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ICANN72 | Virtual Annual General Meeting - Joint Meeting: ICANN Board and NCSG
Monday, October 25, 2021 - 9:00 to 10:00 PDT

WENDY PROFIT: It's three minutes past the hour, so I'm going to hand it over to my colleague Franco to kick us off.

FRANCO CARRASCO: Thank you, Wendy.

This session will now begin. I.T., please start the recording.

[Recording in progress]

FRANCO CARRASCO: Hello and welcome to the joint meeting between the ICANN Board and the Noncommercial Stakeholders Group. My name is Franco Carrasco, and I am the remote participation manager for this session.

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Interpretation for this session will include the six U.N. languages: Arabic, Chinese, French, Russian, Spanish, and English. Click on the "Interpretation" icon in Zoom and select the language you will listen to during this session.

For our panelists, please state your name for the record and the language you will speak if speaking other language other than English. Before speaking, ensure that you have selected the language you will speak from the interpretation menu.

Also, please be sure to mute all audible notifications and speak clearly and slowly for our interpreters.

This discussion will be between the ICANN Board and the NCSG members only. Therefore, we will not be taking questions from the audience. However, all participants may comment in the chat. Please use the drop-down menu in the chat pod below and select "respond to all panelists and attendees." This will allow everyone to view your comment. Please note private chats are only possible among panelists in the Zoom webinar format. Any messages sent by a panelist or a standard attendee to another standard attendee will also be seen by the session host, co-host and other panelists.

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Having said this, I will now hand the floor over to the ICANN Board Chair, Maarten Botterman, Maarten Botterman.

Maarten, the floor is yours.

MAARTEN BOTTERMAN: Thank you, Franco. Thank you for facilitating this.

Bruna, again, for everybody that was late in joining, happy birthday. Welcome you and Tatiana and our NCSG members for this interaction with the Board. These sessions are important to us because we do want to interact, and, yes, this is the best way possible at the moment.

So from our side, the best person to moderate this would be Matthew Shears, and he will do.

Matthew, can you take it away?

MATTHEW SHEARS: Thank you, Maarten. And let me add my welcome to everybody to ICANN72. And it's great to see some familiar faces, and it's a shame, as always, that we're not meeting in person.

So we have a couple of questions that we would like to have a discussion with you today. And, Bruna, before I turn it over to you,

I just wanted to note that your question to us about the FY22 goals on Internet governance and our question to you on how we could work more efficiently and effectively with governments globally are quite similar. So I was wondering if we could perhaps bring them both together in this part of the discussion before we move to your second question on the -- on meetings going forward. Would that make sense?

BRUNA MARTINS' DOS SANTOS: Hi, Matt, and hello, everyone. This is Bruna again for the record. I guess it makes perfect sense. We have been discussing a lot about meetings and the future of them, so let's skip -- let's change the order of the conversation and start with the governance part, yeah.

MATTHEW SHEARS: Okay. So maybe over to you, and you can introduce the question. And maybe I'll just add on to that and we'll take it from there.

BRUNA MARTINS DOS SANTOS: Great. Thank you so much. And once again, thanks to you all, board members, for yet another opportunity for us to chat and discuss some issues that are very close to NCSG, NCUC, and NPOC, and to the noncommercial community at ICANN.

Our first question to you, it comes as a suggestion from Tatiana and Tomslin as well, and our idea was, like, while we were going through the FY22 goals, we -- like goal number 9 caught our attention when it says it's ICANN's gold to work with Internet governance stakeholders around the world who share the objective of an open Internet for all.

And with regards to this goal we want to know -- and first point out that although it's very interesting, it might be -- it might have been framed as a rather broad, so we would like to hear a little more from you on that. And also ask what are the steps that the Board envisages for achieving this goal and how would you ensure or at least try to ensure that it still preserves the multistakeholder model within ICANN.

And on that note of the multistakeholder model and cooperation, we wanted also to hear from you what you envision as healthy collaboration, what does it mean to the Board right now, how can we achieve this healthy collaboration between governments, ICANN itself, but also making sure that the multistakeholder model is preserved. And what are the plans for governments who don't share any objectives of an open Internet?

So that is our first question to you. It is a little broad as well, but I guess we were trying to -- like to start a conversation about this goal number 9.

Thank you, Matt.

MATTHEW SHEARS: So before I turn it over to Tripti, who will pick it up for us on our side, let me just say that let's wrap the Board's question into this because they are very closely aligned. So just so you know what the Board question is, I'll read it out. Oh, there it is on the slide. Even better. So please provide input/comments on how you, NCSG, think we could efficiently identify and work more closely with governments globally as well as educate, train, and interact when it comes to geopolitical issues relating to ICANN's mission.

So looking forward to a great discussion. I'm going to turn it over to Tripti to give the Board's perspective on your question. Thanks.

TRIPTI SINHA: Thank you, Matthew. And thank you, Bruna, for the question.

And I'll speak for about five or ten minutes by framing the discussion, and I'm hoping there will be a back and forth dialogue.

So coming to goal 9 in our FY22 goals, I'd like to start by making a few points that speak to ICANN's mission and vision. And of course it's all contained in a very succinct logo: One world, one Internet.

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So maintaining a single, stable, intraoperable Internet for the global community is core to ICANN's mission and it's not something that we can achieve alone. And at the crux of this is the Internet's Unique Identifier Systems, which in turn is central to ICANN's mission.   And we achieve, in partnership with stakeholders, the Internet -- within the Internet operation ecosystem the smooth operations of the Internet.

It's also important that we engage with categories of stakeholders to promote an understanding and support of ICANN's role in the management of the unique identifier -- identifiers necessary for the sound operation of the Internet. And this goal actually is in support of the multistakeholder model used within ICANN to ensure that it is not impacted in the development of policies for the management of unique identifiers. Indeed, this work ensures that ICANN's policy work continues on sound footing.

So how do we achieve this? You know, what are the steps and how do we realize this? We work with governments and IGOs among the Internet governance stakeholders so there is an understanding of their actions and potential impact, whether it's intended or unintended, on the technical underpinnings of the Internet. It is all about engagement so that we can explain and inform beyond the ICANN ecosystem about the technical aspects

of ICANN's mission. It's going down to basics: ICANN is a technical organization.

So our goals are the following. We want to engage to understand the concerns and views that governments and IGOs have in relation to the ICANN model or any other aspects of the work that we do. We're also very committed to providing information to any conversation, dialogue that's taking place on Internet-related public-policy issues that impact ICANN's mission, whether it be at the United Nations, at the ITU, at the OECD, and meetings with BRIC states, or anywhere else for that matter.

And in terms of healthy collaboration, this involves participation in various collaboration venues. We engage with organizations within the Internet ecosystem to share a knowledge of the governmental and IGO processes and initiatives that may have an impact on one open Internet for all.

And not all organizations in the ecosystem share ICANN's concerns or understanding of the potential impact of governmental or intergovernmental actions on the operation of the Internet, and that's because they have different roles in the ecosystem, and they have very different priorities from us.

So how will ICANN do this? And what will we continue to do? We will continue to offer technical briefings to clarify the impact of

proposed legislation or regulation on the technical operation of the Internet. We will continue to engage governmental bodies regarding technology in the system and addressing their concerns. So we will provide governments and IGOs technical briefings explaining the technical underpinnings of the Internet to clarify how it all works and how the Internet actually hums. And since 2014, ICANN's Government Engagement Group has facilitated a number of discussions at the United Nations in New York, the headquarters in New York, as well as in Geneva, and works with regional field teams about individual nations and activities as they relate to ICANN's mandate, technical mandate.

And ICANN will continue to publish papers and conduct analyses of new legislation and regulation and IGO initiatives relevant to ICANN's mission. The legislative tracking initiative focuses on Internet-related regulatory activity which has a potential to touch on the scope of ICANN's mission. Specifically, the program has focused on those efforts that can affect a single, stable, intraoperable Internet and ICANN's role in managing the unique identifier system.

We also look at those initiatives with the potential to impact the intraoperability, the security, the stability, the resilience of the Internet and the community's ability to make policy regarding the unique identifier system.

Additionally, ICANN's Government Engagement Team has launched a government engagement publications page where they periodically change information and analyses with the community at large. These publications explore the different political structures and processes in place, covering everything from ongoing cyber discussions taking place in various United Nations and IGO structures, the discussions of the European Union political and legislative agenda as well as country-focused reports.

So ICANN will continue to inform the community of public comment opportunities involving new legislation and regulation and IGO initiatives relevant to ICANN's mission. And what comes to mind as an example is our intense focus on GDPR these past few years, and more recently on the NIS2 directive which has been strengthened.

So ICANN will continue to offer capacity-building opportunities to governmental groups and GAC members covering ICANN's mission and the technical underpinnings of the Internet. So to that effect, ICANN's Government Engagement Team began holding informational briefings and workshops since 2015 in which we share ICANN's knowledge of the technical functioning of the Internet, and of course the security of the DNS.

So ICANN invites the community to participate in public comment periods and bring to ICANN Org's attention relevant policy initiatives and geopolitical issues. And for example, once again, if I could go back to NIS2 several members of the community responded to a public comment period at that time, and we were engaged with ICANN Org on those discussions, and we still are. ICANN's monitoring and analysis process further informs targeted engagement with IGOs, governments --

LEON SANCHEZ: Tripti, if I might. Sorry. I think you need to slow down a bit for the interpreters.

TRIPTI SINHA: Oh, okay. Sure. Thank you for that.

So I was talking about ICANN's monitoring and analysis. It's -- The process further informs the targeted engagement with IGOs, with governments, with regulators, with legislators about these initiatives as appropriate.   And for example, ICANN has used messaging, submission of evaluations, participation dialogues to address concerns and challenges presented by any proposed legislation, regulation, or IGO initiative that may impact ICANN.

So coming to countries that do not share the objective of an open Internet, it's important that we understand what that means. What exactly do they mean by not sharing the objective?

Just a reminder, ICANN is not a member state. We don't vote in political settings, in IGO settings. But what we can do is highlight the benefits to all countries of the intraoperability of the Internet, the role the Internet plays in economic development in each country's economy, and informed self-interest can be used to have a country reconsider the interaction with the global community.

You know, the open Internet has been a fundamental architectural element of the innovation economy that we live in, and that has been a key driver in creating the connected global fabric that we have today.

So it is equally important that views that oppose an open Internet, particularly when they're based on misinformation or misunderstandings or a lack of understandings, they don't proliferate without an understanding of their impact. And to that end, engagements with governments and IGOs is very important.

It's also equally important that there is an understanding of the difference between platforms and the Internet so that their concerns about some content in some platforms or the use of

data not disrupt their citizens' ability to receive the benefits of a global Internet.

So from an ICANN perspective, it's important to keep the transportation substrate intact. Let name resolution occur using the unique identifier system and let the bits flow.

So finally, just a reminder, ICANN's mission does not include content and platforms. Countries have sovereignty within their borders, but we need to ensure that their legislation does not disrupt the operations of the Internet. The Internet's transportation substrate needs to be kept alive, healthy and vibrant. ICANN plays a pivotal technical role via its mission of maintaining the unique identifier system in the operation of the Internet.

So with that, those are my opening comments. I turn it back to Matthew, and hopefully we'll have a nice healthy back-and-forth discussion.

Matthew, back to you.

MATTHEW SHEARS: Thanks, Tripti. Thanks very much for that.

Bruna, over to you.

BRUNA MARTINS DOS SANTOS: Thank you so much, Matthew and Tripti. Thank you for the answers as well.

I guess you started with a lot of conversation -- internal conversation right now, and I do hope my other NCSG colleagues join me in this chat about the first question.

And while listening to Tripti I had a few doubts. So the -- and mostly like three of them. To what level do you plan to be engaging with governments? In what languages will ICANN be engaging with governments? Is this a streamlined activity for the entire world? Are we focusing only on the EU or the U.S. or even, like, those governments that you identify as the more relevant or the most relevant in terms of policymaking for the Internet and the infrastructure layer in the past years? Do we have any sort of prerequisites or any sort of an assessment of which are the governments that ICANN is engaging with?

Because while I was listening to this, and as much as I appreciate any sort of activity that aims into teaching policymakers how the Internet actually works, my concern is that -- it's the same that I have been seeing in Brazil in the past months. That is whenever we mention that there is more to the Internet than just Facebook or Twitter, it always goes south. It always goes a little bit bad, because like they try -- they often learn where things happen and

they often try to see and overreach for more things in terms of policy-making processes, and so on.

So, yeah, I did a little -- a little -- sorry for taking too much time in terms of my first answer, but I have these concerns about, like, what are -- how the priorities in terms of governmental engagement have been defined by you, and is it only regarding governments that are, like, from the Global North or do we have an assessment on -- so far on which are the governments that are like worth engaging with.

So that would be my first question to you. And I hope my other colleagues can join this conversation as well.

MATTHEW SHEARS: Thanks, Bruna. I think Goran is going to jump in on this particular point and we'll open it up. Thank you.

GORAN MARBY: First of all, we do reports about what we're doing in the interaction with government. And again, I want to market the CEO report. That is a fairly substantial description of all the work we do. And we do -- we do work with -- for instance, we have capacity building together with the GAC targeted in subregions around the world.

But let's leave that aside and say that because your question is really a good one. And it goes back to the heart of the many things we do. We have to -- The goals which me and the Board does together is really where we think that we have to engage a little bit differently and do something -- we have to rethink some of the things. And, actually, the questions you're asking are the same questions we've been asking ourselves.

If you take what Tripti said in the beginning, first of all, we see a threat to the multistakeholder model and ICANN's role in the Internet ecosystem. And anyone in this call are well aware about this threat. Russia in their attempt to be the next secretary (indiscernible) of the ITU. Their platform is about having a government running not only ICANN but also the RIRs, the IETFs and the root server systems. And that is the -- that is the theme. And some of you would say, oh, we heard that before. But this time I would say it's a little bit different because I think that some of the positions we see there are more midstream than they were only five years ago.

We are -- This even goes back to the next round which we talk about should be an ability for people not speaking English, not having the ability to read from left to right having the ability to have the identifiers on the Internet itself.

This all goes back to the same thing that ICANN, as an institution, is a global technical institution.

So we have -- So we -- And one of the things that we saw from the Board and the Org is that we need to have a better interaction with the community about this. We have for several years asked the community for an interaction point with the broader community about having those discussions, because we said in a charter a couple of years back that we would like to have any input from the community. We are blessed with many community members around the world which has more local knowledge than we have about, for instance, legislation. And we ask for input from community members. And that has actually worked on some occasions. We're not only working with the -- you know, the U.S. legislation or the European legislation. We have interactions, and you will see paper coming out, you know, we have written papers about legislation from different countries. And I think we just published a blog about the Chinese new privacy laws as well. So we're all following more.

Now we take in the goals this year, we took it a little bit to the next level where we actually do propose that at every ICANN meeting, in the actual ICANN meeting we would like to have 90-minute sessions where Sally Costerton's teams and Mandy's teams together comes out and have a dialogue with the community and actually talk about the initiatives and what we're working on and

how -- and also getting input from the broader community about some of those suggestions. But remember, it's all about actually making sure that ICANN has a voice when ICANN issues are discussed.

So -- And we have projects which we can talk more about at the broader point. For instance, especially in Africa, where we are adding capacity in Africa. We're talking -- we are engaging more with Africa Can governments and our partners, ISOCs and the RIRs, and the RIR in Africa in new ways. Because we know there are countries, for instance, when you say you go on Internet that you actually end up on a social media platform.

So your questions are really good. And you should see the goals as we sort of see the problems as you see it. We just need to be improved -- more transparently and more -- and in a more good way together with the ICANN community. And today we agree, we lack that interaction point.

But there's one thing I think is a message I want to send. Sometimes people now talking about what they call the alternative Internet or alternative domain names. I just want to point out from my perspective, and I'm speaking more as Goran than the ICANN CEO, there's no alternative Internet or alternative IP or alternative domain names. That is not the Internet. But because utilizing those technologies will actually splinter out the

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ability for people to have an open connectivity around the world. It's something completely different. And I happen to be a person who works with this because I actually do believe in the ability for people to be able to connect on one open Internet. And if you can't do that, it's actually not the Internet (indiscernible). And that is the fact that I see coming ahead of us for the next couple of years.

And you've seen governments around the world making legislative proposals that could have an affect on people's ability to connect to the Internet. And that's where wring we together, the ICANN community and Board and Org can do a better job.

So thank you, Bruna, for getting me started.

MATTHEW SHEARS: Thanks, Goran.

Tatiana.

TATIANA TROPINA: Thank you very much. And as this conversation (indiscernible), I'm just like where do I start because I have so many points in my head.

Well, let me start with one point here. Going back to Goran and his assessment of the threat, Russia and the ITU, I do think that it

is very valid. And, indeed, the points Russia makes at the ITU are scary because they can speak to many governments. They are quite moderate, but they are -- or, rather, midstream now, but they do refer to issue of power and control and this does speak. And they do try to sort of substantiate them. And this scares me because it's not Russia which was before which was to say now we have no control.   But no, now they're talking about consequences. Now they're talking about real issues like OFAC, for example. Well, nevertheless. So this is the first point. But I also think the problem we have here is not only Russia. These, for example, proposals in NIS2 to extend the DNS cybersecurity -- sorry, cybersecurity regulation on DNS recursive resolvers, and so on. Like these unsolicited contingency plans for the root zone servers in Europe, and so on.

So I see the broader problem here that we're not talking about only friendly or unfriendly governments, governments who support, who do not support. We just talk about governments who do try to restore some control, to exercise some extraterritorial jurisdiction.

Now, I think there is one thing that I see here about the Board question. I'm not really sure that educate, train, and interact is the right frame, and if you go out with this to the wide world, to the governments. In the current situation, I'm not sure that the governments want to be educated. I mean. You will not believe

me, but this might be very sensitive for many of them. I would say that rephrasing these to exchange of information, capacity building, information cha- -- something that speaks to equals rather than us have having much more knowledge, and they know that we do.

Secondly, I wanted to talk about the entire notion behind what ICANN do and what -- ICANN. Not "I." ICANN. ICANN is doing, what ICANN can potentially do. Tripti outlined very well the process that are already going on, but they led us to where we are now, and we are now, might not be in a happy place. We are now totally in a damage mitigation mode. And I think overall this comes from the problem of legitimacy of ICANN internally and to the wide world, while -- you know, these wider -- wider leads, wider stakeholders.

I do think that for ourselves, we are sort of, oh, we know everything. You know, Internet is not broken. We are working on this and that. But the world doesn't know, really. And it's not only about educating the governments. It is astounding sometimes the people who are in the field have no idea how ICANN works. Be they academics or private industry, they're not -- you know, in today's domain name bubble. They don't know. And I think that to get out of this damage mitigation mode, the ultimate goal should be not about collaboration, should not only about like dialogue, education, tracing the legislative initiatives. It should

be an overarching goal and increasingly legitimacy of what we're doing. And legitimacy is not only about information, not only about informing and training. When are we going to inform and train? We come in there like kings, like we have this knowledge, we have this control. But this might alienate some of the stakeholders even more.

So I think the entire concept should be rethought and put into the wider concept of what is our message to the world. And because our legitimacy, our visibility is the crux of the issue.

And last but not least, I did like last year the idea of technical Internet governance, you know, like the separation of the council for broad Internet governance. I do think it makes sense, but, on the other hand, this narrowing down of the concept of technical governance which should be sort of maybe independent of political issue, it just doesn't work because by preserving this concept, we do have to bring it further, we do have to bring it wider. And for this, it's not only about governments. We have to collaborate with other stakeholders. We have to educate other stakeholders. We just have to do more.

Thank you.

MATTHEW SHEARS: Thanks, Tatiana. I think I'm just going to give a two-finger to Goran who asked for it and then we'll go back to Bruna.

GORAN MARBY: There's no disagreement, so it's not an argument with what you're saying, Tatiana because it's, as always, well thought through and you have good points. Just a couple of observations. One of the interesting -- wait.   When we interact with governments, there is one message. We are highly respected. We are a highly respected institution. We are actually quite unique in the fact of how well respected we are. We might not always think that but I give you one piece of evidence. We have 170-plus countries that actually do engage in ICANN. And that gives us -- we have thousands of people from all over the world that participate and share their time with ICANN. We have great respect. And the interesting thing is we are getting more and more invitations from both individual countries and countries -- and countries like -- you know, country representatives like G7 -- G7, G20, different U.N. settings, et cetera, et cetera. So there is -- And they all express a need to understand more about how -- what we actually do and how we do it. Also to help us observe.

I think that the problem -- and as I'm coming back again, one of the things we wanted to do from the Board and the Org is to say new ways of interacting with other stakeholders in this area, to

have a conversation. It's actually in the goal. So thank you, Tatiana. And what we are also proposing, the other goal is to have a better conversation with the ICANN community about it.

So some of the points you're saying, it's why it's there, and that's why we make it public, since (indiscernible) just have this conversation.

When it comes to the how we operationalize the method and how we individualize and we speak in the different forums and different forms, I have a -- we are blessed with a really good team that works with governments. But what we try -- I mean, think -- So what we actually are talking about here is how do we do it to get better together, with other stakeholders, with the ICANN community. That's what the goals are all about. So I give you plus one and now I'm going to shut up.   And the interpreters are already telling me I'm speaking too fast.

MATTHEW SHEARS: Thanks, Goran.

I know Tatiana wanted to add a two-finger, but, Bruna, do you want to jump in or do you want to let Tatiana go? I want to make sure we hear other voices.

BRUNA MARTINS DOS SANTOS: Let's hear Tania, and then I can just come back.

TATIANA TROPINA: A very -- thank you, Bruna. Very briefly.

Goran, when you speak about the governments who respect us, what strikes me is the governments are not homogenous. The Department of Economic Affair and Energy of whoever in one government is working with us and highly respects us might not be the same guy who goes to another meeting which is related to military, to control, to, I don't know, EU NIS2 directive. And when you say the government and respected, this is the crux of the problem with legitimacy. Those who know us in these not homogenous governments might respect us, but the problem is why because they are not the same people who draft the regulations and legislations which you might, ICANN might consider as a threat.

Just two fingers. Thank you.

MATTHEW SHEARS: Bruna, over to you.

BRUNA MARTINS DOS SANTOS: Thank you so much, Matt. This is me again, for the record.

Yeah, and just thinking out loud about what Tatiana just said, and maybe in a way better than I would before, and at least that I was trying, is that we also have like one main task here: That is upholding our legacy, which is the preservation of the multistakeholder model which is responsible for having a rather retrained -- retained and controlled space for governments. This is a space in which governmental action has been slightly restricted and has been famous for that. But in light of that, and maybe despite of that, we have seen, as Robin, as Farzaneh have been posting on the chat, we have seen a growing presence and a governmental agenda at ICANN.

So my question to you would be, again, like -- and in light of this discussion, do we have a contingency plan if, at the end of the day, this all goes wrong? Do we have -- like, what will we do if like the results of an action such as yours is that we will have more and more and more governmental representatives in every single arena of ICANN, let it be ALAC, NCSG, or even GAC itself. And do we have really a contingency plan if, at the end of the day, every single participation from governments, which as Tatiana was mentioning is not really similar, not even like linear, what will we do if like they they're actually, at the end of the day, just want to block ICANN's agenda? I would be, like, really interested in hearing from you about this, because while I think this is a really relevant action and really relevant goal for us to have, like, in terms of a democratic debate around what the Internet means to

all of us, I guess that in the end of the day, what we want as well is that we just keep on ensuring that every single multistakeholder has the same level of participation at these discussions. And if we are doing debate about legislation and Internet regulation, let it be done with other stakeholders as well and not just the ones responsible for writing the legislations or the policies themselves.

So yeah, I would just add that.

MATTHEW SHEARS: Thanks, Bruna.

Who would like to have a go at the answer?

GORAN MARBY: So --

MATTHEW SHEARS: Maarten.

GORAN MARBY: Sorry, Maarten. I didn't see that. I had a short answer to Bruna. I have been talking too much. But this is very operational in that sense, and that's why the Board asked me to ask about it. The problem which you all know, which I happen to believe is the

problem, is that we see increased legislations from governments around the world that has a direct impact on ICANN's ability to make policies, sometimes even people's ability to use the identifiers. And ICANN cannot -- we cannot -- as Tripti has wisely said, we're not a government. Where there is a legislation, the stakeholders in that country or region needs to follow it. A good example is GDPR which is a legislation that affected both our ability and -- you know, people would say it's right or wrong. It's not about that. It actually has a direct impact, and we see those legislations. We also see the diversity in the ICANN community about the good or bad with those legislations. You know as well as I do there are different opinions about it. And I think that we can have a better conversation inside ICANN when we actually do think about some legislations and use the powers of ICANN to then go and have -- to have a view on it.

But this -- For good and for bad, politicians around the world has woken up to a world where the Internet matters in a different way than it did ten years ago. And the way politicians then becomes active in this is they make legislations which are either country, regional, or, you know -- and has an effect. And I think that part of that is because they don't actually do understand how sometimes the identifier system and the underpinning of the Internet actually do work. We know that many of the legislations that are talked about is against what we call social media companies, which is actually not the Internet. You use the

Internet to reach them, and you walk into someone else's computer when you enter a social media company. I'm not saying that with any disrespect at all, technology and how it works, but I think ICANN has a role in that, but I really want to have a better conversation with the ICANN community about this. Because I agree with what you said, Bruna. I mean -- but in the end of the day, the -- to -- and it's a harsh message. The governments has an ability to have an effect on their country's citizens when it comes to this. And I think we sometimes need to be better at protesting it, but we have to do that together. My point.

I will stop preaching now and try to speak slower.

MATTHEW SHEARS: Thank you, Goran.

Bruna, before I go to Maarten, I recognize that we do have a second question from you.   So -- and this is a fantastic conversation. So do you want to let it run for a little bit longer or -- it's really up to you.

BRUNA MARTINS DOS SANTOS: I think we can run this talk a little longer.

The other question was about your plans for returning to face-to-face meetings. So maybe we can just grab the ten-minutes at the end of the talk for us to discuss that.

MATTHEW SHEARS: Perfect.

Maarten, please.

MAARTEN BOTTERMAN: Thanks. And with the back and forth, a lot of what I wanted to say has been said already but the core has actually been already said in the first sentence that Tripti said, that it's very much about engagement, that it's very much about recognizing that, with governments, we cannot tell them what to do. We can tell them what the impact would be of what they do. And I very much appreciate the point Tatiana made that maybe it will work with governments that want it to work and with governments that really want to learn and may be more difficult for those governments that think they know or want something different. At the same time, that is all we can do. We cannot force any government to do anything.

So with that, the system that we have been building up, Goran's teams have been building up over the years have been to be more transparent in our engagement. And no doubt he would welcome

any suggestions from the community as well to say you see every couple of months where he's been -- where he's been engaging with, you see the reports coming from Mandy's office. If there's anything that we miss, raise it, suggest it. I mean, this is what we try to leverage, the wisdom of the community. And that would be very, very welcome.

And the concern that Bruna had on governments taking over, also within constituencies, well, I think that's a slightly different problem. That's a problem of how do we make sure that the multistakeholder model keeps on doing what it needs to do, it's representing the voices of different stakeholders on an equal, level footing across the community. And this is why it's also such a core part of our strategic plan. It's a core part, not only have we engaged with governments, the international governments, but also how we make sure that the voices are heard well. And that does mean that we need to be aware and willing to improve and learn all the time.

So I just wanted to add that part. So thank you very much for your remarks and engaged discussion.

MATTHEW SHEARS: Thanks, Maarten.

Leon.

LEON SANCHEZ: Thank you, Matthew. Just to add to what Maarten has just said and to remind us all that in the end, ICANN doesn't operate in a vacuum. It is not isolated, right? It doesn't work by itself. And this is where I think we can take advantage of our community and ask you guys to help us educate our governments at a local level, at regional level, at even more granular levels.

So it's just a reminder and a call for everyone who is interested in this topic to jump in and help the organization, help the Board, and of course help the community building these links to governments, and try to educate them in the ways that we know we need to educate them.

Thank you.

MATTHEW SHEARS: Thanks, Leon.

Bruna.

BRUNA MARTINS DOS SANTOS: Thank you so much, Matt, Leon, Maarten, and everyone who spoke on that.

And just for us to wrap this, we do understand that ICANN does not operate in a void, but you're also maybe talking to one of the stakeholders that have been maybe for years on this mission of trying to explain what the Internet is to governments. And this is like if you look at careers such as Tatiana's, Stephanie, Kathy's mine, everyone that's in this room from NCSG, this has been one of us like most relevant missions and dedications throughout the years.

So our -- our concerns do not come exclusive from a point of skepticism. It also comes from a little bit of experience in attempts of trying to explain what the Internet is, not just on the platform and content layer but also in many others that we would try, that we have concerns and have been trying to talk about for many years now.

So that is just for us to wrap up this chat, because this is something that is very high up in our concerns. And we would -- we can take this conversation to many of our other NCSG/Board interactions. But just to make sure you all understand also that this is something that we are very keen in engaging with you guys and being part of the conversation.

So that will be it on that one topic.

And with regards to our second question, we just had a more general one with regards to our comeback to face-to-face meetings and hybrid meetings. And on that note we would like to learn how the decisions are going to be taken. We have heard from you in the past months and meetings that this is going to be a community decision and everybody's going to be taking part of that, but do we have -- My question to you would be if we return to meetings and people actually cannot travel or cannot go to these places, do we have a backup plan to that? And also, what -- which experiences on hybrid meetings has the Board considered so far? And how is the level of the conversation amongst all of you?

So that will be it from us as the second question.

MATTHEW SHEARS: Bruna, excellent questions. I'm going to turn it over to Maarten because we have been spending a lot of time on this. So -- and he'll give you the latest thinking. Thanks.

Maarten.

MAARTEN BOTTERMAN: Yes. Thank you. Thank you, Bruna. And let me start by changing your question to "if" we go back to meetings to "when," because it is going to happen, and we all recognize how important it is to

do so; that it is a way that help us to get where we are today in meeting in ways that really allow to not only talk about the business but also learn to know and appreciate the human beings behind those words.

So within deciding when is practical, lawful, and also prudent to return to face-to-face or hybrid public meetings, we take a risk mitigation-based approach, and we take into account the risk landscape, health and safety requirements, potential requirements, as well as the viability of safe traveling, because we talk about bringing together people, more than thousand, more than 2,000, from over a hundred countries in the world.

So first and foremost, we look at the risk landscape. And for that, rather than making up our own rules, we also look to those authorities out there that look at it and have opinions. And in particular when we look to U.S.-based locations like Seattle, but also Puerto Rico, we look at the U.S. Centers for the Disease Control that has this four-level rating.

And for us, if the risk is very high or high, it's, for us, irresponsible to have a meeting, full stop. If it's moderate or low, let's talk about what it takes to do it. And at that moment, it's also up to the community, so how would you organize it in a way that it makes sense to you. So how do you roll in those people who may

participate, particularly in the first couple of meetings, from a distance, and maybe that will always be so after.

And the other thing that we look at -- don't only look at CDC. We also looked at our indicators, for instance, the international SOS, which has a five-scale level. But it's clear that at the extreme travel risk or high travel risk, let's not do it. Let's just continue to do it in this way which we are currently doing which is not ideal, but we get things moving still. If I look back to the last two years, it's amazing what we have been able to do despite the fact of not being able to meet face to face. Although in particular this week, me and my European-based colleagues will go deep into the night during the sessions. Tatiana, I know you live a (indiscernible) away from where I do. So I have all empathy, and I am with you in that.

So currently, the CDC ratings for Puerto Rico, for The Hague, and for Kuala Lumpur are at level 4, at very high risk, so currently we wouldn't go there. And we will hope that it will change very soon, but if the pandemic taught us one thing, where it will be in time is unpredictable at this point in time. Even in The Netherlands which is also one of the countries with a reasonably good health system and well organized, we are approaching a fourth wave. We didn't see this coming, and it's here. And there's other examples around the world. I'm sure we all have our own examples.

So when we get to this level where being present together becomes possible again, be it that there is bound to be still some kind of COVID threat but less, see it at lower levels, let -- in the CDC metaphor, moderate or low level, then thing it's very important that for the first meetings we have that we have -- we insist on COVID-19 vaccinations, that masks, face masks, are required and a certain quality of face masks are required. Physical distancing is important which means there may be a limitation on the number of participants in a session in the room. Seeing -- We need to know who's there, so in case of potential exposure we need to be able to inform people. There may be a need for pre-travel COVID testing and on-site temperature checks and rapid COVID-19 testing because offsite, it's clear we have no idea what people are going to do during the night, the evenings off, et cetera, and will be -- will assume that we are able to control that. We don't want to control it. But that means that the next day you need to be tested again. And there may be quarantine or travel restrictions.

So in addition, of course, a site inspection we need to do before such an event would take place would also consider things like ventilation, things that were always important but even more important today. Adherence from the staff on location to these health and safety requirements that we see are important. And all that to be able to facilitate successfully a face-to-face or hybrid meeting.

And it's not only that but also the international travel viability is important. We all know there's always been issues with visas, but these issues have been minimal for -- compared to where we are -- where we are probably going to face that's coming up. So our Board is open for essential travel to meeting location.   This summer, Europeans weren't allowed to go to the U.S.   U.S. weren't allowed to go to Europe. These kinds of situations. If they hamper big parts of the world to participate, do we still want to organize it? That's an important question.

Are the travel restrictions reasonable, acceptable, mandatory quarantine periods and things like that?

So while we're eager to resume public meetings for the clear benefits of collaboration, communication and camaraderie, we're not willing to do that at the expense of the community or staff's health.   And we will continue to evaluate the risks, the viability of travel, and the conditions under which it's reasonable.

In the meanwhile, we do appreciate and will be also in the session, the plenary session later this week, where with the community there is a look at so if we meet, how can we do this best?   How can we organize it best?   And under what circumstances would it be, indeed, also positive and helping us all to meet face to face or at least have part of us meet face to face and the others join hybrid in an effective way?

So this is where the thinking is. And yes, at the moment it is shooting at the moving target, but just we also we will need to rely on these international risk data and not assume that we know better. I hope that that's --

MATTHEW SHEARS: Thanks, Maarten. A lot of information there.

Bruna.

BRUNA MARTINS DOS SANTOS: Thank you so much, Maarten and Matt.

I do think that despite the fact that maybe the U.S. and EU might be arriving at a fourth wave, things here -- and just speaking from a personal level, things here are way more different than what we were experiencing in Latin America, what folks might be experiencing in Africa and everything else. And that is been, like, kind of -- like many of my reflections in these past weeks, because the level of freedom and -- freedom even to refuse vaccines that you guys have here in Europe and some people have in the U.S., it's kind of concerning to some extent if we are, indeed -- not if, but when we are going back to those meetings.

So maybe one of my main concerns will be around vaccines, if we are doing anything with regard to community members who are

not vaccinated or who have refused to do so. Because I do think that's another thing that puts all of us in danger, because we all know that even though we are vaccinated, you might as well catch the whole thing and you might as well be sick again.

So that will be one thing as well. And I also see that David posted in the chat that if we have like a date for 73 to be decided, whether it's going to follow as a hybrid meeting or as a face-to-face one. And, yeah, that will be it for these last five minutes of the call.

MAARTEN BOTTERMAN: Yeah, a good question. One of the things that we obviously want. Right now, if we would need to decide now on level four, it's a no. So we want to postpone that decision as long as we can. But then we need to take into account preparation, like site visits, the visa applications, et cetera. So within two weeks, I think we need to look at what's at the table there and take our decision.

So we're preparing for that. Staff is collecting the information and has prepared a timeline for us to understand at what point in time we can or have to take decisions that will have financial impact and ultimately also from the planning ability from the community.

So it's not looking good. We hope for the best. And we are very much aware that even if it would turn out that we have to -- we

say, well, we don't have to decide yet, we can postpone it, but that would have consequences, that in later stages we would still run into these eventualities that we saw happen all over the world.

My biggest surprise was Singapore going into lockdown on the 1st of October. I thought that was -- that really took me by surprise. So just saying. But within two weeks, I think we need to come to a first point of decision. Hope that helps.

MATTHEW SHEARS: Thanks, Maarten.

Any other board members want to jump in on this issue or any or questions on this?

BRUNA MARTINS DOS SANTOS: I might have just an additional one, because I know we are doing a community session about the whole hybrid face-to-face kind of models, if we're going back to that. So if you guys could anticipate whether you have newer or -- newer solutions or suggestions for things, we should be looking into if we are going back to hybrid meetings, that would be good as well to hear, because I think -- I see somebody mentioning IGF on the chat, but I guess we don't know yet how that's going to go. We don't know yet how many people will come or whether or not the meeting will actually work. And although we all appreciate the effort, because

we did miss each other, but I would still be curious to see how the IGF is doing that and how ICANN will do the same. Because we won't be at the same level of participation anymore if we go back to hybrid meetings.

So, yeah, just if you guys can anticipate anything that would be in your focus or anything that you would like to hear back from us at the community session, it will be really good to hear from you.

MAARTEN BOTTERMAN: Thank you very much. Really appreciate that.

For now, on the IGF, we will have some speaking slots, we know already, but up to now, the speakers decide are probably not going to travel. And the nice thing about hybrid is if you don't have to travel for there, and we only go there when it's really necessary for site meetings or whatever. And that's currently not the case.

We also will look at it and try to learn from the experience, of course, because we are not the only ones that are in this situation. We try to learn from each other.
What we did see often, particularly in the early phase of COVID, is that organizations turn to us to ask how do we organize that, that online component works as well, et cetera.

Yeah, I hope that helps. And again, I wish I had definite answers, but we don't.

MATTHEW SHEARS: Thanks, Maarten.

Bruna, we're at the top of the hour. I think we're going to have to close it. Last words?

BRUNA MARTINS DOS SANTOS: Yes. Just to thank you all for this very honest exchange. Apologies if we escalated any of our concerns, but we definitely appreciate every single opportunity we have to have these exchanges with all of you. And we are looking forward to the next one. So thank you all. And thanks for being the start to our ICANN72.

So that's it from me, Matt.

MATTHEW SHEARS: Thank you very much, Bruna.

And from our side, yes, excellent discussion. And let's keep the one on Internet governance going. Let's keep this discussion around, you know, next steps in terms of moving to hybrid or in-person meetings going. It's all important.

Maarten, last word from you?

MAARTEN BOTTERMAN: Yes. No, just I couldn't agree more. It may have been an unexpected discussion, but this is only possible because we went there where we wanted to go and what felt like important. And I think on both points, we've made a good exchange, improved understanding.

I wouldn't call it education, Tatiana. We're not educating you, you're not educating us, but we are exchanging and listening to each other. And, yeah, thank you for being with us.

MATTHEW SHEARS: Thanks, everybody. That wraps the session. Thanks a lot. See you in another one. Bye-bye.

AVRI DORIA: Bye, thanks.

[Recording stopped]

[END OF TRANSCRIPT]