
ICANN76 | CF – At-Large Leadership ICANN76 Welcome Session

Saturday, March 11, 2023 – 13:15 to 14:30 CUN

YESIM SAGLAM:

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JONATHAN ZUCK:

Hello. Welcome, everyone, to ICANN 76 here in Cancun. It's really exciting to be here. I feel like we've attempted to be here a couple of times, and so to finally make it here is great. And being able to really enjoy North American spring break, I think, just adds to the experience. We'll all learn the latest electronic dance music while we're here, so that's exciting.

So for those of you that don't know me, my name is Jonathan Zuck, and I am the newly anointed chair of the ALAC. This is my first official meeting as the chair, so I ask that you be gentle. And I brought my enforcer here in the ALAC boxing robe if there's anybody that gets out of control. And let's try to have a great meeting.

One of the things that we're trying to do at this session is really focus on participation outside of this room. So we're trying to have some sessions here over the weekend, but really spend as much of the week as possible when we aren't on one-on-one meetings, being in the other meetings of interest around the community. And hopefully, as we'll discuss later, get some people volunteering to participate in all the relevant meetings to us and report back on things that we might want

to follow up on, action items, basically, from those meetings, so that we can really make the most use of being here in person for this meeting.

As you know, there's been some turnover in terms of the Board and the CEO. And the two things that come up most frequently when the new Board chair or new interim CEO speak are subsequent procedures and the WHOIS registry system or SSAD Light. They're still trying to come up with the right name for it. But the system by which you'll be able to request information from registries and registrars that has become hidden as a result of GDPR.

So those are the two big issues that have been set by the Board as their top priorities. We had a little bit of a presentation from Sally Costerton, the interim CEO, this morning, in which she tried to reassure us that they would try to make sure that those two priorities didn't prevent other things that were going on from being done. So we'll have to stay on top of some of the peripheral issues we have going on. But I think at this point, it really behooves us to make subsequent procedures one of, if not our top position, our top issue as well. So that is a big part of what we're going to be doing here during ICANN 76, is participating in subsequent procedures-related meetings around ICANN, holding meetings ourselves to start to establish our positions as we go around.

And at this point, I'm done extending my introduction while waiting for our esteemed Board member to arrive. So without further ado, our host who has been waiting patiently for us all to come to Mexico for an ICANN meeting finally has us here. So without further ado, I'll pass the microphone to León Sanchez.

LEÓN SANCHEZ:

Thank you very much, Jonathan. I will speak in Spanish to take advantage of the translation service, the interpretation services, and to proudly speak my native language in my country. Welcome everyone here to Mexico. Finally, we're here. I'm very happy to have you all here. I understand that the visa processes for some weren't particularly nice. On behalf of my government, I really want to apologize on their behalf. Those who have been in contact with me know that I have been following up very closely and personally on some cases. And there were some examples in which we were able to obtain acceptable solutions, others not, but we're continuing to work in this. And believe me, we are following up 100% on this, and I'm taking a personal interest in some of these cases.

So here we are for another meeting. There are many relevant and important activities for the Board. And in fact, I was just in a meeting in which we were talking about the reviews that are outstanding, and I know that Sébastien is particularly interested in this, the holistic review. And we were just talking about that issue. But I took a few minutes out of that to come here and welcome you to this opening ceremony. You know that it's a great source of pride for me. I'm here in ALAC, in the At-Large community.

And so what we've talked about, and what we've got on the table for the Board, SubPro, the next rounds for the domain names. I'm sure that you've read the blog in which it is announced that we will take important decisions on the next round of domain names, and I can let you know that there are some recommendations coming from the working group, that come from the Board, and there are some recommendations that still require some further work. We have to see

if they will be able to be implemented. And there are others that we think that we can't adopt them.

I also sent the announcement of the creation of the committee for selecting the new chair and the CEO of ICANN. As you know, Göran Marby recently left his position as CEO, and as a result of that, we created a committee to find a new CEO. And on Tuesday, we'll have a plenary session in which not only the committee but the full Board will be there to hear all of the feedback and the inputs that we requested from the community, so that we can start to delineate the profile that we're looking for when it comes to this new ICANN CEO.

We want to hear from you. We want to hear what your vision is when it comes to where ICANN should be going, and who or what kind of person, what features should the person who's in charge of taking us to that new phase be. We had a dialogue with Sally Costerton as interim CEO. It was very interesting. We touched on a number of serious issues, including internal aspects, relations with the Board. We also discussed some of the reviews, the NomCom one as well. We're looking at the review of the NomCom. And there are a number of activities. There's a public forum, and we'll have some more time so you can raise your questions and ask anything that you'd like to ask.

So again, it's a great pleasure to have you here in Mexico. And if you have any questions, any queries about the local area, of course you know that you can come up to me, and I'll be happy to give you any information. And of course, there will be some time for questions if anyone would like to raise any issues. And I will do my best to answer those. But in about five minutes, I'll have to go back to the other session

in which I was participating, because, of course, I'm very interested in these outstanding reviews. So Jonathan, thank you so much. Cheryl, Alan—I'm not sure where Alan is exactly. Oh, he must be here somewhere. So again, thank you to all of you for inviting me. Thank you, Sébastien. Thank you to all of you once again.

JONATHAN ZUCK:

Thanks, León. It was very interesting listening to you speak with an Irish accent. I haven't heard you do that before. It's a new skill. So one question that I have is whether in its various discussions the Board has revisited the idea of a COO in addition to a CEO, or if you think the reorganization that took place is sufficient to handle what seems like an upcoming operational spike. If ever there was a need for a COO, the next few years might be it. So I'm just wondering what your thoughts are if that's been discussed.

LEÓN SANCHEZ:

Thank you, Jonathan. It is true that we have to talk about this. We haven't gone into enough detail on this. As you know, we had a CEO. And finally, this person left the organization and his functions were absorbed by different areas. But it does seem relevant, as Jonathan was mentioning, to think about whether we need to reopen this position and assign specific tasks. Especially with regard to operational tasks, the workload will be quite significant in terms of implementation, etc. So I think this is something that has to be discussed. We haven't talked about it enough, in my opinion, but I think that is something that we have to do. Thank you, Jonathan.

JONATHAN ZUCK: Thank you. León. I wasn't paying enough attention to know the order, so I'm just going to go in physical order and call on Sébastien first.

SÉBASTIEN BACHOLLET: Thank you, León. Thank you for taking the time to come and talk to us. But I think it's more important that you go and talk to the Board about these different reviews. I've got another proposal on the organization of the leadership of the ICANN staff. And in the meeting that the Board will have in three days, we'll be able to talk about this. It's a great pleasure to come back to Mexico. [Facebook is my friend,] and apparently it was 14 years since we came here to Mexico. We went to Mexico City. And we did ATLAS I in Mexico. So it's not just that we're coming back to the country. It's also a reminder of how At-Large has evolved throughout this time. So I will stop there, because I know you don't have much time. But once again, thank you for being here.

MATTHIAS HUDOBNIK: Hello. Thank you very much, León, for the nice intro. I have just a little question related to the WHOIS. I saw a presentation at the Nordic DNS forum of Patrick Jones related to WHOIS and the proof of concept. And I wanted to know, are there any new updates on what the Board thinks about it? Or maybe you can just touch a bit upon it. I would be very interested. Thank you.

LEÓN SANCHEZ:

Thank you, Matthias. I'm not exactly sure what presentation you're referring to. But if it has to do with the new ticketing system that we are going to implement to try to replace as much as possible the WHOIS system, then, well, you know that we recently approved this to go forward. There will be, of course, a building stage in which this needs to be... to be literally made from scratch. And we'll have an implementation period during which this will be implemented. And we'll have an implementation period, a pilot period, so to speak. And the real challenge I see here is adoption by those who hold the data and need to provide it.

So I think we will need to do a huge outreach effort to those parties and try to convince them that if we have this single window for users and for people in general to file their requests for data, it, of course, has benefits for everyone. That doesn't mean, of course, that everyone is going to get the data that they are asking for. But at least we'll have a single window in which people can come, ask for data, and have our reply. That's where we are right now. And, of course, we will keep following on the topic because we are aware that it's a very important topic. I hope that answers your question.

MATTHIAS HUDOBNIK:

Thanks. Yes.

CARLOS AGUIRRE:

Thank you, Jonathan. León, thank you for coming. Thank you for receiving us. This is really a fantastic work. Second, three things happened to me this morning. I was struck by three different things

after I arrived. I wanted to ask a few questions, and then maybe this can have some impact on the Board.

The first one is I had a discussion this morning with a ccTLD manager, and he agreed with me that the end users, or the global end users, and many other ccTLDs were not really very interested in this second round of gTLDs. That many times made the gTLD managers compete against the ccTLD managers, and this would probably create even more doubts in the users in the sense that when they look up a domain name, where should they look it up? So that was the first one, and you probably will tell me something about that, or maybe not.

The second thing is I attended a meeting that was a joint meeting between ALAC, GAC, and probably the ccNSO. It was a very short meeting, and I was not allowed in because it was a private meeting, and this was a bit weird for me. It is something private within the structure when we actually are members of a committee. So this sort of called my attention, and I wasn't really sure about this. I wasn't convinced by it. And there's another thing that I am forgetting, but these are the two main issues in principle.

LEÓN SANCHEZ:

Thank you, Carlos, and welcome again. As for the first question, I understand there are positions, different postures in terms of setting the value that a next round of gTLDs can have from the perspective of end users mainly. This is not a debate that we have had for a long time on whether this actually does or does not benefit end users.

From my view—and I'm not speaking on behalf of the Board because there are different viewpoints on the Board itself. So in my view, a new round can be beneficial to the extent that we manage to have a higher number of users being identified and attracted to the domain name system. We should be able to reach a higher inclusion of the different groups that nowadays, for some reason, do not feel included or attracted by the domain name system and what they can contribute to it. So this is probably the value that I see in a new round, to be able to accommodate more people, all of them being users. But of course, there may be different opinions.

As for the second comment you make, I don't know the complete context of the meeting that you are mentioning. However, it is my experience in ICANN that there are closed meetings, closed-door meetings to deal with certain issues that are deemed to be confidential in nature. And without reaching this extreme of confidentiality, what I want to say is there are open meetings and there are private meetings, even at the level of the Board.

What I have tried to advocate for is not to have closed meetings, but probably private meetings, because I think saying that a meeting is closed is something that should not be accepted within ICANN. I think we all should be open and we all should be able to attend as many meetings as we want, except if it is a private issue that needs to be dealt with between two groups or two individuals who have the right to be respected as well. So thank you very much for your comment and let's try to continue opening doors for more people to be engaged and participate.

DAVE KISSOONDOYAL: Thank you, León. My question is related to the CEO search. In the multi-stakeholder model, the bottom-up process, is there any process or procedure that the views of the community is collected, what the community wants from the new CEO, and then sent to the CEO search committee?

LEÓN SANCHEZ: Thank you, Dave. We are just beginning the process and during this process, the contributions of the community will be of the essence. They will fit directly into what the committee will produce as a skill set, as a profile, that the next person who leads the organization should fit that profile. So there will be at least two opportunities for community participation and feedback. Again, I believe it's essential that the community takes part of this process.

The first opportunity that the community will have is this Tuesday, so I definitely encourage you all to attend the session, to contribute, and you always have the open channel with me and of course with other Board members to send us direct emails with your concerns, with your suggestions, with your observations, and I promise you that we will take them into account wholeheartedly. So please do send us your feedback, your input and your concerns and any suggestions that you may have.

After that first opportunity, the committee will of course start working on building this profile, this so to speak job description, and we will then publish it for public comment. So that is another opportunity for the community to come back to the Board and have a say on whether the

profile and the skill set that we have come up with actually fits the purpose that the community has in mind for this person to take ICANN to the next phase. So these will be at least two opportunities. There might be some more, but at least two opportunities for the community to come with input and feedback directly to the Board and the committee to try to fit into this process.

And one thing that I think is worth mentioning, while the committee will be performing this search, the decision to appoint the new CEO will be taken of course by the full Board. So we're just a search committee, but the decision on designating the new CEO falls upon the full Board.

DAVE KISSOONDOYAL: Thank you very much.

JONATHAN ZUCK: Thanks, León, very much. And we know you need to get back to your other meeting, but thanks for joining us and welcoming us in your country. And I'm looking forward to some mole sauce.

LEÓN SANCHEZ: Absolutely. Thank you, Jonathan, and thank you, everyone. I'm not saying goodbye. We're going to work together for a little longer. I will just come back later. Thank you.

JONATHAN ZUCK: So thanks, everyone. Thanks for your questions. As you can see, there's going to be a lot more conversations about those topics, subsequent

procedures in particular. And we have a session coming up later in which we're going to try to really dive into some of our prioritization of those issues because it's definitely coming now. The conversation about whether it should come I think is over, unfortunately. It's an interesting position that we've taken, which is that we weren't against it, per se, but that we didn't see a big demand for a new round of TLDs. But there's certainly some demand among some that want to do them.

So I think our job is to maximize the benefits of a new round by getting underserved regions involved as applicants and IDNs straightened out, etc., universal acceptance, so that we really see the benefits and then minimize the negative impacts.

So the next thing on the agenda here is talking about the talking points. For those of you that are fairly new to these sessions, what we've started to do a while back was present some talking points for the hallway conversations and interventions in the sessions. And it started at a face-to-face meeting in Montreal that we started doing these talking points. And then we went virtual, and so there weren't as many hallway conversations and things of that sort to use them. But it's become a good exercise to maintain a set of positions, if you will, on various issues in which the At-Large is interested. So they've maintained relative consistency throughout, although some new things have been added and some things have fallen off of them. But for the most part, there's a kind of a database now of talking points.

So the exercise with each meeting at this point is to extract a subset of those talking points that we think will apply to the meeting, the particular meeting that we're attending. So we look at some of the

different topics that we see on the schedule, and you can see what the topics of interest are for us.

The first, of course, is subsequent procedures. That's a big topic for the whole community. DNS abuse is a big ongoing topic for the whole community. Internationalized domain names and universal acceptance and where that is headed. And then the transfer policy review policy development process is also something in which we've been involved and we've had discussions on within the Consolidated Policy Working Group. So those are some important topics of interest for At-Large here at this session related to policy. And then there's a couple of governance issues. One is the fate and schedule and scope of a holistic review. And then general issues related to ICANN governance and operations, etc.

So those are the topics in large measure that we're going to be dealing with. So rather than read through them, we actually shared them. So they're on the agenda. And while the slides don't go into detail, the description, the notes section of the slides does. So if you look at the notes section, you'll see more detail about these different talking points. So as an example, I don't know if you want to click on DNS abuse, for example. I feel like subsequent procedures is just so many. Has her hand up? Okay. I'm not paying attention to the queue on Zoom. So maybe you'll need to put your card up or something as if you were a participant when you see something and then introduce them.

So Maureen mentioned to me that Marita has her hand up. So Marita, if you want to go ahead.

MARITA MOLLA:

[inaudible]

JONATHAN ZUCK:

So you can see here the main talking points associated with DNS abuse. The data accuracy remains critical to combat abuse. The registry agreement and the registrar agreements are in the process of being refined right now to better empower contract compliance, because they're adding more specificity about how these contracted parties need to respond to reports. So there are ongoing issues related to the GNSO amending the registry and registrar agreements.

Then there are also other things that are going on around the community with respect to DNS abuse. So it's one of those things where a lot of things have started. There's a Contracted Party House initiative on DNS abuse. ICANN Org has some initiatives related to DNS abuse and a new DNS abuse reporting tool that's coming out before too long. The industry has started an organization outside of ICANN called the DNS Abuse Institute.

So there's a lot of things going on and part of what we'll need to do as we go through this is assess whether or not it's enough that there's a lot going on or do we need to see results from these efforts. I mean that's going to be one of the things that we need to have some hard conversations about for sure. So that is the example of talking points in the domain name system. Can you show the notes for that? That's where the details of that are I guess. Or are they not?

Oh, I see, it's just another slide. I apologize. So there's more talking points. And then what you'll see in this slide deck that you have a link to

presumably, it's either in the chat in Zoom or it's on the agenda and places like that, is also a list of sessions related to that topic. So one of the things that I would like to try to do is get people to volunteer to show up to some of those sessions and if it's appropriate, make an intervention, but if it isn't appropriate, just take notes mostly toward something that somebody said that we might need to respond to or a question that somebody asks or more research that we need to do because they're confused about something we've said before, etc. So the idea is to kind of keep track of action items, if you will, that come out of that that we ought to take up presumably in the CPWG or the OFB working group to address these things.

So that's one of the things that we want to spend the next few minutes trying to do, is go through these relevant sessions and get people to raise their hand and say I will attend that session and then on Thursday I will come back with a very brief report on takeaways for At-Large and most importantly action items, if any, for At-Large. Does that make sense? Any questions about that? Maureen.

MAUREEN HILYARD:

Just on domain name system, the DNS Abuse Institute for example—and it's something I think is really important—is every couple of months, they put out a report on the incidences that are actually reported to them about DNS abuse and that report comes out. I know I send it to our people within our region, but I really should sort of send out to everyone. It really gives a very interesting view of the five areas of DNS abuse that the DNS Abuse Institute monitors and analyses and

provides a report on incidents as they affect end users. So I'll make sure that everyone gets that as well. Thanks.

JONATHAN ZUCK:

Thanks, Maureen. That's right. [inaudible] NetBeacon which is a way for people to report DNS abuse and so they're doing a lot of reports from NetBeacon. And then they have another service called Compass which is kind of the analysis they're doing of those reports. And eventually, it's their intention to, as we say, name names and actually show trends, hopefully over a long period of time so we're not dinging anybody for a temporary problem, but show trends of particular contracted parties where there's high concentrations of DNS abuse or slow response to complaints, etc. So there's a lot of interesting stuff coming out of DNS Abuse Institute.

So this was just an example. I think, to go through this exercise, we should probably—I guess we could just start here on DNS abuse and then back up to subsequent procedures. So the first is the ccNSO DNS Abuse Standing Committee. Did somebody say something? Oh, it's already in the past. Okay. Yeah, we probably shouldn't include meetings that are before the ones that we're having.

So the next one is the GAC discussion on DNS abuse. Who would like to volunteer to attend that session? All right. Excellent.

RICARDO HOLMQUIST:

I do have a question. I know that the DNS Abuse Institute will have a presentation of the results, but I'm not sure any of these are there.

JONATHAN ZUCK: I don't know. Is that on the schedule Chantelle?

RICARDO HOLMQUIST: I know he said that he was going to present something here.

CHANTELLE DOERKSEN: I can check. It's probably one of the CPH sessions.

JONATHAN ZUCK: Maybe.

RICARDO HOLMQUIST: If it's not there, I want to go there and then report back on that presentation.

JONATHAN ZUCK: Okay. All right, great. And you're taking down the names of the people? All right. So again, just to reiterate—I won't repeat this each time, but it's not going to be a long presentation about everything they discussed, but really try to extract anything that you think is relevant to the conversations we've had and anything we should do about it. That's really the real issue, I think.

All right, so then there's the... Yes.

CHANTELLE DOERKSEN: Thanks, Jonathan. One quick question or comment on the sessions that do happen in the past. What we could do is take a volunteer that could review the recording and just see if there's anything noteworthy for At-Large as well.

CHERYL LANGDON-ORR: Chantelle, I just want you to double check that the DNS Abuse Standing Committee of the ccNSO is in fact an open meeting anyway, because it appears to me looking at that that it could very well be the committee within the ccNSO having its meeting and then the report writ large to the public from that committee is happening on the Wednesday. So it may very well be of benefit to make sure we've got the Wednesday covered, but whoever does coverage for Wednesday may benefit if there is a recording. But I suspect it might be one is, to use León's parlance, private, and the other is open. Double check. Thanks.

JONATHAN ZUCK: So do we have somebody that's willing to volunteer to go to the ccNSO DNS Abuse Committee update on Wednesday? Don't all raise your hands at once because then it's tough to decide who. Hadia, are you volunteering? Okay, thank you. So are there more on the next slide, more sessions? It's hard to believe that's all the DNS Abuse sessions.

MAUREEN HILYARD: We've also got Lianna from ccNSO, who was the ccNSO liaison. I don't know if she's here.

JONATHAN ZUCK: Yeah, I don't either. Okay, internationalized domain names and universal acceptance. So in terms of sessions there, there's quite a few that are relevant. There's one tomorrow of the ccNSO working group on IDN strings. Is that something that someone is interested in covering? Are you volunteering again? You are. Okay. Turn on your microphone.

HADIA ELMINIAWI: Sorry. So I am part of this group, so I'm going anyway, but I'm not necessarily volunteering. Thank you.

JONATHAN ZUCK: Maybe it makes sense, Satish or Hadia, maybe you could walk us through these meetings because you understand what they are and that we'll have a sense of which ones we should cover and who might be good candidates to cover them.

SATISH BABU: Thanks, Jonathan. So not all these meetings need to be reported because some of them, like the first two sessions this morning, are highly technical, and we're going to come back to the CPWG after this meeting is over with the summary of recommendations. The UA, there are two or three sessions that we can report back. We will do that.

JONATHAN ZUCK: Meaning you've got them covered, you think, all the sessions that are ...?

SATISH BABU: All the sessions are not reported. For instance, the fellowship, it's just an explanation of what universal acceptance is to the fellows. That doesn't need any reporting. So whichever needs to be reported, we will come back with that.

JONATHAN ZUCK: Okay. All right, sounds good. Do you want to go to the next slide? I guess we can go do subsequent procedures last. So there's a meeting tomorrow of the Transfer Policy Review Working Group. There was one this morning as well. But do we have somebody that's able and willing to go to the Transfer Policy PDP Working Group? Is Steinar with us at this meeting? Online. Okay. I guess we can imagine that he's going to attend that meeting virtually then, probably. So let's assign to him, but let's make sure he knows the expectation. I don't want to surprise him on Thursday. Okay. Next slide.

All right. So no specific sessions on holistic review. We have our recurring advocate on holistic review, Sébastien Bachollet. So there might be opportunities for the topic to come up, but there's no specific sessions. Next slide. Is that it? Okay. And no sessions there either, it looks like.

CHERYL LANGDON-ORR: On this one, the governance and operations aspect, there's a few issues here in our talking point that if you have the opportunity to bring up, does, I think, our general raising of voice and the concerns of not necessarily just the end users, but the volunteers, those of us here, that are trying to bring the voice and interests of end users forward into this

forum. So we do need to take opportunity wherever possible to note that we are an integral part of the multi-stakeholder model that is the success of ICANN. And without us, it is not a multi-stakeholder model. So do the not about us, without us aspect of things. We do need to take the opportunity to remind people that for volunteers, those of you who are not gainfully employed in a similar field, this is literally a huge impost on a very rare thing that you have, and that is spare time.

And whilst there are volunteers throughout the ICANN communities, people who may not have their primary work or interest, they might have a law firm, but if they also happen to specialize in intellectual property law, then there's a very good reason for them to be here at this sort of meeting. That is not the case with most of our people.

And I don't know about all of you, but I've spent an awful long time feeling undervalued in this organization. And there's an opportunity for change to get some, at least, value recognition for the volunteers who, if not are us, are those who follow us. So don't miss the opportunity to take a very rational, very real couple of points. Don't forget. Thank you, Jonathan. Back to you.

JONATHAN ZUCK:

Thank you. Definitely very important points, Cheryl. And this sort of falls under the look for opportunities to bring these issues up, even though there's not a session devoted to them. Part of the conversation with the Board is actually on that very issue. One of the outstanding pieces of advice that we did in 2017 in conjunction with the GAC has to do with easier onboarding of new volunteers through better summaries of documents and things like that. So there's little ways that this crops up

all over the place, and you'll notice them. So don't treat my going through it quickly here as a prioritization of the issue. We were just trying to prioritize getting assignments. Please do download this document and read this document so that you're prepared to have these conversations whenever they come up. Sébastien.

SÉBASTIEN BACHOLLET:

Thank you, Jonathan, and thank you, Cheryl. I think we don't have a session written here, but what struck me is that we are not in a policy forum, and we just have a session about policy. But that's not totally true. It's maybe where we need to add the session about the listening session, future of ICANN and the next president and CEO. It's linked with governance of the organization. Even if it's not reflecting the topic we are here in the talking point, it's a place where we need to go, and we need to go, if I may, prepared. That means that if we can make change on that.

The second is that the session about how to enhance the multistakeholderism participation, looking at WSIS+20, it's also one place we will not discuss about the MSM as such, but how we are and could be a voice of the end user outside of ICANN in the direction of WSIS +20. Therefore, it's two topics, two sessions that we need to go, and we need to add them perhaps in one and the other in the holistic review or both in this one, it doesn't matter. But that's my suggestion.

And I really feel that it's not because there is no meeting as such that we can't discuss the topic with the people. And even there are some places where we discuss about topics, but we don't know that it will happen because it's an open meeting. We have also the place where the Board

will be seated in front of us, and we will be able to open discussion or answer discussion. Therefore, those talking points can be very useful for that session with the Board, with the full community.

JONATHAN ZUCK:

Right. The meeting with the Board has a very specific itinerary, but I think that you're right about us showing up to the listening session. I think that's a good idea for us to do without question. I don't know the degree to which we'll be able to prepare for that in terms of having our own view of what the CEO should be. I don't think any of the groups are prepared to give sort of consensus views on that, but if we get opportunities to talk about that more, we certainly can.

SÉBASTIEN BACHOLLET:

Sorry, I was talking about the public forum. It's another place where we can bring topics and be ready to answer questions, even if it's not addressed to us but addressed to the Board. Sometimes there are things said in those forums that could be useful that somebody from our team...

JONATHAN ZUCK:

Sure, the public forum. Yeah, definitely. Everyone should attend that, if only to play bingo. So, yes, that's definitely an opportunity. The public forum used to be a more used thing than it has been recently. I think it will start to be again, perhaps. So what is next in terms of sessions? What's going on with subsequent procedure sessions? Do we need to go back to the top?

There's going to be a lot of sessions related to subsequent procedures, and they may not all be in here. For example, sort of late in the game, they added a session that is, in fact, tomorrow on subsequent procedures. It's an unconflicted session, so I think it's well worth everyone attending and being aware of it. This doesn't look like there's a session to assign anybody to on this. What about other aspects of subsequent procedures?

I guess there was one, again, this morning. Prospective future TLD applicants. Okay. That was the Brand Registry Group. There's a session that we... The subsequent procedure section, I was talking about issues and next steps, that's at 9:00 tomorrow morning. It's unconflicted, so I think it's a good idea for everybody to be there. Is there anybody that would volunteer to make a report on it to really think about what the action items from it might be? Amrita, excellent.

All right. And then we also have our own session that's related to ODA and ODP later in the week. What else is there with subsequent procedures? Are there any more meetings that we need to try to assign people for?

SÉBASTIEN BACHOLLET: You will need to push the walls for ICANN At-Large session on subsequent procedures. You will not have enough seats available for people.

JONATHAN ZUCK: For which session? For the ODP session?

SÉBASTIEN BACHOLLET: Yes. Push the walls.

JONATHAN ZUCK: Maybe, yeah.

MAUREEN HILYARD: [inaudible]

JONATHAN ZUCK: Okay, so you're going to the GGP meeting and you'll come back with action items and talking points from that. So that's Maureen and Sarah. What's next? Again, these are important talking points. So don't skip them when reading. We're just skipping them when assigning people to show up to meetings because I think PICs and RVCs are going to be a very important thing to us in terms of enforceability of these registry voluntary commitments. It's going to be an important issue for the ALAC. Next slide.

All right, I think we've made it through the assignments. Thanks, everyone, for participating in that experiment. Remember, on Thursday, your name's going to get called. And let's see if we can get in a habit of grabbing our action items from around the community.

So the next thing I wanted to do is give a little bit of time to [Jan and Hortense] who are talking about legitimacy of the multi-stakeholder governance at ICANN. They did a huge study. They were bored over the pandemic and collected lots and lots of data and did a huge study on

legitimacy. They've done other studies in the past during the transition and other times and always very interesting. So I invite you to give your attention to Jan and learn a little bit about the research they did and where we can learn more and things, since time's limited.

JAN AART SCHOELTE:

Thanks very much, Jonathan, Maureen, everyone, for giving us a moment here. And thanks many of you sitting around the table for contributing to the work. So when you see some of these results, it's actually thanks to yourself because you're looking at yourselves.

So we did this study indeed. Is the slide deck okay? Because I should say also we're going to run through this extremely quickly. As Jonathan said, we spent all of our lockdown times staring at our numbers. So we've got lots and lots of data we could say, but we're just going to give you a very brief taste and then if you want to dig into some of it later, maybe we could also have a more extended session at another time.

HORTENSE JONGEN:

Great. Thank you. So as Jan Aart just mentioned, this is going to be the short presentation. We have a lot more data and findings that we could present. But we'll touch upon three issues today. The levels of legitimacy at ICANN, what drives legitimacy at ICANN, as well as the implications of some of our findings. If we could go to the next slide, please.

So what we'll touch upon today is first of all briefly introduce the study. So what is the research problem that motivated us to conduct this research? Then we'll talk about legitimacy, how we understand

legitimacy and why we think it is important to study legitimacy, not only from an academic perspective, but also from the perspective of many of the participants at ICANN that we interviewed for this study. And then we'll present the empirical results. We'll start with presenting some findings on the levels of legitimacy beliefs towards ICANN. So how strong are these legitimacy beliefs and who considers ICANN to be highly legitimate?

Then we'll move on to the drivers of legitimacy beliefs towards ICANN and we'll look at organizational or institutional drivers of legitimacy, the individual drivers of legitimacy, as well as societal level explanations of legitimacy. And finally, as I mentioned before, we'll touch upon the implications of the findings for policy action. Next slide, please.

So the research problem that informed this study is how far and on what grounds does multistakeholderism as a mode of global governing gain legitimacy. And this translated into two specific research aims. First of all, we wanted to measure the levels of legitimacy beliefs toward a key multistakeholder apparatus, ICANN. And second, we wanted to understand, to identify what generates or limits those beliefs. And as Jan Aart will also mention in a minute, we understand legitimacy, these legitimacy beliefs as confidence in a specific governing institution.

So how do we study this? Since we're interested specifically in legitimacy beliefs, legitimacy perceptions, we conducted a large number of interviews with participants in ICANN, Board, staff, community, as well as a large number of people who do not participate in ICANN. Next slide, please.

JAN AART SCHOELTE:

Okay, you probably wonder a little bit why would we spend how many years staring at this concept of legitimacy. So just to cover that briefly. So what's legitimacy about? It's that when people believe and perceive that an authority, that a governing power, has the right to rule. So basically it's saying, do people have the view that ICANN has the right to formulate and administer certain rules for the global Internet, and does it do so in a proper way?

Legitimacy here is not just about liking a particular policy, or liking a particular measure, or liking a particular leader of ICANN. It's about believing in the arrangement itself, believing in the structure itself, believing in the multi-stakeholder model as it manifests itself in ICANN. Next slide.

Now why is that important? If you have legitimacy, or if you don't have legitimacy, if you have legitimacy, it helps to acquire a mandate. If you don't have legitimacy, you might lose that mandate. If you have legitimacy, you'll more easily get resources, in this case for ICANN. If you don't have legitimacy, it's going to be harder to get the resources. If you have legitimacy, you'll get participation. People show up around this table. If you don't have legitimacy, the room's empty. If you have legitimacy, you can take decisions. If you don't have legitimacy, it's much harder to take decisions. If you've got legitimacy, you'll get compliance. People will follow your rules. If you don't have legitimacy, then people say, well, who are you to make the rules, and they don't follow the rules.

If you get people to comply, then maybe you can reach your goals. If you can reach your goals, you can advance problem solving, and, not least

in the ICANN space, if you have legitimacy, you can hold off the potential competitor institutions. If you don't have legitimacy, then other people will crowd into your space. Anyway, this is why we think legitimacy is really important to study. If you have it, it's an enormous institutional resource, perhaps one of the greatest institutional resources that ICANN can have. If you don't have it, you're in trouble.

So, how much legitimacy does ICANN have? That's what we'll talk about first. And then once we know how much legitimacy ICANN has, what drives it? What are the key things that make legitimacy happen for ICANN or not? And I think there you may find out that there's a few surprises, things that you assumed would drive legitimacy but don't turn out to, and maybe vice versa. That's it. Next slide.

HORTENSE JONGEN:

When it comes to the levels of legitimacy beliefs, so how much confidence do participants in ICANN have in this regime, we arrive at five key findings. First of all, when we take all the audience together, the average levels of legitimacy beliefs towards ICANN, they are neither so high as to warrant complacency, but they're also not so low as to prompt alarm.

When we ask them, how much confidence do you have in the current workings of ICANN overall, the overall verdict is moderate to high legitimacy. However, we also see that the levels of legitimacy beliefs, so the levels of confidence in ICANN, they generally correlate with closeness to the regime. So it's fairly secure legitimacy on the inside, and then somewhat more wobbly on the outside. So we see that members of ICANN Board, ICANN staff, they generally have very high

confidence in ICANN, and then it slightly starts to wane off when we move to the community, people who are informed of ICANN but do not participate in it, and then it's even lower amongst general elites or people who might not even know of ICANN, which is the case for many people, for the public at large. Next slide, please.

So the third finding is that several exceptions aside, legitimacy beliefs within the ICANN sphere show limited variation by stakeholder group, by geographical region, or by social category. So we don't see large differences, and it was actually a surprising finding for us between these different groups.

There is no glaring Achilles heel of vulnerability in any quarter, but it also means that there's also no striking concentration of ICANN champions, perhaps with the exceptions of the staff and the Board. And as I mentioned before, when we really go to the public at large, we're mostly talking of alegitimacy, because there are many people who are not aware of ICANN and so have no opinions one way or the other. Next slide.

JAN AART SCHOELTE:

Okay, so we've gone through that really, really quickly. We could give you all kinds of graphs and slides to break that down into detail, but that's not for now. Question here, though, is to say what are the drivers of legitimacy? What are the causes? What are the sources? This is really key, because if you can identify what are the key things that give ICANN legitimacy, then you know what are the most important things to enhance in order to enhance legitimacy. Or, if you want to do ICANN down, the key drivers also tell you where you should focus your attacks,

because that's then the place that is most vulnerable. So there are lots of factors that could matter, but what we tried to do in this research is to identify those factors that look to be the most important. So if you want to raise ICANN legitimacy, what are the things that you most have to address?

The three general types of drivers, organizational, individual, and societal. Let me tell you what I mean by those. Next slide, please. Organizational drivers, this means that legitimacy comes from the nature of the organization ICANN itself. So the way it runs, what it does. So organizational drivers, you could also call it institutional sources of legitimacy, if you like. This means that, for example, the purpose of ICANN. Some people might believe in ICANN, they might have faith in ICANN because of what it does. It provides the global Internet. And people might simply believe in that purpose, and no matter how well ICANN does or doesn't perform, the fact that ICANN does what it does is enough to make people believe in it. That's one possibility.

A second is the procedures of ICANN, that people look at the way that ICANN takes and implements decisions and then give it legitimacy according to their judgments of the institutional procedures. Or it might be that the organization's performance, how well it delivers goals, that that's what people most assess when they make judgments about legitimacy.

Anyway, in brief, one area where the sources of legitimacy might come from would be the way that ICANN works. Next slide. But it's important for you also to realize legitimacy might not only come from the way that ICANN works. Legitimacy can also come from the way that your own

minds work. In other words, it's not ICANN, but it's the people who are looking at ICANN and the judgments that they make. So to give you just one general example, you probably know that people sometimes have a trusting or not trusting disposition as a personality. They trust people or they trust society. They trust governments or they trust authority. And depending on that personal characteristic, that will influence whether they are going to believe in ICANN or not.

To some extent, when it comes to those individual sources, there's nothing you can do in terms of institutional reform to change that. You'd have to change the personality of the people. And I don't know about you, but I find that usually hard to do. But just to remember, it's not always institutional reform that's going to change confidence levels. It can also have to do with people and the way they look at life. Next slide, please.

And then another area is the way that general society is organized and that the sources of legitimacy might lie there. Just to give you one example of that, if you remember 10 or 15 years ago, in the ICANN space, if you said, ICANN should look at human rights, and everyone would say, human rights, why is it relevant? Or a lot of people did. But then by the time you went through the IANA transition, the new bylaws and the like actually contained elements that said ICANN should look at human rights. Why did that happen? Well, it wasn't because people in ICANN were necessarily pushing for it. But the general norm in society says that if you are a good governor, you have to respect human rights. So then the pressure for the legitimacy is coming from wider society and not from the institution. So all of this is just to say it's pretty complex to figure out where legitimacy comes from. Having said that, we've got

some fairly specific results that we can share with you now. Next slide, please.

HORTENSE JONGEN:

So let's move on to the findings. And let's start with the organizational drivers of legitimacy in ICANN. So we find that participants at ICANN tend to have higher confidence in ICANN to the extent that they're satisfied with several aspects of ICANN's purpose as well as several democratic and fair procedures.

Specifically, if participants in ICANN find it appropriate that ICANN develops policy for the DNS and promotes the global spread of the Internet, then they are more likely to have high confidence in ICANN. So the more appropriate they find this, the more likely they have high confidence in ICANN.

The same is the case for accountability and transparency. Again, respondents who are more satisfied about accountability in ICANN or about the extent to which ICANN is transparent in its decision-making procedures, they're also more likely to have high confidence in ICANN. And of course, the reverse is also the case. Those who are dissatisfied with accountability in ICANN are less likely to have high confidence.

Finally, we also find that perceptions of fairness are very important, fair procedure specifically. So when respondents perceive that ICANN takes decisions in an unbiased way and implements policies in an unbiased way, they're also more likely to have high confidence in ICANN. Next slide.

We found mixed evidence that perceptions of ICANN's technocratic procedures, so perceptions of timely decision taking and technocratic performance, so promoting the technical security and stability of the internet, that these aspects affect legitimacy perceptions toward ICANN, which basically means that some of the models that we ran, we do find such associations, and in others, we do not find such associations.

So something seems to be going on here, but we don't have really firm evidence for this. We find no or insufficient significant associations in respect of other organizational factors. So some other aspects related to purpose, procedural indicators and democratic and fair outcomes. So for example, promoting human rights. So an implication of this is that in order to sustain and enhance ICANN legitimacy, one can emphasize and upgrade the organizational features where we find statistically most significant associations.

I should also mention that we find no significant associations. So I mentioned before also human rights. It doesn't mean that respondents don't find this important, because actually we see that many respondents find this important, but it just does not seem to shape, explain variation in legitimacy perceptions. Next slide, please.

So let's move on to the individual drivers. So we found that legitimacy for ICANN rises to the extent that participants are in the ICANN Board and ICANN staff rather than the ICANN community. So members of the ICANN Board and staff, they have higher confidence in ICANN. And also respondents who feel that they have personally benefited, benefited personally from ICANN and its policies, they're also more likely to have

high confidence in ICANN. And several other individual level factors that we tested such as age, gender, length of involvement, number of meetings attended, geographical identification, so do people have more of a national identity orientation as well as levels of social trust, we do not see that these factors affect legitimacy perceptions toward ICANN. Next slide.

Next we look at perceptions of inequality in ICANN. So do respondents perceive that there are inequalities in influence in ICANN? And if so, do these perceptions of inequality shape their legitimacy beliefs toward ICANN? And here we focus on aspects such as age, gender, geopolitical inequality, ethnic racial inequalities, and language inequalities. And we see that many respondents observe such inequalities, find them problematic, but then they almost never associate with legitimacy perceptions toward ICANN. With one important exception, and that's perception of problematic geopolitical inequality. So perception of inequality in influence between participants from the global north and global south. Here we find that when respondents perceive that such an inequality exists, that they are less likely to have high confidence in ICANN.

Preliminary findings also suggest that confidence in ICANN decreases to the extent that participants perceive that profit making drives policy making. However, perceptions that a business sector has strong influence in ICANN have no significant association with level of confidence in ICANN.

And finally, we find no relationship, neither positive nor negative, between perceptions of U.S. dominance and levels of confidence in

ICANN. Both for respondents who have lived in the U.S. and those who have never lived in the U.S.

JAN AART SCHOELTE:

So just a last slide to summarize. In brief, so this has been very, very quick and I'm sure you have 150 questions for everything we said, and rightfully so, because all of these things are problematic when you start digging into them. But in sum, if you wanted to promote ICANN's legitimacy, if you wanted to raise confidence in ICANN, then the main things, according to this analysis, that you should do, if you accept the analysis, the main things that you should do are highlight the purposes that ICANN does, what it delivers in terms of its general mandate.

Promote its transparency and accountability. That really matters. Promote the sense that there is an unbiased, fair, no double standards kind of way of making and implementing decisions. Emphasize increasing participation from non-Western or non-Northern regions. That's the inequality that matters. More than gender inequality, more than language inequality, more than age inequality, more than ethnic and racial inequality. The North-South inequality is the one that really matters, according to this analysis. It's not that the other issues aren't important, but this is the one that really drives legitimacy.

Make people feel that either they personally or their country is benefiting from ICANN. That apparently is a big driver. And don't let ICANN appear to be crudely driven by business and profit. People don't worry about the fact that business is important, but they do worry that a profit motive would override other things or override everything.

As far as the U.S. role, the IANA transition seems to have been successful in removing the perception that a U.S. dominance is undercutting legitimacy. Again, I'm sorry that we've had to be so very, very quick and we're quite happy to come back another time and go into more detail. I know that you're over time at the moment.

JONATHAN ZUCK:

Thanks so much for joining us. Obviously, the legitimacy discussion is part of the plenary conversation that's happening here in the ICANN meeting, and then when that actual meeting, the WSIS meeting, happens, that'll be an issue as well. The one quick question I had is the difference between outsiders and the public. Who were those outsiders?

JAN AART SCHOELTE:

On the one hand, we talked with people who are in the Internet ecosphere but are not involved in ICANN. The type of people that go to the IGF but don't come to an ICANN meeting, let's say. So they know about Internet governance but they don't know inside. We thought that's interesting because they might be the people who came and had a taste and then ran off.

JONATHAN ZUCK:

All right. We've got a few quick questions. First is Hadia.

HADIA ELMINIAWI:

My first question is actually linked to Jonathan's question. Who were you looking for legitimacy among? How did you decide where to look

for that legitimacy? That's the first one. And then the second, I would always think that also one important aspect of legitimacy is to justify why you should be doing that role. And I don't know if this actually is reflected in the report. Thank you.

HORTENSE JONGEN:

Shall I respond immediately? Thank you. So the question, [whose legitimacy,] we conducted most interviews with insiders, so the Board, the staff, the community. Then we conducted interviews with the informed outsiders, as Jan Aart just explained, so people who participate in Internet governance but do not participate in ICANN specifically.

Then there was another study that Jan Aart conducted with several of his colleagues which studied the perceptions of general societal political elites around the world, and there they already found that many people do not know of ICANN. And then there's a reason why we didn't study the perceptions of the public at large, because the large majority does not know of ICANN or is insufficiently informed to really have an opinion on this or express an opinion.

JONATHAN ZUCK:

I've been informed that, I guess because of translation and things like that, we need to give people a break between sessions. So we need to call this session to a close. But we'll make sure that we have your information circulated to our list so that people can ask their individual questions. So with that, I think we're on a break until our subsequent

procedures deep dive. Thanks, everyone, and thanks, Jan and Hortense, so much for joining us.

[END OF TRANSCRIPTION]