
ICANN81 | AGM – GNSO: NCSG Membership Work Session
Sunday, November 10, 2024 – 16:30 to 17:30 TRT

ANDREA GLANDON: Hello and welcome to the NCSG Membership Work Session. My name is Andrea Glandon and I am a Participation Manager for this session. Please note that this session is being recorded and is governed by the ICANN Expected Standards of Behavior and the ICANN Community Anti-Harassment Policy.

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JULF HELSINGIUS: You may begin. Thank you, Andrea, and welcome everybody. Can we have my presentation? Please. No problem. Thank you. Right, I think you can change the slide. Thanks. So, we have some changes. Next one. Oh, I guess I can do them myself. Can I? Okay, thanks.

So, first, I want to thank our outgoing councilors, Stephanie and Wisdom, for their great job, and thank you for all you've done for the organization. Thank you. We also have Benjamin living the NCUC Chair position, and again, especially, we all remember his extremely well-

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done outreach and all his contributions, so thank you. And then, you are all going to be thankful for the fact that you're going to be rid of me in a couple of days. Next slide, please.

ANDREA GLANDON: Thank you for doing a great job, Julf.

JULF HELSINGIUS: Then we have the incoming councilors, Farzaneh, me, and Bruna. A new NCUC Chair. Wisdom, welcome. And a new Chair for NCSG, Rafik. Can we get the agenda again, please? Thanks.

Yes, so we have a pretty tight agenda, so let's move on to that directly. We next have a presentation from the ICANN's review team. I'm going to hand it over to Jason. Thank you for coming, and we are really interested in what you have to say.

JASON KEAN: Thank you very much. Hello, everyone. My name is Jason Kean. I'm from Review, Support, and Accountability, and at your request, I'm here to discuss the Continuous Improvement Program and the Pilot Holistic Review. If you could go, Andrea, to slide four, please.

So, to provide a context, the ICANN Reviews Program consists of specific reviews and organizational reviews. Recommendation 3.6 from ATRT3 recommended that organizational reviews evolve into a Continuous Improvement Program. They also recommended the creation of a new review, the Holistic Review, and here what we're

showing is the four traditional specific reviews, which were essentially put in place to ensure ICANN was meeting its accountability mechanisms during the transition. And then we have the Holistic Review placed with arrows going back and forth to show an intimate relationship between the Holistic Review and the Continuous Improvement Program.

Next slide, please. If you look, a lot of work is underway for the pilot of the Holistic Review and the Pilot Continuous Improvement Program. All organizational reviews, however, have been deferred while the Continuous Improvement Program work is being undertaken, and the other specific reviews are yet to be determined, but we don't necessarily have to discuss that today. Next slide, please.

This is just showing you three work streams for reviews at the moment. We have Continuous Improvement Program. You can see at the far left, there's the framework, and we're approaching a public comment proceeding, which will open up after this meeting, and then depending upon the outcome of that, the start of the assessment period for continuous improvement. Underneath that, you see the Pilot Holistic Review, which began its work in September and is expected to deliver its final report in December of 2025. At the conclusion of that, the report will go out for public comment and then Board consideration thereafter.

Next slide, please. So, to get into the Pilot Holistic Review first, a little background. Again, this was an ATRT3 recommendation. The Board approved recommendation 3.5 as a pilot. The community developed a

terms of reference for the Pilot Holistic Review, two public comment proceedings over the course of two years, and the Board initiated the Pilot Holistic Review with specific directives. Next slide.

So, here's a timeline of essentially a roadmap for where we've gone. Following the initiation of the Pilot Review by the Board, there was an open call for volunteers. The review team selection was then done at the SO/AC chair level. The chairs also selected, in addition to the review team members balancing for diversity, they also selected the leadership via co-chairs, which was new. This announcement was made on the 13th of September, and the inaugural meeting for the review team happened on the 30th of September. We're expecting the draft report to go out for public comment sometime after May, and as I mentioned before, delivery of the final report to happen in December of 2025. Next slide, please.

Okay, a quick review of the purpose of the Pilot Holistic Review, and this is where a lot of the work is currently focused for the review team. Define the relationship between future holistic reviews and organization reviews or a continuous improvement program. If you take a look at the current principles being developed by the continuous improvement program, there's direct overlap between those principles and the objectives of a holistic review. So, that relationship really needs to be defined, because it will determine both how a holistic review assesses a continuous improvement program and also what a continuous improvement program could expect to be looked at as it develops and progresses forward. Next slide, please.

So, there are some objectives as well. There were a lot of questions from the Board and gaps that were identified. So, the purpose is to really develop methodologies and guidelines for how a future holistic review would be conducted so it could be consistent with ATRT3 expectations. You see the four primary deliverables, there are 12 in the terms of reference, are related to the four objectives of the holistic review.

Review the effectiveness of various inter-SO/AC and NomCom collaboration mechanisms. Collaboration is a principle of the continuous improvement program. Guidelines for the review of accountability of SO/ACs or constituent parts to its members and constituencies, also a principle of the continuous improvement program. Three, guidelines for the review of SO/AC NomCom as a whole. This is being tied to the collaboration between them and how they work together, but this is continuing to develop. And four, this is directly related to the CIP, guidelines for the review of continuous improvement efforts of the SO/AC NomCom based on good practices. So, again, direct overlap of these two projects. Next slide, please.

So, the communications and engagement, all of this work is happening actively. There's a wiki page that's being updated following every meeting, so you can track the team's work. The teams, as it progresses, will also be providing updates with the respective groups along with the CIP updates, so there's some collaboration on that level as well. And the Board appointed member, who is Leon, will be updating the OEC and the Board as it progresses also. There will be opportunities at ICANN sessions as the work of the team progresses and it's relevant to

move that work forward. And there will be a public comment proceeding to promote the draft report and final report and, of course, publication of summary reports as well.

One unique thing here is prior to the submission of the final report to the Board, there will be correspondence with the SO/AC chairs to ensure that this process was conducted transparently and met their expectations as originally outlined in the terms of reference. Next slide, please.

So, I'll stop here. That's the pilot holistic review, and we'll overlap a little bit more with CIP, but I'll see if there's any questions on the pilot holistic review.

JULF HELSINGIUS:

I actually have one quick question. Something we've been wondering a lot about is actually how the members of the team were selected because we submitted candidates and we actually are not represented at all, so that's a concern for us.

JASON KEAN:

Absolutely. So, the way that the structure, the process works as outlined in the operating standards for specific reviews, all nominations go to the SO/ACs and the chairs ultimately then select based off of the nominations received.

JULF HELSINGIUS:

So, it was a GNSO chair?

JASON KEAN: Yes.

KATHY KLEIMAN: Kathy Kleiman, is there anything out there in writing? Should we be commenting, especially if we're not represented? There's no one to brief us on what's going on except you, so we're glad you're here. What's kind of next steps?

JASON KEAN: Yeah, absolutely. That's a great question. So, what we can do is as we provide briefing materials to all the members in the group, we can provide them to all groups as well, so we can disseminate that information widely. It's all going to be consistent too.

KATHY KLEIMAN: With clear instructions, please, about what type of input you're seeking and what to do if we hit the roof on something, if we look at something and we're like, wait a second.

JASON KEAN: That's a great question. So, the approach to the deliverables is currently being gone through, but I mentioned, Andrea, can you actually go back a few slides for me to slide 10? These four deliverables will drive the other eight. So, there is going to be socialization and discussion so that there is understanding and community alignment

behind these before the other deliverables are tackled. So, this is definitely going to be a point where input's going to be solicited broadly prior to the draft report. So, we will flag that as well, and that'll probably be a much more robust communication.

PETER TAIWO: Yeah, thanks so much. Just wanted to, like, follow up. Since members, we don't have any representatives and staff, so how do we ensure that, or let me ask this way, is there ways for us to observe what is going on so we can be carried along?

JASON KEAN: Absolutely. So, you can actually subscribe to the email list. All the meetings are posted. You can attend the meetings as an observer. All that information is updated regularly on the wiki page.

ANDREA GLANDON: We also have a question from Stephanie Perrin online.

STEPHANIE PERRIN: Thanks very much, Stephanie Perrin, for the record. I just wondered, did I miss, is there a slide here with the members of the group on it, or do we have to go to the wiki for that? Because, obviously, we could reach out to members of the group and ask our questions directly if we're going to follow this.

JASON KEAN: Yeah, I do not have a slide on here, but it is on the wiki page, and I can direct you also to the announcement, which contained all those members. Thank you.

JULF HELSINGIUS: Benjamin?

BENJAMIN AKINMOYEJE: Thank you, Benjamin, for the records. So, thank you for the presentation. My question has to do with the work of the CIP and some of the principles. So, the first question immediately was, what would happen to the amount of work that has gone into that process? What would the holistic review do with that? And then, also, the expressions or the consensus or whatever information that has been shared, how would that influence the holistic review's approach to things? Thank you.

JASON KEAN: That's an excellent question. I really appreciate it. So, essentially, we actually just disseminated the draft framework to the pilot holistic review team to let them know, hey, you're going to be looking at a continuous improvement program. Here's essentially what it's going to be, because I think the work of the CIP up to this date has been about developing that framework. So, now, what the pilot holistic review is coming in and saying, okay, we understand what you're trying to do, how the groups are going to be conducting their work, but we're also looking for what is that program at the end state going to look like,

because that's going to inform how a holistic review would do any of its assessments, right?

I think the framework itself is more reflective of how the groups are going to be doing their work, but we want to push the holistic review to a much higher level of programmatically there's going to be an output. What is that output going to be? What is that output going to look like? And a future holistic review team receiving that output would do what with it? So, essentially, elevating the conversation to look at all the work the CIP has done, but to make sure that the holistic review at this point in time isn't delving in deep to the details of the individual groups themselves. Does that make sense?

BENJAMIN AKINMOYEJE:

Just a follow-up, if I can ask. Pardon me, please. Benjamin, for the record. So, since communities have shared and there were points of conflict or contentions, would holistic review take that work and assume that this is where the community stays, as well for us who do not have representation in the grouping? Could that be a means to get the views, maybe other views in the principles or just stick with the principle the way the principles are? Because the community has spoken about those principles.

JASON KEAN:

Just a clarifying question. Are you talking about the larger SO/AC or are you talking about discrepancies within the constituencies of an SO/AC?

BENJAMIN AKINMOYEJE: So, CIP right now has a globally agreed across the stakeholder about five principles. Would those principles be left that way because everybody agreed that this is what we can live with?

JASON KEAN: Got it. Thank you for that clarification. So, essentially, the way a holistic review would operate is those are just the principles that are operating, right? They wouldn't question those principles at all. A holistic review would say, okay, you're operating under these principles. You do your own assessment period, right? You have a public comment proceeding. Certain issues came up. Were they addressed, yes or no? If not, it would be flagged, hey, this seems like it was an issue that was not addressed. We recommend that you address this issue because of this data.

And just to elaborate on that, too, that's where it ends. It's not the purview of a holistic review to say, this is a problem we saw. Here's the solution you need to implement. It's strictly raising the flag of this is an issue that needs to be addressed.

KATHY KLEIMAN: This is Kathy Kleiman. So, a holistic review is going to take place while the working group is meeting?

JASON KEAN: No. So, essentially, the date of a holistic review has yet to be determined. But the cycles of continuous improvement program being a three-year period is still being worked out about when that would

conclude and how many of those would happen before a holistic review does happen. So, that's part of this development period. What we're trying to do, so everyone understands, is these were two different recommendations. And they're both being developed organically, the continuous improvement program and the holistic review. And we know they have a significant relationship, right? One exists because of the other, essentially.

So, what we're trying to do is, yes, we understand and acknowledge that these things are growing and developing organically, but we do have to consider what an end state looks like so we can answer those questions just like you asked.

KATHY KLEIMAN:

So, follow up, Kathy, again. You just mentioned an example, and examples are great, that you're going to go through that a working group did X, Y, and Z, but didn't do A, B, and C, and suggest that they go back and do A, B, and C, but they've disbanded by that. The working group is no longer meeting. So, how can they do A, B, and C?

JASON KEAN:

So, to clarify, I wasn't talking about the working group. I was talking about the actual SO/AC or constituent groups. So, when the continuous improvement program is operating, it's going to be under the activities that are operating within that SO/AC or constituency, if that makes sense. Were you talking about the community coordination group? I'm sorry. I'm not understanding.

KATHY KLEIMAN: Maybe I didn't understand the scope of the holistic review. It's of the SOs and ACs, not of the policy development teams and how they're working and how they're done.

JASON KEAN: Correct. Much higher level.

KATHY KLEIMAN: Can I ask you a question? Based on what Peter said, do we want to nominate, do we have people who could be observers? And can we take anyone who wanted to volunteer to be on the team and ask them if they want to be an observer and give their names, email addresses, and go through the process and get them signed up as soon as possible?

JULF HELSINGIUS: I'm sure we can nominate our observers.

JASON KEAN: Yeah. So, this is something we're continuing to work through, too. It used to be an official role observer, but now, because of the way technology has advanced, really, anyone can do it without formally doing it. So, all those, everything is updated online through the wiki, and anyone can attend any meeting as well. You can sign up and be on the list as well. Yep.

FARZANEH BADIEI:

Farzaneh Badie speaking. You have a deliverable number, too. I have not followed this issue, so, I might not be understanding. So, you have guidelines for the review of the accountability of SO/ACs or constituent parts to their members and constituencies. When we discussed on work stream on accountability of SO/ACs, we were very clear that any guidelines about the accountability of SO/ACs and any assessment is going to be in the form of recommendation. It's not going to be binding. So, it's kind of being prescriptive. Does that, like, that deliverable has been framed like that?

JASON KEAN:

I believe so, yes. And the main input from this will likely be a survey of the constituents within the SO/AC as well. So, what is not going to be happening is it's not going to be a thorough audit where a holistic review says, what are all your practices? What are you doing? It's literally what a group is producing for their continuous improvement efforts, because that's the work that everyone agreed, and that's what's aligned with the principles. So, that allows for that continuum and consistency across all groups.

ANDREA GLANDON:

Stephanie has her hand up. Stephanie, you can ask your question.

STEPHANIE PERRIN: Sorry, I was having an unmute problem. Stephanie Perrin, for the record, someone had posted the announcement. It'd be a really good idea to put that up in the wiki if you're relying on the wiki as the communications mechanism to everybody, because I've been going through the mail archives, and it's very hard to find the list of folks. Seems to be very Board heavy, too. Quite a few former Board members on the list.

Anyway, I think we really want someone on that, not just the privilege of watching it happen. Thanks. We never get any civil society folks on the Board, so it's pretty important that we are allowed to criticize from the actual participation in these things. Thank you.

JULF HELSINGIUS: Thank you, Stephanie. I think that's something we need to take up with GNSO leadership. Just checking procedurally, do you still have sort of more representation or?

JASON KEAN: I do, but I think we covered most of it with the CRP.

JULF HELSINGIUS: Okay. Just concerned about this time schedule, so I want to leave enough time for you.

JASON KEAN: Any other questions related to this? No? We do appreciate everyone's patience as this continues to evolve. Again, these are being developed organically, and we're trying to be forward-looking to understand where is it going to land for everybody? What do the groups need to expect at the end of the day? What are going to be the requirements? These are great conversations to have, and as these questions arise, we really appreciate them being forwarded onto us.

JULF HELSINGIUS: Thank you. This was extremely useful and interesting for us. Thank you.

JASON KEAN: Appreciate it. Thank you for having me.

JULF HELSINGIUS: Moving on, I'm going to talk about the human rights impact assessments. I think that's Farzaneh.

FARZANEH BADIEI: Yes. Farzaneh Badiei speaking. I have all these, me who has 25 minutes? Well, okay. I have 15 minutes. I don't know if all of you could attend the meeting that we had this morning about human rights impact assessment and DNS abuse. This was a joint meeting with the Contracted Party House DNS abuse working group and Michaela from Article 19. In collaboration with them, we designed this session. Because as a civil society, we emphasize the importance of upholding human rights when mitigating DNS abuse. We have been

communicating with the contracted party house and with ICANN that the mitigation of DNS abuse should not lead to human rights violation.

We have also been clear on that they should not just have quantitative success measures. For example, this many domain names, 3,000 were taken down and hooray, and we are winning. We believe that a successful mitigation of DNS abuse is whether the DNS abuse report was processed based on evidence and also whether there was an actual assessment of any human rights impact if the registrant had access to appeals mechanism. Also, takedown is not always for us a success measure because then that would lead to incentivizing registrars to just take down the domain name.

We were discussing and some stakeholders said that we are not very clear how DNS abuse mitigation could impact human rights. So we decided to bring people together and through a few scenarios do these human rights impact assessments of DNS abuse mitigation. The scenarios were mostly made up and we also discussed it through different breakouts and we had questions such as whether the scenario was actual DNS abuse, what sort of mitigation mechanisms registrars would use that could have an impact on human rights, which human rights could be impacted, and questions like that.

So, this is like a preliminary conversation that we have started with the Contracted Party House, but also with the rest of the community to show them that registrants actually have rights and not all of them are bots. Because when we were talking about human rights in one of the preliminary sessions a few months ago, I think it was the last ICANN

meeting, somebody in chat said, “Yeah, as if bots have rights.” So, we decided to show them that, yes, domain registrants actually have rights and it could be impacted by DNS abuse mitigation.

So I think it was a very interesting session. Some of the, I don't want to call them outcome, but some of the things that we discussed, for example, was that, okay, so the registrar should not like immediately suspend the domain name, but they should contact the registrant first and see what is going on in scenarios that can have potential human rights impact. And also, there were a few other conversations, which I think one of them was very interesting and important was that, okay, so when the registrar identifies this abuse through a report or identify themselves, they might have to do a balancing of rights, which is not ideal because we don't want registrars to do balancing of rights.

So, I thought that maybe one of the things that NCSG could do in the long run, we could work on a document about like guidelines on how to do human rights impact assessments when registrars face a complex issue, like a domain name registrant that is an activist and then there is an uprising and they get their domain name hijacked and then the website is doing phishing on the site. What should we do? How do they assess the human rights impact? So, that's one action item that I think NCSG, it would be helpful for upholding human rights and helping the registries and registrars with that kind of like balancing. I do not like that word balancing, but I have to say.

So we decided that this was a good session and that we should continue the conversation in Seattle. How we are going to design that session is

up to us and we will see if we can also like work with other stakeholder groups to come up with different scenarios. And so, that's about it. Michaela, do you want to?

MICHAELA SHAPIRO:

Hi, Michaela Shapiro for the record. No, Farzaneh primarily covered just about everything, the only thing I was going to add is one of the things we did to prepare for this session was to put together a kind of cheat sheet. So, the idea was to have a set of human rights that we saw as kind of the most obvious and the most relevant for this kind of work and we shared it.

It seemed like people were quite keen on it, which was really great to hear and I had included, the basics, right to privacy, freedom of expression, but a few that I think weren't quite as obvious like due process, transparency and accountability and so we really wanted to kind of come back and hone in on that. So, it's something that we can kind of circulate, we could make it something maybe more formal and pretty beyond just my, throwing things into a Word doc. But we found that people were referring to it and it was a useful place to kind of turn back to, in particular the group that I was facilitating was primarily registrars.

So a few people came in and commented, oh well data privacy, that's not really a human right, and that's where we kind of got to complicate that a little bit and say, "Well actually this is relevant for human rights." And this is, it ties really nicely depending on if you like that adjective or not into other discussions that are going on about WHOIS and the

urgent requests. And we want that to be on people's radars. We want people to be careful about the requests that they get, the kind of information that they give out and people were.

That wasn't shocking, but I think people didn't quite see the exact linkage to human rights. So having that and the list of some of the human rights instruments that maybe people aren't, especially in the North American context, maybe aren't used to talking about in the same way as I would say in the EU, among other countries where it is kind of that framework where people point to quite a bit, South America, Africa, I mean pretty much every other region. But yeah that's all I had to add. I'm excited to-- and hopefully if others here, I think a few of you were there, so if you had anything to add or contribute, please feel free to come in. Thank you.

JULF HELSINGIUS:

Thank you. I see Stephanie has her hand up. So Stephanie, go ahead.

STEPHANIE PERRIN:

Stephanie Perrin for the Record. Thanks very much for this update. This is a really important topic at the moment because I think we need more data. Well, I have a number of points.

Number one, totally agree that it's almost not fair to ask the registrars to be empowered to do a proper human rights impact assessment on some of these cases because not all of them follow politics, and we are at a period where there's a lot of foreign interference going on. And it stands to get worse in the next few years. I give you a few examples.

When we went out during the early days of the PPSAI, one of the registrars, I think it was Namecheap, that'd be a good one though, Namecheek. Namecheap, went out and did a survey of their registrants as to why they needed privacy proxy services, and they came back with all kinds of excellent material on things that had happened and abuse.

We kind of need a refresh on our inventory of abuse stories because that's 10 years old now. And for instance, we have a situation in Canada. We have a very large border, an impending immigration refugee crisis with folks coming across that border, including women seeking legal abortions and various other things that are legal in Canada but no longer legal in the United States. Some of these things never were, cannabis, for instance, LSD for treatment of PTSD in veterans, all that kind of stuff.

So, I think we can reasonably anticipate websites and domains being under attack to find out who's using their services from other countries. So, this is kind of very important, and you have to know the scene to do proper HR balancing of interests. You have to know the law, and that's asking a lot of a staffer and a registrar. I'm not saying registrars are incompetent, but the pay grade goes up. Thanks.

JULF HELSINGIUS:

Thank you. Pedro?

PEDRO LANA:

Yeah, just to comment about an interesting result of the session is that we can see that when presented to hypothetical scenarios, the

registrars actually try to think a little bit more on what are the details that's not so black and white result to simply answer, to complying with the request. But if you're a small registrar with low resources, you kind of tend to go towards that simpler answer.

So, maybe trying to build something on our side to provide them with a tool, a mechanism that creates this small push towards thinking a little bit more when receiving this kind of request for law enforcement would be something interesting, especially considering that they want to maintain their clients happy, and that would be some good reason we could work with.

JULF HELSINGIUS:

Thank you. Peter?

PETER TAIWO:

Yeah, thank you so much. This is very interesting conversations, and thanks for sharing your insight in the outcome of our meeting. I guess, looking at it from their perspective, they think that they are also interested in human right impact assessment, and maybe that's why they say, oh, let's balance this out, which is from their own point of view. We don't want any balancing of some sort.

Like you said, we need to come develop some guidelines and draft. And another thing that we need to be careful here also is not to have something sacrosanct, something that is rigid, because we don't know the complexity of the issues that we might have in the future. And we just need to have a kind of a guideline to say, you know what, this is

what we think that you should look at when domain name is under attack, and you are unable to reach the registrant, and we can work together or come up with a mechanism where during the process and they are doing that, the non-commercial should be part of that, not just only the registrar doing this thing alone.

So, we need to have these conversations, and develop that, and come up with what is necessary, mechanism, guidelines, and due process that can guide them to conduct the assessment. Thank you.

MICHAELA SHAPIRO:

Thank you. I absolutely love that idea, Michaela, for the record. Potentially one thing we could think about is I was recently at the IETF, and there's a human rights protocol considerations group there that has published a new version of their framework. And how they set it up is that it's essentially a set of questions that you should think through when developing a protocol.

And while not all the kind of questions that they're asking might be relevant for our work, it's something we could consider, maybe something like a version, an approach to kind of how to think through the different types of scenarios. We're not going to be able to capture everything. As you said, we want something that's future proof that can address the complexities of the issues, but maybe there's thought-provoking questions that we can put together.

JULF HELSINGIUS:

Okay. Kathy, Ken, and Benjamin, then I'm going to close in a queue.

KATHY KLEIMAN:

So, I wanted to congratulate Farzaneh and Michaela. This was really something incredible and very special that I've never seen in an ICANN meeting before. And, you'd think by ICANN81, we've created everything. But you guys, let me set the scene for you. It was downstairs. It was standing room only. And there were registries, registers, law enforcement, intellectual property. And of course, we were there. And you were brilliant enough to have paper, paper. And so, people are going around with this lovely colored paper that says DNS abuse and human rights. Oh, Andrea.

ANDREA GLANDON:

I just printed that one.

KATHY KLEIMAN:

And so, they've got the table. They've got it in front of them. There are what, 50 copies out there or something of individual rights and freedoms, the right to privacy, freedom of expression, the right to equal treatment, non-discrimination, freedom of association, access to remedy, and due process. It's one thing to hear it. It's another thing to see it and have it in your hands and have that checklist. So, I wanted everybody to give a round of applause to Farzaneh, Michaela, and Andrea. It was a great session.

And what began to emerge, at least in my group, which had the FBI in it, was that registrants can be targets. Just because there's phishing or malware on a website doesn't mean the registrant knows. Give the

registrant an opportunity to respond, due process. And that there are many, many different ways to look at a scenario and that we should be talking to each other.

JULF HELSINGIUS: Here, here. Ken and then Benjamin, can you try to keep it short because we're running out of time.

KEN HERMAN: Yes, thanks so much. Ken, Herman, for the record. Kathy just said a lot of what I was going to say that I'd never seen anything like that before. And an interactive session where people are standing up and actually doing things, it was a refreshing change from the sitting and listening and falling asleep in front of sessions. So, a lot of credit goes to that.

Clearly, there was a tremendous amount of interest because it was SRO and we needed a bigger space for it. A couple of takeaways from what I observed is that there's interest, clearly. And I see this in the work that I'm doing at Transfer Policy, there's a wide variety of the skills and abilities of registrars throughout the world. So, some are really good, some are not. And I think they can all benefit from guidance. And I think that's what I saw mostly in the outcome of the session. Was a yearning for discussion about this in a broader stakeholder capacity as well as some guidance.

But my one important, the one really interesting takeaway that I heard was a comment from the registrar group representative who said, "We love our registrants." And what that said to me is that they're not so

quick to respond to take down domains. When they do, they don't get paid. So, I'd say follow the money, but there isn't that much of an interest perhaps on their part on responding to do these things unless they're really pressured. So, I think the guidance that we can provide would be highly beneficial so they can weigh and judge in their favor what to do.

JULF HELSINGIUS: Thank you. Benjamin, very briefly.

BENJAMIN AKINMOYEJE: Thank you, Benjamin for the records. So, a follow-up from this is I heard someone also ask me like, so what is in plan? I mean, congratulations on your sessions. So, what is in the pipeline for capacity building of NGOs or civil society groups to even understand the entire concept and definition of DNS abuse? So, yeah.

MICHAELA SHAPIRO: Can I respond quickly? Michaela, for the record, we could do a webinar. That could be one option. We can talk maybe after this since we're tight on time. Thank you.

JULF HELSINGIUS: Thank you. So, next, we have something called the CADE project and Karolina and Kenneth talked about it. And I really, really hope you don't start the presentation by saying, hello, my name is--

KAROLINA IWANSKA: Wow. As a newcomer to ICANN, I'm like, I think I should laugh, but I know what he is talk is about. Okay. Thank you very much for giving us the floor and the space to present our project here very briefly. My name is Karolina Iwańska. I work as the digital civic space advisor at an NGO called European Center for Not-for-Profit Law. We are based in The Hague in the Netherlands, but we work regionally in Europe and globally to protect and promote civil society and civic freedoms more broadly, also in the context of new technologies. And I'm here with Kenneth, who introduced himself as well.

KENNETH HARRY MSISKA: My name is Kenneth Harry Msiska. I work for Forus International. Forus is based in Paris, France, but I work out of Lilongwe, Malawi. I'm the digital governance coordinator at Forus and Forus is a membership-based organization with about 60 members, being national platforms and six regional coalitions across the world. Thank you.

KAROLINA IWANSKA: So, I know this is a space full of acronyms, so now is the time to decipher what CADE or however you want to pronounce it means. I just pasted for our online participants a link in the chat that directs to the website of the project, and it stands for Civil Society Alliances for Digital Empowerment. It's a project that is co-founded by the EU, whose primary aim, and Kenneth will go more into the detail, is to really empower civil society to participate in internet governance processes, including ICANN, but our institutions had said that we are hoping to

infused with civil society participation are also ITU, IETF and IGF to a small extent because their civil society is more present.

So it's a project that unites nine partners. So apart from ECNL and FORUS, there are some names that you might be very familiar with in that project. One is Diplo Foundation, there's also KICTANet from Kenya, there's CIPESA from Uganda, there's PICISOC from Pacific Islands, SMEX from Lebanon, Karisma from Colombia and Sarvodaya Fusion from Sri Lanka. So we have a pretty strong geographic representation in our project. And I will pass on to Kenneth to tell you a bit more about what our goals are.

KENNETH HARRY MSISKA:

All right, so a little bit about the genesis of this particular project. We all are aware the role of the civil society organizations in terms of making sure that there is free and secure internet, but also civil society organizations have been key in terms of supporting principles like net neutrality, privacy protection and freedom of expression. So the CADE project is actually trying to make sure that there is effective participation of CSOs in standard setting bodies and those standard setting bodies like Karolina said, ICANN is one of them, then there is ITU, IETF and then the IGF itself.

So why is it coming now? The project actually came because we noted that there is limited voice in discussions and processes that are actually shaping the internet and that limited voice sometimes is due to financial as well as political challenges that are prevailing and also the issue of lack of knowledge and capacity. We know these are technical

discussions and CSOs may not have the capacity to engage in such discussions.

The other issue is also the lack of participation on the part of CSOs from the global south. So those are the three key issues that were actually key in terms of for the nine partners to come up with this particular project and the idea is to increase the capacity of CSOs to actually engage meaningfully in advocacy around internet governance. And just a few months ago we kick-started with a mapping exercise where we are trying to identify who are the key stakeholders, what kind of engagement is being done by CSOs, what are the challenges and so on. And we are recently completing the baseline study. The idea is to understand in terms of their capacity to engage and also what are their needs. And this project will then respond to those particular issues that are going to be identified. Over to you.

KAROLINA IWANSKA:

So now I just wanted to finish our short introduction with the responding to the question why are we here at ICANN and what do we hope to offer or explore with you. So we appreciate that you are all experts in ICANN. Some of you engaging for many years in this work. So we are here really to learn about your experience, learn about your work, what has been challenging over the years, where are the opportunities perhaps in the upcoming couple of years that we could amplify with our partners, with our networks to get them interested in ICANN, to help them also apply for various bodies and constituencies, and to also explore how we can actually best support your work in

terms of outreach to civil society. Because we know we obviously are not here to duplicate that work but actually kind of elevate it and support it.

So on this note I would also like to-- I appreciate that we got those 10 minutes here, but we wanted to invite you to a session, a very informal gathering on Wednesday at 12, between 12 to 1 in room CB1 Hamidye. Feel free to approach me after the session to leave your email, I can send you the details. So essentially we would like to create space for informal gathering to discuss those questions in more detail, to create a space for discussion essentially how our project can contribute to the work that you're all doing. Thank you so much for the time.

JULF HELSINGIUS:

Thank you. Thank you for being here and we have time for a couple of quick questions. So Peter first.

PETER TAIWO:

Thank you so much. Peter for the record. Just two quick questions. The first question is, what are the methodology that you are employing to ensure that you get broader civil society input into this project? The second question will be how do you implement that? Because this is just a project and these bodies that you mentioned, they have their respective missions and objectives, and we've been advocating years of lack of civil society input and nobody's doing anything. How do you ensure that these will actually reflect on the agenda and they will open their doors for civil society organizations to participate and shape the

agenda, and not just only, oh come talking and we hear you and nothing has been done.

KAROLINA IWANSKA:

Thank you so much for this question. Indeed, we see your point entirely. So we have a lot of expertise at ECNL, at civil society participation in various decision making processes, not only digital, not only standardization ones. And this sort of performative participation is a huge issue. And that's what we're also trying to address with the research and baseline mapping that Kenneth mentioned to really sort of single out what are the actual-- and actually that's one of the main reasons-- In this research we are seeing that's one of the main reasons also that civil society is complaining about that even when there are mechanisms for engagement, it's very often not very meaningful.

So having said that, we are aware of these challenges and we are it's a-- I didn't mention that, but it's a four-year project, we are at the very beginning of it. So we don't have all the answers yet. But we are seeing that issue for sure and hopefully together with the Non-Commercial Stakeholders and ICANN we can also figure out how ICANN could change or what are the opportunities for change within ICANN that could actually increase that meaningful participation. So Kenneth, do you want on methodology?

KENNETH HARRY MSISKA:

Yeah, I just hope I got the methodology question right. Is it, what methodology are we going to use to make sure that whatever is going

to come out of these particular studies is at the end of the day properly addressed or?

PETER TAIWO: Yep, that's, you can answer, you can pick it up, although we don't have a lot of time.

KENNETH HARRY MSISKA: Okay, all right, okay, thank you. So we do believe that the civil society organizations that actually are responding to the survey are the key, because they have experienced the challenges and they are better placed to share with us their own experiences and how best we should approach this particular issue. So I think the key is participation. You may participate but I think effective participation would be different. And so the civil society organizations we believe are quite key in terms of telling us how best we should we should do that. And at the end of the baseline study we'll have a set of recommendations that are going to be validated and our project is going to make sure that we do act upon those recommendations. Thank you.

JULF HELSINGIUS: Thank you, we are running out of time but the quick last question from Bruna.

BRUNA SANTOS: It's more like a comment. And hi, thanks for coming and presenting to us. I do believe it's a truly important question, like implementing or

improving diversity, especially civil society diversity in this process, but I would be very interested in understanding what's the data set or what are the organizations you guys might interview in terms of engagement with ICANN. Because a couple of us were discussing that, right, and there was a similar project recently I think funded by NADS with the same goal of engaging in standard setting bodies and so on. But the problem is you can engage people very well at the IGF but when it comes to ICANN there is a very long learning curve that it might take you five years, might take you three, might take you 10, right.

So yeah just adding that to the notes because I think personally I would be interested in seeing if possible who are the organizations you guys are interviewing or willing to interview and whether on the methodology if you assess the learning curve for engaging in those bodies. Because we're talking about completely different things if we look at IEEE, IETF and ICANN as opposed to the IGF or RIGHT School, let's say. So just a comment really, thanks.

JULF HELSINGIUS:

Okay, thank you. Moving on, we are very glad to actually have some of the new incoming ICANN ombuds dropping in. Liz, thank you for coming.

ELIZABETH FIELD:

Thank you, I'm Elizabeth Field. I go by Liz. I'm very pleased to have your time now so thank you for the space on the agenda to introduce myself. I'll introduce myself very, very quickly. I know we've run over time so I

want to just say a few words about the ombuds role for those who don't know. I'll say a little bit about my background and then maybe a few quick things about what I'm thinking about for the office and hopefully have some time for questions.

So I'm Geneva-based. And maybe quickly for those of you who don't know the role of the ombuds is it's independent. It's set out in the bylaws and it provide an independent internal evaluation of complaints for the ICANN community who believe they've been treated unfairly. I also handle complaints under the anti-harassment policy and requests for reconsideration. There is a part in the bylaws as well that I am an advocate for fairness, and so I take this quite seriously. And this also I provide support and services beyond the complaint. So I am available for advice, guidance, support. And I provide upward feedback to the Board. And my role is independent which means I work on the whole of ICANN not to a particular part. And my work is also confidential. Again I'm very clear about that. And I report to the Board.

So just about me, I have two decades experience doing ombuds work, conflict resolution, something called organizational development. I have a background in anti-harassment work. I've done a lot of work both on the prevention of harassment and bullying and sexual harassment and the response. So that's the policy, the investigation and repair. My background has always been in international, global, multilingual organizations including Amnesty International, the human rights movement, the UK foreign office and development office. I've worked with UN agencies. So I understand or I feel familiar with the ICANN community, the bottom up consensus building and the

importance of that model. I have country experience in every region. I speak French and some Spanish so people can contact me in these languages.

And just very briefly in terms of where I'd like to-- principles I'd like to evolve the office on, one thing I'd like to say is there's a very solid foundation to build on. The interim ombuds has done a lot of work to provide a responsive respectful service to the community and I'd like to continue that. I'd like to continue the work to intentionally build trust within the community and be available and supportive.

So in terms of evolving the office I want to use data but also it'll be driven by the needs of community. So I'm very much hoping to hear from you and what you all need from the ombuds in order to respond to that effectively. I think as well as using data to bring strategy, I would like to also have a very-- one of the principle for evolving the office is very strongly around communication and engagement with the community. And the third is also looking positively at what we want in ICANN in terms of the working environment and how to get what we want and the support that I can provide to do that. So that's me, that's my introduction. And I'd love to know if there are any questions in the time we have.

JULF HELSINGIUS:

Thank you. We have maybe time for one or two very quick questions. Farzaneh.

FARZANEH BADIEI:

Farzaneh Badiei. This is a very important topic. Farzaneh Badiei. Welcome. So you mentioned that you are independent. One of the struggles that we have had in the past has been that the ombuds office has not been able to make decisions and had the proper autonomy to protect the victims, as opposed to protect the interest of the organization. And unfortunately this has happened on several cases. I also I think that, and I'm talking about like these are all my personal views, I'm not talking on behalf of NCSG, though they all agree with me of course, but there is there was a also a letter that we wrote a bunch of us from this community, we wrote to ICANN about the anti-harassment issues and the importance of the independence of the ombuds office.

The independence of the ombuds office is not just independence from the Org and the legal but also independence in how the ombuds person treats the community members. So for example in my opinion, while we want to be very friendly with the ombuds office, I think that befriending community members might not be a good idea. But this is my personal opinion, I'm just giving it to you. And that was my short intervention.

JULF HELSINGIUS:

Thank you. Just checking this off before, does anyone have any important AOB that we need to bring up. Otherwise I'm happy to run on discussion a little bit longer.

JASON KEAN: Yeah just remembering that we will have our issue forum on Tuesday at 10:30. And we will talk about the applicant support program. We would like you to be there. There's a lot of NCSG members who will be presenting, and it would be interesting to have new leaders on that subject.

JULF HELSINGIUS: Thank you. So I am actually on purpose running over a little bit because I think this is an important discussions. Peter.

PETER TAIWO Thank you, Julf, and thank you, Liz, for the presentation, and coming to let us know you. My question is still on independence, and from your experience, and this is ICANN, we've had different issues and how do you handle, or what's your process of handling cases when this happen. And we know that there has been different kind of records and different kind of procedures that you've met and grand. This is you this is your office what are your method, and how you handle this issue, and how do you stay independence? Because you say you are independent, what is what is your definition of independence? Yeah.

ELIZABETH FIELD: So thank you both for the questions and the insights. So a couple of things to say. I hear very clearly and very strongly the question and concern about independence. and I'm glad you brought that and raised that. And I also want to say I'm aware of the letter, and thank you for bringing that up. First of all, my first thing to say is, I want to hear more

when there's more time about some of these issues where the barriers and the problems have been so that these are things that I can work on. So that's an invitation to you all to get in touch. A problem cannot be solved unless it is surfaced. So I need data and your information is data. So that's an invitation.

The other point, so independence broadly. So first of all my roles have always been a half-- I must navigate it professionally and personally with a very strong set of ethics okay? So I have a very strong set of professional and personal ethics that apply to the confidentiality, to the ethics. I'm a member of the International Ombuds Association, there is a code of ethics. But I think more important to me is I know I would not be doing my job I know. I would not be helping ICANN as a whole if I were not independent and if I were not myself responsible for assuring that independence. So there is structures in place to protect me. So if you look at the bylaws there are things.

My role is how I implement that. The powers are there for me to implement. So it's a good question you asking what's my process and method because it is very much my responsibility to assure that. What my definition is, is I am not aligned. What that means is I am not aligned. And you already spotted this by saying it's more than just not being ICANN org or ICANN. And that is exactly what it means. I am aligned for all, right? My duty is to the entirety of ICANN. Now I don't cover ICANN staff as you may know, but nonetheless what is in this broader interests is important. So the question of independence is important. I want to hear, I want feedback, I want to know where concerns are, I want to know.

The other question raised is also absolutely essential. It's around protection and confidentiality. Again I have a very, very strong code. I have seen in my practice in the years how much harm can be done if you do not take that seriously and protect people who raise things with you. It is very important to me. Anyway I have a very worked out process for how things are handled in terms of confidentiality. It is ironclad with the usual exceptions about harm to itself and others. But it is very important that that is respected. And again that's something.

So risk is assessed with people who raise things with me on a case-by-case basis. And again once I know more I can say more about what sort of protections can be visibly put in place. These are important topics and I want to give them, but I appreciate you're on a schedule.

ANDREA GLANDON:

One sentence and then the recording will stop.

KATHY KLEIMAN:

There is a public comment notice on ICANN community anti-harassment policy in terms of participation and complaint procedure. Google it, and comment on this new anti-harassment policy, which I believe is coming in from the ICANN.

ANDREA GLANDON:

Thank you. We do have to conclude the conference. We are seven minutes over please stop the recording.

[END OF TRANSCRIPTION]