: QUESTION: In the GDPR EPDP, we are starting to hear that some contracted parties would PREFER legislation instead of policy, because then they have more clarity on their requirements and liabilities.

01:38:04 Ken-Ying Tseng: I would like to echo Marc Trachtenberg's questions. After GDPR, the data privacy laws in many countries have extra-territorial effects and ICANN will need to comply each of them, not just GDPR. Also GDPR is just an EU treaty, what really binds shall be the laws of each of the EU members.

01:38:14 Chris Buckridge: Agree, Bruna - for all that the situation seems to be moving in a positive direction for many countries, we should at least be prepared that there may be a very long tail of international travel issues.

01:38:31 alangreenberg: QUESTION: In the GDPR EPDP, we are starting to hear that some contracted parties would PREFER legislation instead of policy, because then they have more clarity on their requirements and liabilities.

01:38:31 Chantelle Doerksen (ICANN org): @Alan, thank you for your question. As a reminder, during this session, questions or comments will be read aloud if submitted within the Q&A pod.

01:38:52 Maxim Alzoba: opening WHOIS info increases fraud directed to the contract info of domains

01:39:11 Chris Buckridge: Agree, Bruna - for all that the situation seems to be moving in a positive direction for many countries, we should at least be prepared that there may be a very long tail of international travel issues.

01:39:18 Goran Marby: GDPR is decided by all Member states in the EU and has to be implemented the same way in all member states countries

01:39:33 Chantelle Doerksen (ICANN org): If you wish to be called on by the Moderator, please raise your hand

01:39:34 Wisdom Donkor: A lot more of the developing world specifically Africa have been cut off. So to say the pandemic has increase participation and as such has turn the community more resilient, I bet to differ on this.

01:39:34 Jorge Cancio: @Alan ICANNs charter of incorporation intends to lessen the burden of governments...

01:39:53 Ken-Ying Tseng: Lessig's theory is that Tech and Law will affect each other.

01:40:06 Bruna Martins dos Santos: After all the MS Model does not work if we only include the global north or countries who have been vaccinated, @chris

01:40:26 Goran Marby: Bruna, agree with that.

01:40:34 Juan Manuel Rojas: Bruna, I think that arise a new questions about how to involve new people to new icann ecosystem and how we can recover some of the people we lost for burnout.

01:40:36 Amrita Choudhury: Agree Bruna

01:41:05 Chantelle Doerksen (ICANN org): Questions or comments will be read aloud if submitted within the Q&A pod. If you wish to speak instead, please raise your hand to be called on

01:41:15 Tracy F. Hackshaw: +1 Bruna

01:41:20 Chris Buckridge: @Bruna exactly

01:41:23 Jeffrey Neuman: Can we please see all of the questions as they are submitted as opposed to when they are read?

01:41:32 ISOC Belgium: +1 Bruna

01:41:45 Mary Wong - ICANN Org: @Paul McGrady, you may want to respond to Wisdom's question in the Q&A pod re your earlier comment?

01:41:47 Reg Levy - Tucows: +1 Jeffrey

01:41:51 Jeffrey Neuman: I feel like I ask that at every ICANN meeting :)

01:42:11 Chantelle Doerksen (ICANN org): @Jeff, we are looking into it. Thank you :-)

01:42:12 Annaliese Williams (.au): @Bruna exactly

01:42:12 Reg Levy - Tucows: mood.

01:42:14 Flavio Wagner: +1 to Bruna. Interesting to notice that only the Global North seems to be represented among the panelists of this session.

01:42:19 Judith Hellerstein: @jeff you can. The questions are posted in the pod for all to view

01:42:27 Chantelle Doerksen (ICANN org): @Jeff, you should be able to view all the questions via the Q&A pod

01:42:34 Jeffrey Neuman: Yes, they JUST changed the settings :)

01:42:53 Jeffrey Neuman: thanks

01:43:24 Paul McGrady: @Sebastian, I appreciate what you are trying to say but registrar customers are end users, consumers relying on trademarks to make safe purchasing choices online, even voters who want the Internet to be stable and accessible in their language are end users. So, may I humbly suggest that it is OK that everyone believes they are looking out for the interest of end users?

01:43:27 Chantelle Doerksen (ICANN org): Panelists- Part 3 is scheduled to begin now

01:43:30 Chris Lewis-Evans: /FEEDBACK having zoom in this format does not display names of the panelist making it harder to follow who is on the panel and speaking

01:43:35 Flavio Wagner: +1 to Bruna. Interesting to notice that only the Global North seems to be represented among the panelists of this session.

01:44:10 Bruna Martins dos Santos: Also a relevant point, Flavio.

01:44:32 Mary Wong - ICANN Org: @Chris L-E, thank you for the feedback. We are hoping to be able to enhance this feature to display panelist names as well.

01:44:45 Tracy F. Hackshaw: @Flavio ... Claire Craig from Trinidad and Tobago is on this panel representing NCUC

01:44:51 Paul McGrady: +1 James - so many extra bites at the apple slowing things down which can arguably lead to "aged out policy."

01:45:06 Flavio Wagner: Thanks, Tracy.

01:45:12 Cheryl Langdon-Orr: Exactly @James, thus the ATRT3 Recommendations regarding Review Recommendations and prioritization... same rationale

01:45:45 Roberto: @Paul - the question is the *prevailing* interest. Commercial entities look for their customers, but only because it is necessary for their main interest, which is the business

01:46:06 Maureen Hilyard: +1 James

01:46:24 Fabricio Vayra: +1 James -- lets get this old stuff over the finish line

01:46:24 Goran Marby: Right now we are facing 200-300 review recommendations...plus all the pdp work

01:46:26 Tracy F. Hackshaw: Although using that (terrible) North & South distinction, Trinidad & Tobago is 10 degrees North of the Equator ;)

01:46:34 Edmon Chung: incentive: a better internet :-D

01:46:47 Holly Raiche: @ James - I agree with what you are saying

01:47:10 J Chew: incentive: a better and more inclusive internet!

01:47:11 Jorge Cancio: incentives: in part it is a question of institutional design

01:47:21 Jorge Cancio: and we have some flaws there

01:47:28 Bruna Martins dos Santos: As I mentioned above, we all want to be out of this pandemic. But if we are talking about community and the future of the MS model, its key for us to consider the differences between regions and so forth even more than we did before. Who do we want to work with and who do we think should be part of the future of the ICANN MS model, I honestly think it should aim higher this time and work harder in bringing people back and in

01:47:51 Paul McGrady: @Roberto - completely understand. Just trying to build a little team spirit. While we may have different motives for looking out for end users, it is happy news that we all seem to have them front of mind.

01:48:00 Jeffrey Neuman: Unless you believe you are better off with the status quo

01:48:14 Ebenezer Koukoyi: Ebenezer Koukoyi is my name. I am a Fellow of Ghana School on Internet Governance (GhanaSIG), its my pleasure to be part of this ICANN meeting as a first timer

01:48:31 Roberto: @Paul +1 team spirit

01:48:36 Paul McGrady: @Ebenger, welcome!

01:48:45 Nigel Hickson: +1 Edmon. Many of us only do this as we have a passion on what Internet can be.

01:48:54 Claire Craig: +1 Bruna re need to bring people back in, from all regions

01:49:26 Chris Mondini: Ice cream in the swimming pool is a nice metaphor

01:49:28 Bruna Martins dos Santos: I would be really interested in hearing what Claire could add to this conversation about inclusion as a member of the Non-Commercial community.

01:49:33 Jeffrey Neuman: Everyone has a different definition of what "works". Everyone needs to put themselves in the shoes of the other participants and perhaps take the view that the system does work the way and others need to take the view that the system does not work the way it is

01:49:46 Jorge Cancio: Jovan, as optimistic as ever 😊

01:49:49 Paul McGrady: +1 James. Commercial interest also want predictability, and sufficient online safety, to allow for new innovation in their own industries as well.

01:49:52 Chantelle Doerksen (ICANN org): Panelists: we are now 7 minutes over for Part 2.

01:50:25 Maxim Alzoba: maybe there is a need to start involving students from the 2nd, 3rd years (tech, legal, administration)

01:50:34 Chris Buckridge: @Bruna, fully agree - and with the legitimacy of a MS approach under more pressure and scrutiny than ever, that effort to be more inclusive is fundamental to any chance of an MS approach surviving!

01:50:58 Holly Raiche: Well said

01:51:01 Roberto: @Bruna - one of the possible differences among regions is that while in the developed world online meetings can be more or less attended by everybody in some parts of the world even connecting online is an issue - so we moved the dividing element from travel to connectivity and equipment

01:51:03 Chris Buckridge: It's not a "nice to have"

01:51:04 Donna Austin, GoDaddy Registry: Enforceable timelines/deadlines are important. most of our process don't have forcing mechanisms to bring discussions to a close.

01:51:12 Amrita Choudhury: Valid points Jovan

01:51:59 Jeffrey Neuman: Great comments Jovan. Trade-offs are important and listening to the others (and trusting the other participants). You can apply this to all of the current issues that ICANN is facing.

01:52:17 Rick Lane (Iggly Ventures, LLC): The multi-stakeholder process of consensus works for voluntary technical standards that can be ignored if one does not agreed with those standards. The problem now for ICANN is that we have moved away from just voluntary technical standards to decisions that effect a necessary and critical communication/economic tool. This is the core of the ICANN frustration for all sides. It is why governments are stepping in more and more.

01:52:19 Dave Kissoondoyal - ALAC: Both the insiders and outsiders have to be on equal footing in a multistakeholder model

01:52:41 Jim Prendergast: I haven't been a part of it but have heard from some who have participated in the ICANN leadership program prior to ICANN meetings have had positive things to say about it. Reaching compromise is one of the skills they teach.

01:52:58 Olivier MJ Crepin-Leblond: Claire --- I shall call upon you after Rinalia

01:53:06 Edmon Chung: expertise vs. entrenched interests... i guess thats the measure of balance between "in/out"-side

01:53:26 Claire Craig: sure

01:53:27 Ron Andruff: The 'consensus model' needs to be revised from meeting the highest standard: Full Consensus, to the next level: General Consensus with dissenting opinions. That change would better inform the debates.

01:54:02 Bruna Martins dos Santos: @roberto, yes. But my point is that I don't think we can fully say meetings are more 'accessible' if the majority of the world still faces a lot of connectivity issues. We might indeed have increased the number of participants, but I'd be v. Interested in understanding the demographics of these new participants...

01:54:56 Roberto: @Bruna fully agree

01:54:56 Fabricio Vayra: +1 Rick. Well said and great point.

01:55:11 Fabricio Vayra: +1 Rick. Well said and great point.

01:55:14 Jorge Cancio: on question 2: would be great to hear Claire first... I would then jump in

01:55:26 Bruna Martins dos Santos: Community might indeed be more robust and I am happy to see the majority of us are still around. But my point is that there is still a lot more to be done - from PDPs to access programs

01:55:47 Amrita Choudhury: To add to your point Bruna. Attending the meeting is one thing, more important is are the people really participating? Is the participation continued

01:55:53 Donna Austin, GoDaddy Registry: Excellent points Rinalia.

01:56:17 Paul McGrady: +1 Rinalia. All great points. Thank you.

01:56:21 Owen Smigelski (Namecheap): "Expedited" PDPs do not necessarily mean "faster pace". It just means we skip doing an Issues Report. Everything else is the same as other PDPs.

01:56:25 Jorge Cancio: indeed, agree Rinalia

01:56:40 Raymond Mamattah: There could be more participation because of the pandemic. However, the quality of the virtual meetings can't be the same as the f2f. I am presently at work and combining it with the virtual meeting, which does not make me concentrate fully if it was a f2f meeting.

01:56:46 Owen Smigelski (Namecheap): "Expedited" PDPs do not necessarily mean "faster pace". It just means we skip doing an Issues Report. Everything else is the same as other PDPs.

01:56:51 Becky Burr: I respectfully hope that we could avoid the use of highly charged, highly politicized, and divisive phrases like "cancel culture".

01:57:08 Roberto: @Rinalia good points

01:57:16 Satish Babu: Thanks Rinalia. The worry points are particularly well placed...it's worrying that not all stakeholders have been equally resilient through the pandemic in terms of their ability to participate.

01:57:21 Jonathan Zuck: I think different tools for our asynchronous activities would help.

01:57:25 Jonathan Zuck: <https://www.cloverpop.com/blog/infographic-diversity-inclusion-better-decision-making-at-work>

01:57:35 YingChu Chen: Thanks Rinalia

01:57:49 Nepal Internet Foundation: Thanks Rinalia

01:58:21 Leonid Todorov: Rinalia, great and encouraging. 1 more concern is the "nomenclature" and its perpetual grasp on the icann.org

01:58:26 FANNY SALYOU: Thanks Rinalia. Excellent presentation.

01:58:39 Luc Seuffer: Not really an advantage ;-)

01:58:53 Ken-Ying Tseng: Yes, Rinalia, beautiful speech!

02:03:01 Tracy F. Hackshaw: Great points @Claire

02:03:04 Paul McGrady: I really appreciate Claire's perspective. We can often get into our commercial/non-commercial/government/contracted parties silos and lose sight of how all of this affects specific regions. Thank you Claire.

02:03:24 Tracy F. Hackshaw: Indeed @Paul.

02:04:21 Nigel Hickson: Claire; thanks for this excellent perspective

02:04:44 Jorge Cancio: would like to speak after Jovan...

02:04:56 Harold Arcos: Great POV @Claire,,

02:05:26 Chantelle Doerksen (ICANN org): As a reminder, questions or comments will be read aloud if submitted within the Q&A pod. If you wish to speak instead, please raise your hand to be called on.

02:06:34 Rinalia Abdul Rahim: The Internet was and is resilient!

02:06:43 Marc Trachtenberg: Claire's points raise the important question of who is the community. Is it more than the regular participants and who is affected by decisions of the "community"

02:06:47 Maureen Hilyard: @Claire - An excellent perspective of the needs of our small island and other developing states

02:06:57 Marc Trachtenberg: Claire's points raise the important question of who is the community. Is it more than the regular participants and who is affected by decisions of the "community"

02:07:43 Jahangir Hossain: @Claire , excellent remark for us

02:08:05 Tim Smith: @Marc. Good point about Clare's point.

02:08:13 Maxim Alzoba: it might worth reading tomorrow evening news in 24h

02:08:13 Olivier MJ Crepin-Leblond: As Jovan mentioned Governments next is Jorge & then Rinalia. Sorry Rinalia.

02:08:25 Olivier MJ Crepin-Leblond: I hope you don't kill me :-)

02:08:34 Rinalia Abdul Rahim: Can't reach you, Olivier.

02:09:03 Dave Kissoondoyal - ALAC: Totally agree with you

02:09:51 Goran Marby: For the record, we do interact with many governments and track legislation, among other evidence please have a look at the papers we produce about what happens all the way from the UN to different countries.

02:10:26 Jeffrey Neuman: We also need to recognize that we have not only a diverse community, but a symbiotic community meaning that each separate component part of the community cannot survive without the others. And in that way we can ALL work towards the public good regardless of whether you represent the governments, civil society, business OR the registries or registrars. It is important for the community I believe to recognize that.

02:10:34 Wisdom Donkor: 100% Agree with you. raised lot of good points

02:10:40 Edmon Chung: agree with jovan... i kinda think/describe icann's "spilt"/tension in this way: 1. a noisy icann is a healthy icann debate is always good; AND/but 2. icann is supposed to be dial tone and we are only on the headline news if we failed our job...

02:11:03 Goran Marby: And we made a choice not participate in the panel due to the suggestion that the UN should have a say about the DNS system. We were able to defend that stand together with many countries,

02:12:27 Wolfgang: Jovan's Point is very relevant. ICANN has a duty to explain the rest of the world what the DNS etc. is. There is a need for a "new enlightenment", in

particular for governments and security circles, which have ignored for many years the implications of the digital revolution and have now a totally different view what "the Internet" is. ICANN should avoid to get pulled into the geo-strategic controversies. But it has to contribute to a better understanding. ICANN's right hand has to concentrate on its core business. But the left hand has to help outsiders to understand. This will help to avoid stupid mistakes.

02:12:37 Tracy F. Hackshaw: Haven't seen many ICANN leaders from the Board or the CEO interacting with us folks here in the Caribbean @Goran over the years. I think Peter Dengate Thrush visited during a Summit of the Americas meeting in 2008, but can't really put my finger on engagement with Caribbean leaders over the years unfortunately

02:12:47 hadia Elminiawi: @Jovan very interesting comments

02:13:46 Goran Marby: Tracy...I am the least interesting person when it comes to this. Our MD Rodrigo and his team is doing a great job.

02:14:23 Veni Markovski: The papers Goran is talking about can be downloaded here: <https://www.icann.org/resources/pages/government-engagement-publications-2020-03-02-en>

02:14:26 Chantelle Doerksen (ICANN org): As a reminder, questions or comments will be read aloud if submitted within the Q&A pod. If you wish to speak instead, please raise your hand to be called on

02:14:32 Ken-Ying Tseng: @Goran Marby: What do you mean? So did UN try to participate in ICANN or DNS?

02:14:38 Olivier MJ Crepin-Leblond: Thanks @Veni

02:14:39 Tracy F. Hackshaw: That's the point @Goran. Leaders (Ministers etc) in the region will expect the leaders of the org to engage. That's what the ITU and others do

02:14:47 Tobias Sattler: Thanks, Veni

02:15:12 Jovan Kurbalija: @Goran Thank you! I made disclaimer that I have 'immunity' of not knowing in details what you do. It is great to hear that you are involved with governments via different channels.

02:15:34 Claire Craig: A participant indicated in the QA that the last time the ICANN CEO met with Caribbean Ministers was 2014 at the CTU meeting in Jamaica

02:15:49 Jovan Kurbalija: @TRacy I can volunteer for some 'liming' in the region

02:16:31 Jovan Kurbalija: @wolfgang as always very valid point!

02:16:43 Goran Marby: I happen to know that we have regular meetings with the CTU

02:16:59 Tracy F. Hackshaw: Regular and meaningful engagement Leadership to Leadership to expected.

02:17:04 Jeffrey Neuman: @Tracy, ICANN does not have a professional board. They are members of the community that have other jobs. They are not compensated for full time activities to go around the world and visit everyone. ICANN Org, however, does have engagement managers all around the world and those are the ones that should be making the necessary visits. We should not be expecting this Board to have that role as the Board is designed.

02:17:06 Claire Craig: If I can add a quick comment on volunteers in the ms model

02:17:25 Rick Lane (Iggy Ventures, LLC): The problem for ICANN is that as it moves from tech standards to Internet public policy issues, governments are taking notice. The multi-stakeholder community starts from the premise that the Internet is borderless. National governments not so much. That is the clash we are seeing on the Whois issue (GDPR v NIS2/Budapest Convention v ICANN) which will only grow as other countries like the US take a different tact.

02:17:28 Jim Prendergast: If we have time I have a comment as well

02:17:33 Olivier MJ Crepin-Leblond: I'll then go to questions/comment from participants. I am concerned of the time. Last 10 minutes of which 5 will be taken by Nigel to summarise.

02:17:37 Jim Prendergast: but wont be offended if not

02:17:40 Jeffrey Neuman: (By professional Board, I mean not a full time Board....they are very professional in their activities ;))

02:17:41 Paul McGrady: All of these comments keep leading back to the "policy" that ICANN needs to keep being proactive in all of these spaces rather than merely reactive to individual laws as they roll in. I think ICANN staff is doing so much better in this space over the last 3-4 years. GDPR, and the mess it made, was a big wake up call I think.

02:18:04 Jovan Kurbalija: @goran I can tell you as 'insider' that there was no discussion on DNS, including any controversy. It was far away from debate. In addition Vint and Fadi were a very good representative of ICANN-related communities.

02:18:34 Marc Trachtenberg: +1 to Paul but how do you put pandora back in its box, especially when Gorman says that ICANN will comply with all laws?

02:18:36 Chantelle Doerksen (ICANN org): Panelists: Reminder, 10 minutes are left of this session.

02:18:54 Charles Shaban: +1 to Paul

02:19:06 Jovan Kurbalija: Good point on Budampst convention where controversies will increase with drafting of UN Cybercrime Convention

02:19:07 Wolfgang: @ Paul: Pro active is the right approach. And more challenges - the forthcoming standards and protocol controversies - will come

02:19:28 Tracy F. Hackshaw: @Jeffrey unfortunately that view doesn't really bode well for ICANN's relevance and the prioritization of ICANN issues in several parts of the world. I think that's the issue we are trying to make. Take a look at the disparity in engagement and participation from several parts of the world and perhaps understand the challenges. Compare with engagement and prioritization in similar organizations and entities.

02:19:48 Marita Moll: At large is working hard through its regional at large structures to bring new people in, to reach out.

02:19:52 Donna Austin, GoDaddy Registry: What might be more important Olivier is the level of participation in PDPs that has resulted from the Fellowship or Next Gen programs.

02:19:54 Jorge Cancio: as said: ICANN is no longer the elephant in the room and was not an issue during the HLPDC or Roadmap discussions

02:20:23 Mary Wong - ICANN Org: Information about ICANN' for newcomers (and welcome!): <https://www.icann.org/newcomers>

02:20:32 Jonathan Zuck: +1 Marita.

02:20:32 Goran Marby: Marc, it is not about ICANN needs to comply. But think about it from a contracted party perspective. If a policy exists that is not legal for a contracted party, we cannot enforce it.

02:20:54 Donna Austin, GoDaddy Registry: @Jorge, what is HLPdC?

02:21:11 Jorge Cancio: High Level Panel on Digital Cooperation

02:21:21 Mary Wong - ICANN Org: (Cont'd from above) Information about ICANN's Fellowship Program: <https://www.icann.org/fellowshipprogram>

02:21:27 Wisdom Donkor: Good point

02:21:30 Marita Moll: Most volunteers are not paid -- in fact it cost us money

02:21:35 Donna Austin, GoDaddy Registry: Thanks Jorge

02:21:40 Jorge Cancio: the Roadmap for Digital Cooperation flows from the HLPdC

02:21:47 Paul McGrady: @Marc, I'm not sure that the particular GDPR Pandora can be put in the box, only dealt with as best as possible (messy, messy, messy). A proactive strategy might help cut down the number of future Pandoras disrupting the system. We have to get back to being able to protect the DNS from the real bad guys, none of which are participating on this call or in the community.

02:22:01 Goran Marby: We have dealt with that with giving waivers that they do not have to comply with the policy. GDPR has such a large footprint that the community and the board decides to handle this on the policy level.

02:22:09 Maxim Alzoba: volunteers work does not remove obligations for daily work

02:22:40 Jeffrey Neuman: Why does everything come back to WHOIS/RDS and GDPR. There is so much more that we do at ICANN. Lets focus on the big picture here, not on this one issue.

02:22:41 Marc Trachtenberg: @Goran - It is one thing to say that a contracted party is permitted to not comply with a part of its contract if it conflicts with applicable law. It is quite another to create something like the Temp Spec and change the entire system in response to a law

02:22:44 Goran Marby: And that also gave the ICANN community the ability to discuss the issue

02:22:47 Chantelle Doerksen (ICANN org): Panelists: This session has 5 minutes left

02:23:03 Kathy Kleiman: Hi All, Volunteer time remains a big issue for everyone. Even in the Global North, volunteers from the noncommercial and public interest communities have a difficult time.

02:23:16 Goran Marby: Marc. Think I answered that in my comments,

02:23:17 Wolfgang: @ Jorge: Not to be the "elephant in the room" is a good thing. But the risk is if you are outside, somebody will re-discover the DNS as an important element and introduce some very controversial and harmful procedures.

02:23:32 Jeffrey Neuman: @Kathy - As well as volunteers like me in the commercial community.

02:23:37 Tracy F. Hackshaw: I think by continuing stick our heads in the sand on this issue - it's been raised on multiple occasions in the past - will continue to result in the similar challenges to engagement and participation. As a former GAC member and

Vice Chair who had to literally argue with a Minister and Permanent Secretary to have TT participate in an ICANN High Level Meeting, I can speak from personal experience.

02:23:41 Jorge Cancio: problems trickle down to ICANN if the governance spaces in upper layers are not effective

02:24:01 Marc Trachtenberg: @Paul - agree 100%

02:24:02 Michael Palage: @Goran - I am aware of the waiver that ICANN gave PuntCAT in connection the old Directive 95/46/EC, can you shed light on other waivers

02:24:20 Goran Marby:

<https://www.icann.org/en/announcements/details/adding-linguistic-diversity-to-the-domain-name-security-threat-information-collection-and-reporting-project-14-6-2021-en>

02:24:24 Maxim Alzoba: also - people outside of ICANN ecosystem just might not understand us and why do we spend time here

02:24:29 Michele Neylon (Blacknight): Palage - we got one for data retention

02:24:30 YingChu Chen: I think the HLPDC or MHLB(multistakeholder high-level body) in the UN is more political perspectives in discussing the internet governance issues. Those organizations are not really technical angle.

02:24:48 Jovan Kurbalija: @Wolfgang I was 'surprised' that during the Panel's work nobody mentioned ICANN or DNS at all. At one point, I was wondering if we should do 'awareness building' on ICANN. People are coming from completely different backgrounds where ICANN does not feature (for bad or good reasons)

02:25:27 Gabriel (pswg): With regards to the Cyber-Crime question: Law Enforcement action to combat cybercrime is often reliant upon swift access to accurate website registrant information. The trend in recent years toward that information become more redacted, or slower to obtain, has a negative (but very hard to quantify) impact on cybercrime investigations, especially amongst nations which lack the legal tools (court order, subpoena, etc) to compel response from the registrars who possess such information.

02:25:33 Tracy F. Hackshaw: @YingChu - the political and the technical are converging whether we like it or not

02:25:38 Jorge Cancio: in order to spur participation we need to cut down of complexity of process and policy, lower access thresholds and keep policy to lean, simple and future-proof principles

02:25:43 Fabricio Vayra: +1 Marc -- apples and oranges to say waivers are available vs to put out a temp spec that changes the entire eco system which equates to a global waiver on GDPR basics.

02:25:48 Goran Marby: The formal advice from the Data Protection Authorities said to us and the contracted parties. You can keep the WHOIS but you need to conceal some data.

02:25:50 Maxim Alzoba: all of that requires proofs, which not always supplied to registries or registrars

02:26:14 Ergys Ramaj - ICANN Org: @Donna, ICANN manages a number of programs that seek to address participation in its multistakeholder model (Fellowship & NextGen@ICANN), as well as capacity development platforms (ICANN Learn).

If interested in learning more or have specific questions, please ping me or anyone from ICANN org.

02:26:15 Marc Trachtenberg: +1 tp Paul. The current discussion on what to do about abuse is too high level and divorced from the experience of - and effect on - the actual end users of the DNS

02:26:21 Goran Marby: GDPR was not an ICANN idea...

02:26:29 Maxim Alzoba: WHOIS was

02:26:34 Dave Kissoondoyal - ALAC: The sessions of ICANN71 are very interesting..Perhaps it is only me who has been noticing it

02:26:43 sally: Hi Olivier. I can take the q on engagement programmes and activities I'd you would like me to

02:26:56 Tracy F. Hackshaw: Anyways, the point is being made again. I guess the Einstein principle may apply here.

02:27:03 Vittorio Bertola: Well, no, Whois existed before ICANN and whoever conceived it clearly had no idea of privacy whatsoever

02:27:04 Marita Moll: At large is working on ways to make user education materials available on DNS abuse

02:27:15 Michele Neylon (Blacknight): +1 Vittorio

02:27:18 Fabricio Vayra: +1 Paul - A proactive strategy might help cut down the number of future Pandoras disrupting the system, which is why so many are puzzled by ICANN's (non) reaction to NIS2 and other coming (like a freight train) legislations.

02:27:18 Paul McGrady: I firmly believe we are all on the same team on the DNS abuse issue. We just have some work to do on our collective playbook and then take it out to practice to see how it works. And then, revise.

02:27:38 Ashley Heineman (RrSG Chair/GoDaddy): @Gabe... totally understand your concerns, but perhaps what is needed is LEA working within their governments and outside governments to ensure that regulations put in place for data protection do not impair LEA needs.

02:27:54 Chantelle Doerksen (ICANN org): Panelists: We need to close the queue and wrap up.

02:27:57 Claire Craig: Agree Kathy, but much more difficult for developing regions

02:28:03 Goran Marby: We also suggested a contractual change to be able to use more data in DAAR.

02:28:04 Rick Lane (Iggly Ventures, LLC): An open, accurate and accessible Whois is one of the cornerstones of ICANN before it was ICANN and called NewCo. It was one of the core issues why the US government and the private sector agreed to create ICANN

02:28:05 Fabricio Vayra: +1 Paul. Focus on the resulting harm and work backward from there to solve DNS. Ditch the "vehicle" approach that focuses on how you got to the harm.

02:28:13 Jorge Cancio: Gö-van?

02:28:16 Wolfgang: And it is Russia which does not like ICANN. They are behind a number of proposals to bring some DNS functions back to ITU (look at the proposals in the CWG-Internet) with Rashid Ismailow now as one of the candidates for the ITU SG.

02:28:31 Jorge Cancio: or Jo-ran

02:28:36 Maxim Alzoba: thanks all

02:28:37 Goran Marby: Rick, and then GDPR came around

02:28:44 Herb Waye Ombuds: Great session... professional and respectful... be safe and be kind.

02:28:48 Olivier MJ Crepin-Leblond: Nigel -- can you summarise in 1 minute? We are already 1 minute late

02:28:50 Marc Trachtenberg: @Goran - so if some other authority gives ICANN formal advice that it must restore full availability of Whois then it will do so?

02:28:51 YingChu Chen: The multistakeholder model in ICANN brings more inner-growth from a technical perspective to improve or develop new technology. And I believe the technology improvement can distribute resources more balance.

02:30:13 Fabricio Vayra: +1 Marc - @Goran, I'd love an answer to that question too.

02:30:31 Bill Jouris: @Vittorio, not that they had no idea of privacy. Just that they were in a very different world. Generally, everybody knew everybody else. So Whois wasn't going to tell you about someone on the far side of the world who you had never met. It would just tell you which of the people that you already knew was the owner of a particular name.

02:30:38 Goran Marby: Marc. We have for a long time asked that question to the EC. Including making ICANN the legal entity legally responsible for the access to the data. As you know, the contracted parties have that responsibility today

02:30:43 Vittorio Bertola: ICANN does not have the power to require any contracted party to violate the laws of their own country. It's not like government X can tell ICANN to tell contracted parties from country Y to violate laws by their own government.

02:31:18 Jim Prendergast: Start the Timer!;)

02:31:22 Vittorio Bertola: However, government X could indeed require contracted parties from country X to publish whatever the government wants :)

02:31:30 Goran Marby: In NIS2 the intention seems to be take away some of the risk for doing the disclose decision.

02:31:44 Wisdom Donkor: Nigel your one minutes is up. haahahaha

02:32:00 Jorge Cancio: 🤔

02:32:04 Goran Marby: Confirming our understanding of the law and who is the controller for that part

02:32:09 James Bladel: NIS2 is not incompatible with our current policy recommendations.

02:32:20 Paul McGrady: Thank you all to my fellow panelists and to the great participants. I thought this was a thoughtful, helpful session that looked to the future instead of griping about the past!

02:32:26 Marc Trachtenberg: @Goran - So if the EC or some other authority tells you that it is OK (or that you must) make Whois fully (or more) available, then org will do that?

02:32:32 Wisdom Donkor: We also need to take note of ICANN OPEN DATA INITIATIVE.

02:32:34 Marita Moll: Good work Nigel!! Well said

02:32:40 David Olive: Thanks Nigel
02:32:42 Jorge Cancio: well said!
02:32:47 Cheryl Langdon-Orr: Great session... Thanks to all of you... bye for now.
02:32:49 RUBENS HENRIQUE KUHL JUNIOR_166293_rubens.junior:
@Marc, EP perhaps, not EC.
02:32:51 Dave Kissoondoyal - ALAC: Thanks to all the panelists and participants.. Very interesting session indeed.. Looking forward for the next session
02:32:54 Rinalia Abdul Rahim: That was fun. Thank you all!
02:32:55 Goran Marby: Marc. In the end that would be a community decision
02:32:56 Amrita Choudhury: Thank you this was an interesting session.
02:32:59 Fabricio Vayra: @Goran - So building on Marc's question, and your answer, then why instead of embracing NIS2, is ICANN pushing back. Seems fairly clear what NIS2 is asking and seems to answer many of ICANN's questions on Whois.
02:33:04 Allan MacGillivray: Very good session.
02:33:06 Lito Ibarra: Thanks everyone
02:33:09 Maureen Hilyard: This is a excellent summary of everything that has been raised in this session, Nigel. Thank you so much
02:33:13 Matthew Shears: Excellent session and discussion - thanks all!
02:33:15 hadia Elminiawi: Thank you for this very interesting session
02:33:15 James Bladel: Thank you Olivier, and Panelists and everyone who joined and participated!
02:33:19 Roberto: Great session - thanks all
02:33:20 Yaovi Atohoun: Thank you all and bye
02:33:26 Abdeldjalil Bachar Bong: Merci thank you
02:33:26 Paul McGrady: +1 Thank you Olivier!
02:33:31 Judith Hellerstein: Thanks for a great session
02:33:31 Sean Atkinson-Henry: Thanks all - very interesting
02:33:33 Raymond Mamattah: Beautiful and interesting session.
Congratulations to the organisers and the host!
02:33:34 Bukola Oronti - ICANN71 Fellow: great session
02:33:36 Dave Kissoondoyal - ALAC: thanks ans bye to all
02:33:38 Martin Sutton: Thanks all
02:33:40 Goran Marby: We are pushing back on regulating the root and want clarifications so the contracted parties can lower their risk
02:33:41 David Olive: Thanks All
02:33:42 Benjamin Akinmoyeje(Namibia): Excellent session, Great learning..good job Olivier
02:33:42 Manal Ismail: Excellent session.. very well done everyone !
02:33:43 Raitme Citterio: thanks
02:33:44 Tripti Sinha: Thank you all! Very good session!
02:33:45 Nigel Hickson: Thank you to all
02:33:46 Chantelle Doerksen (ICANN org): Thank you all, this meeting has been adjourned.
02:33:48 ISOC Belgium: Thank you all ! :-)
02:33:49 YingChu Chen: Thank you for the discussion so much.