
ICANN84 | AGM – Joint Session: ALAC and NCSG
Sunday, October 26, 2025 – 9:00 to 10:00 IST

MICHELLE DESMYTER:

Hello and welcome, everyone, to the Joint Session: ALAC and NCSG. My name is Michelle Desmyter and I am the remote participation manager for this session.

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I will now hand the floor over to Jonathan Zuck ALAC chair and Rafik Dammak NCSG chair.

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JONATHAN ZUCK:

Good morning. Thanks, everyone, for coming. This has started to become a regular meeting for us, and I'm very happy about that. The At-Large community and the Noncommercial community have a great deal in common in terms of overlapping objectives, and I think our agreements outnumber our disagreements. And so I think finding opportunities to work together is really powerful. ICANN definitely is very much a coalition environment I think in which you need to work together with other groups to get things done, so we're excited to have you here. We've got a great itinerary for our discussion. With that I'm going to hand it to Rafik to say hello.

RAFIK DAMMAK:

Thanks, Jonathan. And thanks for having us with you today. As you said, it's becoming something regular and we hope that we continue for the future. We can, of course, always do better and try to work together on common areas of interest. And hopefully, there is some concrete outcome from those discussions that are what we are looking for. It's not just to have some interaction but really if we can find any area that we need to cooperate and coordinate our effort and others. If there is any disagreement is to work together to expand different positions and to see how we can reach consensus. So that's what I want to share as a few words, but I guess maybe you can go now next to the agenda.

JONATHAN ZUCK:

The first thing on our agenda and something that is being talked about quite a bit at this meeting is this Review of Reviews. We did

have a little bit of a conversation at the last meeting about the At-Large concern around how this came to be and the Board's sort of unilateral action with respect to its accountability mechanisms that came out of the IANA transition. So it's obviously something that we objected to but are now trying to more fulsomely participate in and make sure that the outcomes here include the things that are priorities for our group, and so we're curious about the things that are priorities for your group as well because again I imagine there's more in common than different.

I think what I'll do is we have the honor of having one of the chairs of the Review of Reviews as a member of the At-Large community, and so I'd love to pass the microphone to Avri to get the conversation started.

AVRI DORIA:

Thank you. Yeah, I even have the honor of being somehow a person with a foot in each of the two groups here. An inactive member of one and sort of a participant in the other. So it's kind of fun to me to have so many hats and not wear any of them.

Okay, yesterday we went through the four different A, B, C, D here of the purposes. And one of the things...I'm not speaking into the microphone. I've got to swallow the microphone. So anyway, thank you for letting me know.

So one of the things that I keep pointing out and one of the reasons we keep talking about this is it is really critical that we get the

purposes right, that we get the purposes complete because everything that is going to be built going on from here of reviewing the current reviews, looking for the gaps in the reviews, looking for what reviews come out of this in the recommendations really depends on—it would be really good to keep the purposes up there as opposed to two pictures of people—is going to depend on the wording, the what can be found in those purposes. And so therefore that's one of the reasons why I think I'm probably going to end up talking about this page of purposes many times over the next couple days. Can we get that back up? Oh, now we have it up on both. Great.

So anyhow, let me quickly go through it unless somebody wants to start with a question and we can go from there. But basically, if you look at the four—the A, B, C, D—the first one really circles around the foundational documents that we've got such as articles, bylaws. But also the plans that the Board and the community come up with, the strategic plan, the financial and operational plans, etc. So those are treated as our foundations.

And in looking at those foundations, we have this set of bullets that are things that need to be paid attention to. For example, are the activities, and processes, and culture remaining consistent with mission commitments and values? Now in some of the conversations we've had already people have talked about the values saying those values were laid out a long time ago. Are those values still the values of today? One of the questions that comes out and comes up often, are the Board officers, senior

management, etc., remaining accountable to the global multistakeholder community?

Now you see in parentheses there “Empowered Community” often, and that's because they are the representatives in a large sense certainly as described in bylaws of the multistakeholder community. But it is in parentheses because the powers of the Empowered Community are indeed somewhat limited in what they can do or what they can take responsibility for doing on their own versus what they respond to that comes to them.

Is ICANN meeting its stated goals and objectives? Is ICANN maintaining and where necessary improving robust mechanisms for public input, inclusiveness, accountability, and transparency? These are things where throughout years of ATRT many recommendations have been made, many have been implemented. Have they been implemented adequately, or are they being held to? Perhaps once implemented but then sort of slipping through disuse. What is the case of those? But what is important is that make sure that looking at inclusiveness, accountability, and transparency are included among the purposes.

Outcomes of ICANN's decision-making are in the public interest, transparent, and accountable to the global multistakeholder community. Again, coming down to the Empowered Community in accordance with the IANA stewardship transition. That was one of the important things to get in there, that the transition is sort of one

of the—it's not a foundational document—but it is a pivotal moment in defining who we are as an organization and how we work.

Communication channels are effective and accessible. Decisions and outcomes are reported clearly and openly.

ICANN duly takes into account the public policy advice of governments and public authorities. A question that came up on that one is what about the advice of other advisory groups?

So those are where we've gotten to on A, and I'd like to stop there before moving to B, C, and D to see what people think of them. Do they have other comments? Is there something missing in terms of the purpose of a review? Not in terms of what we want a review to decide, not in terms of what we want a review to do, but it's purposes. Why we hold the review. And I'll stop for a second. Yes, Rafik, please.

RAFIK DAMMAK:

Thanks, Avri, for this because one of the issues for us since we don't have a representative from NCSG in this cross-community working group we are kind of in catch up mode. So thanks for this.

So if I get it correctly, it's use of the different, what do you say, the foundational documents to come up with these bullet points. But for example, when I see the culture it's kind of tricky how we can really...how we'd be able to define that and all determine what is

the ICANN culture that we think that we need to remain consistent with the mission and so on.

So I'm just trying to understand here for some parts because I think like in the bylaws it says we can find clear indication what it is we should review. But for something like this we might have different understandings within the community. So I just want to know just this example what was the thinking here?

AVRI DORIA:

Okay, thank you. And first let me say that as an inactive NCSG member and a co-chair of the group, you guys can call on me to come and answer questions or be available to you anytime you need to. So even though you don't have somebody, I'm there to answer.

in terms of culture, you're right. It is sort of an amorphous thing. It's something that we all talk about. People are always talking about the ICANN culture. But you're right. Is it defined anywhere other than in our behaviors, in our actions. The reason it's here is whether it's clearly written or not—in fact, for the most part culture usually exists somewhere in the mind of the participants—is it something that the reviews should pay attention to is more the question. Not necessarily do we have a document that defines our culture because that would be kind of fun to write but very difficult. It would sort of be a lifetime labor of writing.

But we do have a culture, and we hear people talk about the ICANN culture all the time. And often culture is one of those things, and this is me straying a little, that we all know it when we feel that we have gone against it. In other words, we kind of all have this feeling on culture. It's not something that's spelled out in a book, but we have a feeling that no, no, no. That particular item...and that's when we stray into ombuds territory and other territories like that where you've sort of breached the culture of an organization.

So it is something to pay attention to, but you are right. There is not a volume that describes our culture. But I think we all know some pieces of it, and it's when you put those together kind of like that fractured glass ball that we all see a little piece of for the culture.

Any other questions? You gave me a very hard one to start with.

JONATHAN ZUCK:

Rafik, have you identified people to be observers in the group at this point, or no?

RAFIK DAMMAK:

No, we didn't. But yeah, it's something we try to find people who can take the lead and follow up the discussion.

AVRI DORIA:

Thank you, Jonathan, for bringing that up. That was something I had noticed when I was looking through the meeting. I was looking for who were the NCSG observers. I'll bring this up now. Anybody

can sign up to be an observer. You have to do the SOI, etc., process. Observers can not only watch, they can participate. They can speak. I mean, yes, they can speak at the discretion of the chairs. They can speak. Excuse me? Oh, there's a hand up, I mean, a flag up. So sorry. Thank you for pointing it out. Sebastien, please.

SEBASTIEN BACHOLLET:

Thank you very much, Avri. And thank you to all of the participants. Thank you, Rafik, for being here, for coming to meet with us. And I'm very happy because you don't even need your headset to understand what I'm going to say. Thank you.

Well, we started discussing this yesterday already. I will not come back to what we discussed yesterday. But it would seem interesting to add one thing because this is one of the most discussed topics here in addition to all of the policy topics. What is the multistakeholder model in ICANN? What is it? Shouldn't we think upon this? Shouldn't this be reviewed?

A few years ago a very famous CEO said that we should be equals, and this word equality has sort of disappeared. We're less and less in a multistakeholder model with equal participants and partners. So maybe it would be worth adding this here as being one of the founding elements, one of the core values of ICANN. Because this is one of the things that makes us different from so many other organizations today. Thank you

AVRI DORIA:

Thank you, Sebastien. That is actually a very good point. ATRTs did in deed always look at how the model was developing, how it was working, not necessarily trying to define what it is. I think there are many documents that define elements of the model, but it is certainly true that looking at that model this sort of breaks some of it down. It's sort of the inclusiveness, the accountability, the transparency, the public input which are all sort of sub terms in almost any definition I've seen of the model. But I think you're right. Perhaps a bullet that has a check on the model itself could be good. But I see I've said something to inspire you again, so please.

SEBASTIEN BACHOLLET:

To underline the fact that usually I don't like the word "model" because we have the impression that the ICANN will be a model for the other. But this time in this discussion, it's important to talk about the ICANN model and how it could be evolved or reviewed, etc. Therefore just because I used to say I don't like the word model, this time it's on purpose that I use it and I agree with you in your analysis on that. Thank you very much, Avri.

AVRI DORIA:

Thank you. I agree with you. I very much quibble about there being one multistakeholder model, but there certainly is the ICANN model and so very much do see that as fitting.

Is there anyone else? Yes, Rafik.

RAFIK DAMMAK:

Okay, thanks, Avri. I'm not aiming to go point-by-point but just by chance the next is about the Board, officers, and senior management remain accountable. I think that's a good thing to work on, but I just want to be sure if it's just you didn't want to make an exhaustive list or it's just unintentional. Because here you are identifying the Board of course because we appoint them in one way or another. The officers, I assume that means for the SOs and ACs officers? No?

AVRI DORIA:

For the officers, we're specifically referring to the secretary, the treasurer, the elected officers of the corporation.

RAFIK DAMMAK:

Right. And then the senior management, but nothing about the ICANN organization like the staff.

AVRI DORIA:

Well, referring to the senior management is indeed the top of the ICANN organization. You're right, it does not include, and perhaps it should, it does not include going to all their reports and directly that. Certainly, take the advice that perhaps it should look at those. But in terms of the interactions it's hard.

In other words, we're a multistakeholder policy organization wrapped around pretty much a hierarchical corporation. And to put demands on the report that have not dealt with the senior management that tells them.... So that's I think why it focused on

senior management which is what we have access to, whereas they kind of do what they're told as reports. Because it is a sort of traditional corporation in terms of there being a boss and there being bosses and there being sub bosses. And so to look at a particular staff member for that kind of accountability might not be fair. I don't know.

RAFIK DAMMAK:

Understood. Just here I think if I got it correctly, the aim is really about the whole organization but not saying you are picking those like the senior management. But it makes sense we are not necessarily one to oversee all the staff or something like that but it's just to be sure who we can ask to be accountable on this. I just wanted to have this clarification. Thanks.

AVRI DORIA:

Thank you. Nathalie, did you raise your hand? Oh, you were just telling me that Sebastien had raised...? Okay, please go, and then I'll come back to Sebastien. But please, Frederic.

FREDERIC TAES:

Thank you. I have a question. It was the relationship between the Review of Reviews and other initiatives like continuous improvement program and others. How it is globally organized [inaudible] difference. If you can highlight it, thank you.

AVRI DORIA:

Yes, one of the things that was specifically excluded is reviewing the continuous improvement because that's a program that's sort of working. It's still finding its way. Everybody is still bottom-up finding their way. But one of the things we can look at and are supposed to look at is what would be the results of that. How does the continuous improvement affect the other reviews? How does it affect?

So that is part of within scope, but actually looking into how the continuous improvement is working or looking at that, that one is partly because it's something still very much in formation and it's kind of like pulling it up by the roots all the time. It will never grow. It's that. But we certainly are able to look at how it fits into the overall picture. So other than that, every other review is included except for the ones that came out of the transition reviewing the.... Yes. No, not the affirmation. The specific IANA reviews are not included.

Sebastien, please.

SEBASTIEN BACHOLLET:

Thank you. Just to take the question that [inaudible] referred to, it's B. I just want to say again what I said yesterday. It's a result of the SO/AC/NC and the subpart of whatever you want to call that need to be added.

But I wanted to come back the second bullet point that Rafik was referring to. In reading it again and again, I am a little bit surprised

that we have in some bullet points ICANN and in some bullet points not ICANN. Either we refer to ICANN, and all the bullet points need to be referred to ICANN.

Because for example, we talk in the second global multistakeholder community. What does that mean? Is it the ICANN global multistakeholder community? Is it the worldwide multistakeholder community? I think it's more ICANN inside I would say. Therefore when we talk about Board, officers, and senior officers of ICANN. Therefore either you take the position of having ICANN in each bullet point or taking it out or it means that it's something different.

And the second point just to repeat what I said yesterday, the ICANN global multistakeholder community is not equal to the Empowered Community. Thank you.

AVRI DORIA:

I'm not sure I'm going to or be able to answer all of that question. I think in the second bullet, they were pointed out just to be specific about who we meant at ICANN. We could certainly say ICANN Board, ICANN officers, and ICANN senior management. But ICANN is often treated as an amorphous term. Does it include just the corporation? Does it include the corporation, community, and Board? Does it include all the people that we are supposed to making outreach to all the time? How is the global...?

I tend to view the global community as much broader than just the people that come to the meetings or are signed up on the list, but that's just me personally. Because we are supposed to be concerned with the interests of the whole community of users of the Internet and of those who don't use it yet.

So it is at various degrees and so I think when we're coming to something specific like is the Board behaving responsibly, are the senior officers behaving responsibly, are the senior management behaving responsibly and responsible to the whole notion of ICANN, it is important to bring them out. The rest of the time I believe we're talking about the organization as a whole whatever that may be and however wide that may go.

Again, that's an issue perhaps that the reviews will get into, but the purpose is to make sure that the entity referred to as "ICANN" meets these requirements. So I certainly don't see us removing ICANN from each of the bullets. I don't know that we need to get as specific as bullet two in all of them. But it does make a good point that I should probably move on the B, C, and D before I run out of time. But good conversations, and I think those are things that we need to talk about more. We're constantly talking about, what do we mean by ICANN? I think we all kind of know, but we all don't know what the other person means when they say the term.

Okay, let me go to B and C. And we've already referred to it because it was in the question we got. Each of those, the SOs, the ACs, and the NC, are all in a continuous improvement process, and we'll

have to look at the results of that as they pertain to the SOs, ACs, and NC.

And as Sebastien says, he's recommended that we also refer to the sub components of that in terms of how the continuous improvement program will relate to those, and that's something to be looked at and certainly will take it back to the Review of Reviews cross-community group to look at that as how do we amend this bullet to deal with that issue.

So that's one, and then there's C which is whether the overall structure and components of ICANN and it's SOs, ACs, and NC are fit for purpose. Here again, Sebastien made a recommendation yesterday that this should include not only the sub structures but it also should include the interactions among those structures and components.

Now there can be an argument that says when you say overall structure you are indeed including the sub structure by inclusion. That if you're talking about the structure of something, you are indeed including its sub structure. And by specifically calling out components which are elements of sub structure it's there, but perhaps making it explicit is indeed to good purpose. And indeed, we are trying to define the purposes. So it's certainly a good question to take back to the [RoR's] CCG.

The interactions amongst them indeed is an implicit part of structure but perhaps it really is important to make it explicit in the sentence. Again, a good thing for the cross-community group to

discuss and invite as always the observers with points of view to participate in that kind of discussion. So that is a big part of what's being looked at.

And then the last part that's in there is whether the ongoing reviews in the future are fit for purpose. Now that's a purpose of future reviews. It would have been a purpose of ATRT and may continue to be a purpose of a future ATRT depending upon what comes out from the recommendations. But indeed, that has to be something that is constantly reviewed as the Review of Reviews is doing it now.

Did I bring up any new questions? How am I doing on time? In the back? I don't see...oh, please. Oh, is she the next speaker? Great. Is my time up? I'm happy to welcome the next speaker. My time is up. Thank you all very much. Talk to me anytime.

JONATHAN ZUCK:

Again, let's coalesce around priorities for this and make sure that we get what we need. She can be right here.

FARZANEH BADIEI:

Hi, everybody. My name is Farzaneh Badiei. I am a Noncommercial Stakeholder Group member. I'm also a Council member.

We have been talking to ALAC about our work on human rights at ICANN and Human Rights Impact Assessment. I don't know if you managed to make it to our meeting. It was an Avri/Farzaneh meeting with ALAC on Human Rights Impact Assessment, and we

had a really good conversation. It seems like you want to discuss how we can work together and collaborate, so I'm just going to tell you a little bit about our plans to bring the topic of human rights to ICANN a bit more.

I have my talking points here. What are these human rights impact assessments? They are practical tools to identify how ICANN's policies, experiments, services affect fundamental rights such as privacy, freedom of expression, and due process. There are other human rights components as well. Also, HRIAs can help operationalize ICANN's commitment to respect internationally recognized human rights.

And NCSG aims to make human rights impact assessments a part of ICANN's policy design. And we already have come up as a community, as a multistakeholder community we have come up with a human rights checklist. For each of the policy development processes we use the human rights checklist to see if the policies align with human rights or not.

Some of our future work is applying human rights impact assessment to services like RDRS, DNS abuse mitigation, the upcoming PDPs especially on DNS abuse. Assess whether new or existing ICANN mechanisms could lead to disproportionate data disclosure or chilling effect on users. And identifying positive models that enhance transparency and accountability without undermining rights.

We want to do at the moment not for the PDP human rights impact assessment but for we have our own NCSG sessions which we invite people and we work with them, other stakeholders. We also do human rights impact assessments of GAC communiques. We started doing that since Seattle. I invite you to read them. They're fun. We score them and the score generally is not that good. So [inaudible] we are very grateful for working with GAC on these issues. I don't want to create a diplomatic....

So the broader vision is to strengthen ICANN's legitimacy through consistent and transparent human rights practices, ensure that technical coordination remains rights respecting and public interest driven, and position NCSG as a leader that can with your help and by working with you can advance human rights based evaluations of ICANN processes.

But I think you wanted to discuss this a little bit more so if you have any questions, I'm here. Go ahead, Natalia.

NATALIA FILINA:

Hello, everyone. Thank you very much. Farzi, thanks for this update. I think we might have much more crossed line on this direction. At-Large is a huge community of course, but we in each RALO I think have a lot of links with this topic and we have a lot of experience. And it might be a good direction to have a plan to work together to establish some kind of capacity building stream maybe together. Thank you.

FARZANEH BADIEI: Yes, that is actually the purpose of these meetings to see what we can do together. And I saw that At-Large had worked with SSAC on a few issues. Well, maybe we can use the same model to work on a human rights related issue, especially on this DNS abuse stuff. We are doing a lot on that.

JONATHAN ZUCK: I'll ask a question. How did the GAC react to your assessment?

FARZANEH BADIEI: They love it. They have not reacted yet, but they have been very nice to us and they gave us a one-hour bilateral to meet with them. So that's great. And also, I'm not...so as NCSG multiple people do this human rights work, and Michaela Shapiro from Article 19 also leads our human rights work. If you have any challenges and if you want to challenge Michaela, you should do that.

[KATHLEEN SCOGGIN:] Hi. Quick question. I know we were talking about collaboration between us two, but I feel like it's important to be specific in what areas we actually could be helpful. Whether you see it in the dissemination of the human rights impact assessment, or what gaps could At-Large fill to help you achieve the goals that you've laid out for the assessment?

FARZANEH BADIEI:

I think that we should have a longer conversation about this and come up with a plan. And this is why I suggested something like similar to what you do with SSAC. But what I think that we should do is to see...because we have a certain perspective on human rights impact assessments should be done. We are civil society, we advance freedom of expression and other human rights. So what we can do with ALAC is to get your opinion on what human rights you think are being affected, whether you have certain...like whether you disagree on some of the impact assessments. It's an iterative process. We are still working on it. It's not a certain strict methodology. And Michaela wants to add to that.

MICHAELA SHAPIRO:

Hello. It's a really good question, Kathleen, and one that I've been trying to think about as well. One thought that jumped out at me was thinking about what kind of concrete recommendations could come out of these impact assessments. I think that would be particularly helpful to have At-Large's views on. I think that's where we often have a lot of overlap in terms of where we want to see the direction of ICANN going in the future.

Oh, thank you so much. I didn't know I had a card.

So that would be my first initial thought. But agreed, like concurring with Farzaneh, I think it would be great to have an ongoing discussion on that. And that could perhaps be a future agenda item. Thank you.

FARZANEH BADIEI:

And we also do these sessions on human rights impact assessments and we pick...like yesterday we talked about RDRS and human rights impact assessment. So maybe we can at some point have joint sessions on that, like pick a topic and have a joint session on it. [Rafik?]

[RAFIK DAMMAK:]

Merci, Sebastien. Just I was going to say I see that we may get some action item here and to follow up something we discuss. So we try maybe to have this idea of joint session and also maybe about to ask or request input from the ALAC. Just try to see how we want to follow up till the next meeting in Mumbai. So that's what I want to highlight. Sorry.

SEBASTIEN BACHOLLET:

Thank you. Just to say that maybe Article 19 can be a good help in between the two groups as they are a member of EURALO. Thank you.

JONATHAN ZUCK:

I have a question about the nature of impact assessments generally. Does it come to a number or a likelihood of there being an impact or a measure of that impact? Does that question make sense?

FARZANEH BADIEI:

Yes, it absolutely does because this is what the human rights community actually struggles with when we do these assessments. So as I said, it's an iterative process. There's not...we are improving the methodology. But there are methodologies out there that other human rights organizations have done.

One metric that we have chosen, we've chosen the simplest one which is the risk to human rights. So we are talking about the risk to human rights. So we consider this policy has a low impact on human rights or a high impact on human rights. So we just look at it like that. And of course, we have to bring evidence how we came up with that kind of categorization of the risk.

UNIDENTIFIED MALE:

Did that answer your question?

JONATHAN ZUCK:

It did. It's a great answer. We have a similar problem in that in the DNS abuse discussion generally, for example, we're looking at DNS abuse numbers rising. Phishing, things like that, money lost by people, etc. But yet we can't quantify very easily whether a particular policy initiative, like say the contract amendments, what level of impact that's going to have to decrease those things. So the measuring...because ideally the idea would be to say this particular policy has a low likelihood of doing good and a high likelihood of doing bad. That makes it easy. Or if it's the reverse, it makes it easy. And I think what's going to be challenging about this

is trying to figure out how to find which policies to go forward with based on those ratios somehow.

FARZANEH BADIEI: So Avri is very quiet on this.

JONATHAN ZUCK: She's not inside the ALAC, and it's inside the At-Large.

FARZANEH BADIEI: Oh, you're not?

JONATHAN ZUCK: She's an advocate.

FARZANEH BADIEI: Oh, yeah, great. Okay, so I was suggesting Avri because Avri has been the leader of human rights in Internet governance organizations and she's been doing this work for a long time and we have a lot to learn from Avri. So maybe we can work with you. You can be the point of contact. I just appointed you as ALAC's point of contact.

AVRI DORIA: Thank you very much. No, I have been nagging at them that we need to do them. It's just I didn't in this meeting because, well, somebody else was doing it.

JONATHAN ZUCK: Other questions? Oh, Natalie, go ahead.

[NATALIE TERCOVA]: Thanks. I just wanted to say that I'm very glad you're bringing this up and we just had a very silent whispering conversation with Kathleen over, also an ALAC colleague, about how we may help you also from the perspective of us having experience with human rights online. Mainly in my case it is young people and children's rights online. I have a record of working with this in the academic sphere.

And I believe there are some overlaps here that we can help also when it comes to measuring what type of risk can be, let's say, more harmful than the other. There are actually some data on this measuring quantitatively how actually this impacted people in the past. Of course, it's not bulletproof but it can be maybe something that we can also help with or maybe start with looking at.

And then we have also the perspective from an NGO perspective, but I don't want to speak on your behalf, Kathleen. But overall, what I'm trying to say is that I feel like we have many useful overlaps and I'm more than happy to start this conversation.

JONATHAN ZUCK: We know you have to get back to your councilor duties, but thank you [inaudible] for joining us. Thank you, Farzi.

Okay, a thing we're talking a little bit about is the reliance on free and open source software in the DNS. And there's that famous cartoon of that whole stack of things and at the very bottom of the stack it says two guys in Idaho working in their basement and the entire Internet relies on that. So I think it's something that we're all tangentially aware of, but Satish and Matthias, we want to get the conversation started. Go ahead, whoever goes first.

MATTHIAS HUDOBNIK:

Okay, perfect. Thanks a lot. Matthias Hudobnik is my name. I am, as most of you know I guess, ALAC liaison to the SSAC and also SSAC member. Yeah, it's great to be back at the At-Large family and also NCSG. Thanks a lot for the invite. Also, thanks a lot, Satish, for initiating this.

I will try to nail it down in four minutes. Talk a bit about the report, SSAC 132 about FOSS. So if you're really deeper interested, there is a full paper presentation on Tuesday on 28 October at 1:15. Please come and I will try to give you a bit of a spicy taste.

As we know, the DNS is Internet's address book mapping domain names to IP addresses for nearly all online activities. The report confirms that the DNS overwhelmingly relies on free and open source software, so-called FOSS. The aim of the paper was to urge policymakers to recognize FOSS's critical role and also avoiding regulations that could destabilize this vital infrastructure.

Also, the DNS functions in a nutshell we have registration, publication, resolution, and the structure itself. Registration, registries manage domain names and databases. Publication, we have authoritative servers which publish the DNS records. And then we have the resolution which fetches IP addresses and is doing the caching 90% [inaudible] of the queries. And then the structure is we have root servers, top-level domains, and also individual domains. You will see this also in the report. There are nice graphics which nail it down.

Related to the FOSS dominance 9 of the 12 root server operators use FOSS exclusively like BIND and NSD. And also 9 of the 10 largest TLD providers rely on FOSS such as [inaudible]. And resolution tools like BIND and Unbound [inaudible] resolvers and also [inaudible] are widely used by ISPs and also cloud providers.

And a bit related to the FOSS model strengths and risks like the strength of FOSS is FOSS offers economically efficient transparency and also collaborative security. The software diversity and true resilience, long-term support from nonprofit companies which fosters stability and also enables innovation and digital autonomy by luring the [inaudible] to use it.

The risks, financial sustainability and maintain [inaudible] threat broad checks. We have also shared dependencies and the lack of warranties which create operational risks, of course. And then FOSS isn't inherently more or less secure than proprietary software. Security depends on rigorous maintenance processes.

And then the policy challenges and some examples. So policymakers are inventing the rules like EU Cyber Resilience Act or the U.S. ['23] cybersecurity strategy. And also the U.K. has the '25 code of practice. Here again, there's the risk that proprietary based regulations could harm FOSS dependent DNS if misapplied.

Examples of progress. We have again the U.S. strategy exempts voluntary maintainers and focuses responsibility on deployers. And the EU we have also NIS2 introduces FOSS [inaudible] avoids threatening maintainers as suppliers.

And also, the lessons here are avoid proprietary supply chain assumptions and also FOSS lacks contractor relationships and also single responsible entities.

And then at the end of the document you will also find some actionable guidelines and also guidelines for policymakers in particular.

So explicitly let's acknowledge the FOSS's role, explicitly recognize [in laws] that DNS depends on FOSS as critical infrastructure which is a very important point. And then also the consultation of the FOSS communities, also engage maintainers, contributors, and also nonprofits in policy design which is very important.

And then also apply lessons like place responsibility on deployers not maintainers and avoid conflicting regional rules. And also incentivize sustainability. So fund critical FOSS projects as shared public goods. And also address risk collectively. So support

ecosystem wide tools, research, and also security initiatives to reduce dependency risks.

And the conclusion, FOSS is the foundation of the DNS, a global public good central to Internet stability and policymakers must avoid proprietary assumptions to prevent harm to this infrastructure. And also by acknowledging FOSS consulting communities, learning from cases, and incentivizing sustainability and collaboration on risks we can secure the DNS and the Internet for all.

Thanks. I'll hand over to you, Satish.

SATISH BABU:

All right, thanks very much, Matthias. First of all, thanks to Matthias for bringing up or highlighting this report, SSAC 132 which is identified and announced to the world with a very strong statement that they've made that there is a critical dependency on FOSS for the DNS system.

If you look at this meeting, we have NCSG and At-Large and we're discussing about FOSS. There are some commonalities between these three. All are community-driven, bottom-up generally, motivated by the global public good.

So if you look at FOSS, it's not very apparent as to who has mandated this group with this project. It turns out that they're self-mandated. They have taken on this whole global public good rule, mostly not-for-profit and fulfilling a common need.

The main difference is that FOSS is largely about code, software and its evolution and the governance of the evolution. Now Matthias mentioned BIND, Berkeley Internet Name Domain. It's a software that is at the bottom of the DNS system which we never looked...we are talking about the policy on top of the thing. Under the hood there are these software that run.

Now recently there has been, after AI, a discussion on durable software versus disposable software. Disposable software is a thing that is a lot like a Band-Aid. You kind of quickly ask maybe AI to create some code that you can solve a problem with. But durable software is something that lasts for a long time.

Now this BIND started its life 40 years ago in Berkeley as a student project, and it's moved on since. Now we are in the ninth edition from 2000. So the code base has been resilient because so many changes have happened. There was no cloud at that point. Today everything is running on the cloud.

But still the resilience of the online, the durable code is very visible. So that is a kind of a hallmark of FOSS, that it isn't done by real professionals because it's a community. And in the community if you're bad at your job, you get pulled out or pushed out. If you're good at your job, your [module] makes it to the code base. And that is a reflection of your competency and you're very proud of that. And you're not motivated by money. You're motivated by the glory that you get by contributing to this code base.

You also mentioned the DPI, the digital public infrastructure and digital public goods. These days these have become very important as things scale up. In my country India we have about 1.4 billion people. Any software written for these 1.4 billion people is automatically the largest in the world because those are the numbers you're talking about, the volumes you're talking about. And the entire stack, the India stack is built on open source.

So that kind of resilience does not come from proprietary software in our experience because we just saw [Olivier's mail] about the reasons regarding the recent outage of the Amazon system and what happened. They talk about Route53. Route53 is the [port] for the DNS. And BIND is there running, chugging along for 40 years without a problem.

So what do we take out of this report? Is FOSS perfect? Not at all. There are many difficulties with it. We are increasingly running into problems with funding, incentivizing, motivating people to join these things, etc.

We're also facing another kind of problem which is that now in ICANN we don't look at code frequently. We look at policy mostly. But there is one area where we do look at code. That is the universal acceptance. And IDNs, of course, it is all code-based. But in UA what happens is there is a need for working together with open source communities. But we have found that is not always very easy to work within open source communities. They have their own

priorities; we have our own priorities. These necessarily do not match.

So we have a lot of work to do. Maybe between NCSG and ALAC or At-Large and SSAC, maybe we can put together some kind of a project which tries to influence the FOSS as far as the ICANN remit is concerned so that we can push forward the needs of the ICANN community as well into this. So far we were islands. We were not talking to each other. But maybe it is time that we started talking to each other.

Thank you, and we have maybe one question or a couple of questions.

JONATHAN ZUCK:

I presume this is on our agenda with the SSAC as well.

SATISH BABU:

Yeah.

JONATHAN ZUCK:

I mean, we have to figure out what the action items are from this. One possibility is actually forming some sort of a group to go back to the grant program to apply for something for support of these critical infrastructure programs and identifying what they are.

So the paper is obviously helpful in identifying what support is needed, but figuring out what we need to do I think is the next step. Matthias?

MATTHIAS HUDOBNIK:

So I think for me I see this really as, I know it sounds quite technical, quite a bit complicated, but it's more about awareness. That people are aware and say, oh, look. Quite some root servers use open source software in the whole stack. And I think this is already the start where also, for example, Internet end users can understand this and say, oh, that's quite important and get a bit of knowledge about it.

And also, look into the paper. I mean, even though it is... I know, it's 50 pages. People have a lot of things to do. But just look at the graphics also. It's quite nailed down also how the infrastructure works and also in general how the structure of the domain is done.

So it's in general for me I see it really also as a kind of awareness session that people are aware, Internet end users know that and can also advocate a bit for that and say, look, there are different worlds. It's not just proprietary software.

JONATHAN ZUCK:

Sure. I mean, I guess there are certain among the Internet end users that would be able to receive that information in a productive way so we'll have to think that through. But thank you for the update here. Again, this is an area where both groups I think would be

concerned about this issue, so I think it was good that we had it on the agenda.

I think the next steps probably, Rafik, are that we should start doing a little bit more intersessional discussions. Because we start to say the same things to each other at each ICANN meeting and we need to get from Phase 1 to Phase 2 if we can with some of these things on the human rights assessment and maybe if there's some sort of outreach project associated with this. So that's my proposal is that we try to meet intersessionally. But thank you for coming and happy to give you the last word.

RAFIK DAMMAK:

Thanks. I think we are here in violent agreement to have more intersessional to follow-up, not just wait for the next ICANN meeting to discuss. So we will follow up after this.

Yeah, I want just to thank for this opportunity. I really want that we keep to have this. We can explore if there are other topics that we need to work on and also if there is any coordination needed based on the incoming priorities.

And yeah, I think that's it. Thanks.

JONATHAN ZUCK:

Well, thanks, everyone. Thanks everyone from NCSG for making it over here to our room. It was our pleasure to host you and thanks. Let's find ways to work together. This meeting is adjourned.

[END OF TRANSCRIPTION]