
LONDON – ATLAS II Thematic Group 5: At-Large Community Engagement in ICANN - Session 2

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ICANN – London, England

UNIDENTIFIED MALE: This is June 22nd, 8:15 a.m. ATLAS II Thematic Group 5 – Session 2

DEV ANAND TEELUCKSINGH: Good morning. My name is Dev Anand Teelucksingh. I'm moderator for Thematic Group Five: At-Large Engagement in ICANN. We've started a little bit late and some persons are still coming into the room.

Just to summarize what we did yesterday, yesterday we looked at how policy advice is being done by the various supporting organizations and how the various advisory committees, including the At-Large, does its own policy advice. After we had looked at all of the different ACs and SOs, we then started to brainstorm a little bit about what are the challenges facing At-Large in terms of engagement. We had posted that there were several questions on that agenda. I'm trying to bring that up, one second. And we had literally run out of time.

I think the last point we were looking at was that we should be consider some of the ways to overcome some of the challenges were, looking at identifying subject matter experts within the At-Large community, doing that type of mapping. And then having a facility by which the ALAC would then be able to select these subject matter experts to go, on an ad hoc basis, go to ICANN face-to-face meetings when there's a particular topic under their subject matter expertise can attend.

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I think the other thing was that was being mentioned – let me just look at my notes – okay, yes. And also, regarding the subject matter experts, they could also – ICANN itself can be made aware for stakeholder engagement. So if there's an ALS that wanted to get a subject matter expert in a particular topic, they can, instead of drawing directly on ICANN, they could draw upon those subject matter experts within At-Large to try to get them to attend those sessions in whatever country.

We do have a formal agenda for this Sunday, but I see the subject matter experts haven't arrived yet, so [inaudible]. But I just want to, then, continue the discussion from yesterday. Did anybody have any other contributions or thoughts regarding the questions of how do we save volunteers from burnout? Can there be an improved process by which the ALAC could develop policy advice? Identifying the different representatives from At-Large being from the private sector, civil society, or the technical community and how do we engage with all of those different stakeholder groups within At-Large, if that's a right way of defining it.

And is capacity building really about building knowledge? How is that accomplished? How sustainable is it? I'll open the floor to questions or comments. All right, I'm going to – ah, Thomas. Go ahead.

THOMAS LOWENHAUPT: I'd just like to throw it out again an idea that I've had recently about these – I have a one-track mind with regard to TLDs are all about, and for me it's all about city TLDs. Just thinking about the engagement of this – the question that we're dealing with – does that imply the existing structures or additional structures? I know at NARALO, Garth has made

as one of his goals the expansion of the number of NARALOs. Yesterday, the subject of the quality of those was brought up, and I think that's an excellent suggestion, as well. Have we maintained the quality of them?

But getting back to my one-track mind, deals with the – there are 35, 38 cities that have applied for TLDs at this point, some of which are – some will work better than others. And the next time they become available, the next window or whatever it is to be called opens, there are 300 cities in the world that have a million-plus population. Each one of those, I suspect, will have someone broaching the idea of whether their city should get a TLD or not.

And I just thought that cities that – geographic entities or cities that are vying for a TLD, it seems reasonable to me that an engagement part of their process and demonstration of their engagement of the stakeholders in developing the application should include an At-Large Structure. That anybody who's presenting an application to ICANN for a city TLD should say, "Well, we've reached to the stakeholders in our area and we've reached out to businesses and we've formed this – and there's an At-Large Structure for the public to get involved with the shaping of this. We've spoken to people there." And that is part of the process.

I don't think a city should – New York City, I mean – I shouldn't say New York City. New York City has a TLD. They have an At-Large Structure which is my organization. We're a very small organization. The At-Large is a very small part of what we do. We still don't have a really legitimate structure, in terms of what we're doing, how we're serving the eight

million people who live in the city, what role we play in that process. I think it's important that there be an entity that the public can go to.

At this point, if you – the sunrise ended yesterday or Friday. And if you were looking to – if you're on a dot-nyc page and I think just [nic.nyc] is the only that's active at this point, but there are going to be 500 sunrise names were approved. And there will be I don't know how many thousands come October 8th, when the land rush ends. The only thing you'll see, you'll be able to get to network solutions – not network solutions but [Neustar] in Virginia.

This seems like when a city TLD is purporting, in our case, to be geographic. It's only residents of New York City can a TLD, can have a domain name within the TLD, that there be any recourse, any complaints, any ideas about its operation should go through somebody in a – four states away that's a contractor I think is important to look. I think it's a good way to encourage the development of RALOs, as well.

DEV ANAND TEELUCKSINGH: Okay, thanks. In essence, you're saying by those – for any application coming for a city TLD, it should have some sort of ALS involvement as part of its application. And also, that ALS, because it would be – that organization, because it would be interested in how that TLD is run, they'll be more likely to engage on ICANN issues related to – the policy issues related to TLDs is what you're essentially saying, if I passed that correctly.

THOMAS LOWENHAUPT: Yes.

DEV ANAND TEELUCKSINGH: I see Konstantin. Konstantin, I hope you are taking notes for others out of the room.

KONSTANTIN KALAITZIDIS: I'm trying to, yes.

DEV ANAND TEELUCKSINGH: Okay. Okay.

KONSTANTIN KALAITZIDIS: [inaudible] my notes and then afterwards, I'll try to make sense of it.

DEV ANAND TEELUCKSINGH: That's what we all do. Any other thoughts or comments regarding the questions from the previous issue? One of the things I think that [inaudible] talked about was that everybody seems to say that the information's just overwhelming in the sense that the policy advice requires – there's lots of policy issues being looked at. The flood of e-mails that At-Large receives, it's just that it's just too much, especially when you have to respond within 21 days. So even the ALS representatives, there's a challenge there for them to even interact with their own ALS, interact with their own At-Large Structure.

I don't know if anybody read some of the ICANN strategy panels. Some of the things – one of the things they were suggesting was to try to bring in more interactive engagement by using things like SMS delivery, of trying to send SMS text messages to try to [poll] or gauge the

audience and so forth. Any thoughts on whether that is even – is that possible or is it that’s not really feasible?

So, the idea would be that when there’s a particular policy issue out there and you can frame the question and get the – I guess not the temperature of the room but a sort of sense, “Okay, what do ALSes think about this issue?” And if it’s a way of responding quickly via SMS or via Twitter or via – it could apply to things such as social, like on Twitter and so forth.

UNIDENTIFIED MALE: So the question whether there is [inaudible] as quickly as possible?

DEV ANAND TEELUCKSINGH: Yeah. Does anyone want to suggest any ideas as opposed to how we approach policy advice within At-Large and also within how – for example, the GNSO, for example, the GNSO has public comments. But I don’t know if that even reaches out to the global At-Large end user community, even though they are directly impacted by those policies. Are they being made aware? And if they aren’t, then how do we get more – Fouad, go ahead.

FOUAD BAJWA: Thank you, Dev. Good morning everyone. Fouad Bajwa from APRALO. You know, dealing with policy within the RALOs still remains let’s say a specialized area. A specialized area in one way is that you need volunteers to be there, sort of be available. That’s one of the major challenges within the RALOs, which is ALS engagement. Not every policy

issue is of interest, due to the diverse nature of the members, the member organizations, and the representatives, and even for individuals.

There are some people, but since the structure is loose, the communication flow is loosely connected. The first challenge would be how can make it more like – I won't call it "structure," but more [inaudible], more directly connected.

One way would be to suggest that each RALO have policy working group at the RALO level, number one. And the people who [inaudible] this would be, let's say not the word "strictly," but just to give you a sense – the people interested in the policy processes. So you would actually find out then which ALSes are really interested in those issues. And that also gives you a broader sense of what kind of issues interest the ALSes. Because what you see in RALOs is you have usually the leadership who's always there to just give you maybe comment or maybe try to push it through the RALOs.

But the challenge is can we find a solution to where these policy working groups can be formed and how do we manage these policy working groups so that they can really comment on-time?

And if, as Olivier was sharing yesterday, that if the future time for commenting is 40 days and it takes ALAC to reach decisions in 40 days. So just imagine how much stress the RALOs will have to take and how much stress the policy working groups will have to take to be in line with ALAC. So this also comes to that same discussion of our subject matter experts. Thank you.

DEV ANAND TEELUCKSINGH: Thank you, Fouad. So, possibly, one of the things is also for the RALOs and for the ALSes to have a sort of mapping out, if we could summarize, could also do a mapping out exercise where those ALSes entered in, say, particular policy issue like WHOIS or privacy or ccTLD and so forth.

If a RALO has that mapped out, then those type of policy working groups, as you called it, could be targeted first with this announcement and say, “Hey, this policy is now out for comment, which is under your...” well, not remit but – “which is of your interest, of interest to that group to you. Can you comment on it? Can you start a discussion on it?” etc.

Okay, I see Olivier’s hand is raised. Go ahead. Okay, thank you.

I guess my initial thinking is that by having multiple – all the RALOs trying to do it at the same time, there may be a lot of duplication of effort. Wouldn’t it be better to have it coordinated at the At-Large working group level rather than separate RALO-level type of groups?

Instead of having an APRALO group on ccTLD issues and a LACRALO group on ccTLD issues, aren’t we duplicating too much effort in those RALOs and should be more coordinated at the broader, At-Large working group level?

In other words, what happens, when you map it out for all of At-Large, everybody there gets it. Okay. Those who are interested in ccTLD issues, across the whole At-Large, they get the message. Let them, at that level, rather than at the RALO level. Fouad, go ahead.

FOUAD BAJWA:

Just recent experience, this is beyond ALAC but it does affect ALAC, because its RALO members are contributing to the ICANN regional strategies across the world. One thing I've seen for the Middle East Strategy Working Group was that it was selected by the senior VPs for the region, and they came up with a strategy. There was really hard work in there. You saw a lot of participation from the [inaudible] members, coming from all stakeholder groups.

And once the strategy was made, what the members did was they formed task forces. I started a task force on capacity building and awareness. We executed something which helps building the capacity of the 23 countries within the remit of Internet governance and so forth. Then, there's a task force on IDNs, which has been – they've already had two face-to-face meetings.

The point is this. You have to find maybe a junction point where the interested people can come forward. It's not necessary that out of – let's say, if you had such a working group at the ALAC level and there were 30-40 people in it. Still, people commenting would range from three to five or maybe seven people.

You still wouldn't have a larger population participating in this because the interests – we have a subject area which is a bit technical. And then you have a subject area which is very policy-oriented. And then you have an area where there's passion involved. The scale from passionate to dispassionate policy commenting – not policy development, but policy commenting processes – is a really thin line. To actually gain and [inaudible] their interest is a really hard thing.

So maybe, if we want to keep the burden off the RALOs, then it's going to put more burden on ALAC, apart from the hard work it's already doing. This is something which has to be really explored on an ongoing basis. It's resource-intensive, as well.

DEV ANAND TEELUCKSINGH: Okay, thanks, Fouad. Olivier?

OLIVIER CRÉPIN-LEBLOND: Yeah, thanks very much, Dev. I've seen, actually, some of this being implemented across as the main pusher for the policy pipeline that we have in At-Large. As you said, it's very difficult to get feedback within the 21-day period and then another 21 days afterwards. We've been able to file most of our statements within the reply period.

Now we're going to be afforded 40 days to be within the periods that are allocated. Even that is going to be very hard. I've seen some RALOs, such as LACRALO, for example, having their own internal discussions, as well, on some of the issues. So having their own regional working group discussing something.

But what I have found, though, is that it introduces another layer of discussion. And so, whilst LACRALO reached consensus on something, they then come back the day before the overall ALAC statement has to be filed and that's too late at that point, because of course the position that LACRALO has might not be the same position that all of the other RALOs have, as well. We cannot just find consensus in 24 hours between the RALOs.

And as you mentioned, there could be or – I can't remember now, it's too early for me to remember who said what. But as it was mentioned, there might a duplication of work or triple work.

I wanted to take us back to something that was said before. And again, I can't remember who said it, the [inaudible] – it could have been Karaitiana or someone else – with regards to how the European Commission did things. I felt that was quite an interesting point. We are all aware that there is a flood of e-mails coming through people's mailboxes. Even if you start putting filters in your mailbox, you turn [inaudible] the morning and you've got 50 e-mails in one mailbox, 60 in another one and whatever, and it's all mingled and bashed together.

I guess part of the reason for this is because although we have a few working groups that are very targeted and specific things – for example, the IDN Working Group, so Internationalized Domain Names – when we have just fired the announcement of the public comment period on this specific topic just to the work group itself, the response has been poor. Maybe because, again, this is just one working group out of many other things.

What we've done, of course, is to send the announcement to ALAC Announce, which is the list that just gets your gigabytes of e-mail per day, and maybe said, "Ah, well, it's also a new gTLD issue, so we'll send it to the new gTLD mailing list, *and* we'll send it to the IDN mailing list. Which means that someone who is on the three mailing lists gets three copies of it and thinks, "Delete, delete, delete," rather than just having to delete once, or thinks, "God, this is just so much coming in."

What I liked about the suggestion that was made there is this simplification of topics according to the context of the person logging in. It was mentioned yesterday – so civil society, for example. In the European Commission, the different groups and different stakeholder components are all subscribed to the European Commission website and so on. But when you go onto the website and you say, “So who are you? Are you a civil society? Are you a business? Are you another type of organization?” the choice that you make determines how the matter is brought to you. Therefore, you say that you’re civil society, it will come back with five points that would affect you as someone from civil society with regards to that 80-page document or something. If you’re a business, it would just summarize and give you the five points, as a business, how that would affect you. You don’t need to be going through the whole 80-page document thing.

I wonder whether there’s something we can look at here with regards to simplification of the public comments that we send out. I was hoping that we could have someone who could show us the policy development page so as to see what it looks like at the moment, the constant pipeline that we have, and whether there could be improvements made to that or recommendations for improvements made to that. With staff, we have tried to simplify issues and make things as easy as possible to access, but it doesn’t seem to have caught on, or people don’t quite know how to navigate it. There’s too much of a complexity. We got a problem on the technology, okay.

That was one thing. The other thing was linking to the subject matter expert thing, which was mentioned again also yesterday. I really like the idea of subject matter experts, mapping out who the subject matter

experts are in our community. I have to remind you all to take part in a working group or to file a comment, you don't need to be the ALS representative itself. As long as you are from an At-Large Structure, from an organization that is an At-Large Structure, and of course, with the green light from your ALS representative – let's say, in your organization, you may have someone, an expert on topic XYZ. You are able to say, "Look, we have a topic expert on that." We would like them to be in our database of topic experts.

At that point, when an issue comes up, if staff could have a tool where they say, "Well, the issue is related to WHOIS and privacy," they would click on this, we would immediately know who the topic experts are for that, and we could target that information towards those topic experts in the different ALSes that we have, asking for a volunteer from those ALSes. That would greatly reduce the overall blanket e-mailing that goes to everyone. The topic experts could be directly engaged and could step up without filling everyone else's mailboxes. We could immediately have a drafter and feedback in a much more efficient way than the way that we're doing it this way. I don't know if it resonates with anyone here, but that's a suggestion. Thank you.

DEV ANAND TEELUCKSINGH: Thank you, Olivier. I think that's – some things come to mind. The challenge is that by segmenting the public comments so that it goes to the targeted person, then that means that somebody has to then really have to organize – has to look at that public comment and make sure it is a WHOIS-related issue. Who does that? That's the first question. Olivier, go ahead.

OLIVIER CRÉPIN-LEBLOND: Yeah, thanks very much, Dev. With Ariel, we've been working on this. We have been trying to think of categories by which we could classify public comments. Therefore, a little bit like a library system, we would have classification. If it's something that involves privacy, we'd have keyword "privacy." Something to do with IP addresses, we'd have keyword "IP address." Something to do with, I don't know, the RAA, for example – Registrar Accreditation Agreement – then we'd have a keyword "RAA." That gives a lot more shape to things.

It's actually helping us when we do a search and say, "Oh, we would like to find out all of the past statements of the ALAC that dealt with the RAA." Then we could just do a search, keyword "RAA," we've got all the statements that are there in front of us. That would then help those people today who might have not been members a year ago or remembered any of those statements, because I remind you, we had more than 50 statements last year. That's a huge flood. Even I don't remember a tenth of those.

At that point, it can also help because the statement today can refer to some statements we might have made in the past and said, "Well, we told you three years ago that this needed to be addressed. We're saying this again now. This is not a new issue for us. We know what we're talking about."

DEV ANAND TEELUCKSINGH: Okay, thanks. Fouad?

FOUAD BAJWA:

Fouad Bajwa, APRALO. I don't know. This is just an idea that just popped in my mind. ICANN has recently developed a habit of investing in a lot of technology. Something which is happening in the development world is exploring policy management systems.

What do these softwares do? The idea of these softwares are they are document management systems, but they're specialized systems. They're for knowledge management. The ideas behind these systems are to manage chronological and general-type data, metadata, on all those documents, which means that document version controlling and having all these documents open up in one system and having mutual editing available. These are the kinds of things that these systems do and making these searches much easier because that's the way they're continuously indexing those documents.

The community systems at the moment? Okay, well and good. Those are Wikis and there is versioning in them. But really, if you look at community.ICANN.org, it is starting to become a mess now. Those Wikis are not designed to scale up to that level. Really.

When Confluence and the corresponding sister software, Jira, were designed, they were specifically designed to cater to technology companies or project management teams. That was their original objective. That's how we used to use them more than half a decade ago in technology companies and open-source communities.

That has exploded phenomenally. These [inaudible] systems are trying to keep up with that, but really, they're becoming a mess. We really have to go back and revisit the thing that, in today's world and the kind of work we're doing, are these systems really helping us? This is

something we have to do with ICANN, because this system does not affect just one AC or SO. It affects everyone across the community, because I'm sure it's becoming a mess everywhere.

We really have to visit this. We really have to work on this. We have to look at it if we're developing policies or recommending on policies, there should be a policy management and commenting system in place designed in collaboration with the community. ICANN will have to invest into this, because this becoming chaotic for ICANN, as well.

DEV ANAND TEELUCKSINGH: Indeed. Okay, Olivier, go ahead. I'll add myself in the queue after.

OLIVIER CRÉPIN-LEBLOND: Thanks very much, Dev. I hope I'm not monopolizing the discussion, but I thought I'd share some of the things that we do.

With regards to what you just mentioned, Fouad, it's interesting because there is, at the moment, the whole – there's a political thing in ICANN at the moment between – there's the policy department on one side, and there's the global stakeholder engagement department on the other side, headed by – that are working together, but still, they're departments. When one says, "Separate departments," one says, "Separate cost centers."

Who pays for what? There has been a lot of emphasis towards global stakeholder engagement recently, under the header of Sally Costerton. One of the things which the ALAC has commented on was the concept of crowdsourcing. There was a suggestion that, "Well, you know, all

these policy issues that come up at ICANN, we can crowdsource that. We can send it out to Facebook and send it out to you know, and then people will flock to it.” Not people from within the ICANN communities, so it’s not looking at GNSO members or At-Large members or ALSes, specifically. It’s looking at the world. Then, people will just put their comment in there.

The point of view that the ALAC has put forward is the fact that by the time we have a statement that reaches the public comment process, we have already weeded out the comments which might have not been to the point. We’ve got a quality comment that comes out there that has – or that should have – much heavier weight than a comment from Mr. XYZ from wherever, who just thinks, “Oh, yeah, this is a good thing to comment about. I’ll say a few words about it,” and says something. We actually represent a lot of people, a lot more people than some of these comments.

On this management system for comments, the whole revamping of the ICANN website and so on has pretty much continued in the same way and not really used proper software I think to be able to look through this.

We have developed, with our small means, a Wiki page which deals with policy development and which I can’t emphasize enough, everyone should be looking at and consulting regularly. It’s the only way I’m able to find out what the heck is going on, because there’s just so much going on. I’ve really asked Ariel Liang – who’s great – I’ve really asked her to keep a very close watch over that. That’s her job. She is the policy person on the ICANN staff for our community. What we have is the

open statements. Then, if we scroll further down, you've got the statements which have already been filed, etc.

I wanted to just take a few minutes to take you through one of these statements and ask for your input as to how we could improve this and make this easier for our community to keep track of.

On the top part, you got the comment closing date. That's the ICANN comment closing date. You got the name of the statement. The status, with easy tabs. So, TBC is basically we still have to think, "Do we want to draft a statement about this or not?" Then, we've got, "If we decide to do so, who's going to be the pen holder?" That's the next column. Then we've got call for comments is when we send that e-mail out to all of the At-Large lists and fill your mailboxes up.

Then, after that, basically the call for comments, we always choose when do we start, when do we end, and we always have to end at least five days before the closing date of the overall ICANN commenting, because we need to have five days for the ALAC to vote on any comments that has been drafted.

So we've got vote open. Vote reminder, this is for those people on the ALAC who don't read their e-mails and we have big thing going, "Urgent! Vote now!" I've received some of these, as well, which is terrible. Then, we got the vote close, so everyone knows when the vote closed. Then, the date of submission, that enables us to actually track things. We've also got the staff member in charge, the staff member being the ICANN staff member in charge of the public comment process for all of ICANN, not just for us.

If we can scroll down a little bit. Of course, this is a fruit-based computer which doesn't have a wheel mouse. Much easier with a wheel. So, scrolling down a bit. Further down, further down, let's have a look. The one with Tijani holding the pen has not been drafted yet, so let's go to the one underneath there, with this great star. Dev Anand Teelucksingh and Raf Fatani. We've got ICANN Draft Five-Year Strategic Plan.

If we click on that, at the moment, it actually says "comment," actually from last night. From midnight onwards, it's gone into vote, so Ariel needs to change that from "comment" to "vote." We've got here, again, a repeat of the top, the dashboard. Underneath that, we've got, "For information about this public comment, please click here." When you click here, it actually opens this thing up and it shows us all of the data with the original information links and whatever and then a brief overview.

This is what I meant earlier by the bullet points. [inaudible]. So operating plan and budget planning, strategic planning, strategy. We have not been able to integrate this yet into some kind of search engine that will be able to provide us with a dash. This is it. We're doing this on a shoestring budget. It's probably less than the shoestring because a shoestring is probably like, what, a pound? We've got less than a pound for that. Go ahead, Fouad.

FOUAD BAJWA:

One of the major challenges of this processes is this is becoming a resource burden. Time, effort, everything. Your staff member is being utilized on let's say donkey work. That's the term we use in our part of the world. Basically, you're doing repetitive work.

[inaudible] the real model for this? A document for a comment comes out on ICANN's website. That document should be a parent or mother document, which happens in larger companies. I've seen this happening in larger companies. Something comes out from the board in those companies or the top management, it's one single document which opens versioning to all the departments in the organization.

What happens is you are basically linked from your system to the mother system. What is happening is that your specific department, all the comments it's making, it's storing those versions on the central system. Then, at the end, when the period closes, it starts merging all those. It's like a [inaudible] system, like a [backing] system. It takes all the accounts, all the debits and credits and it puts them together into one equation. These systems exist. There are systems which do amazing amounts of even printing, electronic printing, in two hours. Millions of documents. This happens in billing systems across the world. The point is this: maybe we should try to shift ICANN's focus into this, as well. It will reduce your burden.

Second comment. The crowdsourcing concept? It exists. I was in Germany. I was training the Green Party. I was training how can a political party get so much feedback from across the whole nation in a matter of minutes. What will they do? They have these open-source systems designed which have those policy – the person who's raising the point is going to take it to Parliament. He raises his points and then people can comment. The system finds similarities. It builds dashboards out of it and it shows you that how much support has it gained, how much rejection has it gained.

Maybe we should look at the commenting process from this angle, as well. Maybe people might not have a comment, but they may be in favor of it or against this. For policy people, this is also a comment. The temperature across the RALOs is this on this issue. These are some things that we should start exploring.

DEV ANAND TEELUCKSINGH: Certainly. Go ahead, Olivier.

OLIVIER CRÉPIN-LEBLOND: Thanks very much, Dev. Very valid point and it might be one of the recommendations that this group wishes to – I've seen a lot of nodding. I'll take you just quickly, for the sake of completion, to the end of this demonstration then we'll continue the – if it's okay with you, Dev. Yeah.

We go the tags. We've got all the information there. Yes, it's very resource-intensive and this is why Ariel doesn't sleep much. One or two hours is the maximum we allow her to do. But then we've got the purpose, the brief. All of that is actually cut and pasted manually from the main public comment website in ICANN.

One of the problems is that recently, they've changed the format of the public comments – they didn't tell us about it. From one day to the next, at some point, we had automated some of these tasks with a macro and suddenly it went, okay, doesn't work anymore. Got to change again. Ariel does spend time – she's very fast, though. She just zaps things around. But still, it's resource-intensive and it's not efficient at all.

If we can continue scrolling up. We got the copy of the description and stuff, which we could find on the ICANN website. Then, we go further down. Then, we work backwards. We got the final version at the top – things are falling apart in this place. Final version – as soon as you talk policy, that’s what happens. We got the final version, which is at the top, because we wanted to put the more-recent thing closer to the front and the older thing further down.

If we scroll further down and start with the first drafts. Here we go. First, there’s a discussion on the ALAC lists. Then, from whatever weak sources or discussions that the penholder has had, they put together a first draft. This is a first draft.

If we scroll down, we ask for people to put comments on the first draft. They have to log into the Wiki and then they type in their comments. Various comments go in there. Some of them say, “Great job.” Some of them say, “This is absolute crap. We have to start again.” Various comments.

At the end of the public comment period for At-Large, the penholder then drafts a final draft with all of the comments included from the first draft and amending the first draft as necessary. Then, the ALAC votes on it. Then we go back up.

Once it’s ratified, so let’s go back one page and go into one which has been ratified. We go further down. Here we go, Board Member Compensation. Adopted. Here, we’ve actually now filled the adopted, the status thing. We know what the votes are. Thirteen yes, one no, one abstention. If we go further down, now, again, exactly the same format as the previous statement. Now, we have in the final version, we’ve got

an actual copy of the statement itself, which was sent to the public comment process and to whoever it needed to be sent to.

All of that is done manually. Now, if we could have automation on this, that would definitely – I would say that would help, because then linking it with the subject matter experts that we would have identified in our community means that not all of you – because you’ve all been notified about this, by the way. It’s e-mail 3,698 that you received a day ago. You’re now on 6,000, so that’s way in the past.

It’s just a flood of information. Being able to manage that and manage volunteer engagement by only notifying the subject matter experts and perhaps having one central repository where all this stuff can be searchable and so on will I think really help. It’s a data management problem.

DEV ANAND TEELUCKSINGH: Actually, I – just sort of some quick – let me just jump in, just in, myself in the queue because I was studying this type of how to automate the collection of data in terms of how we could comment on public – sorry, how the ALAC can track the public comments. I tried to do the automated type of system where I tried to pull the data from the ICANN’s website. The problem came because ICANN kept changing the format and the layouts of it within every three months or so, which broke the system.

The idea what I wanted to try to do was to automate it in such a way so that a calendaring application, so we can subscribe to a calendar so we can know, “Okay, do we have these upcoming deadlines here?” and so

forth. But unfortunately, ICANN keeps changing the layout of the website. Once again, they've changed with a new layout again. In fact, I might have heard that they're going to be possibly changing it again.

Because our investigating is actually looking at using the Wiki to actually do the public comments. So if they do that, by the way, where the comments are actually filed on the Wiki first and foremost, then it actually becomes slightly easier for us, because then we could just simply, what do you call, a Wiki [inaudible] – embed the Wiki page onto that Wiki page. It's not like we're making copies, which might make it easier. But I've been through that struggle already. Spent lots of hours trying to automate it. Fouad, go ahead.

FOUAD BAJWA:

Systematically, what I suggested earlier, when you have a parent document versioning and management system, what happens is when the document is generated, number one, it's machine-readable. Number two, it's generating metadata. Number three, that is what is actually sharing that information across all versions. That really pushes out or completely eliminates these kinds of issues. One version – only you have to touch the parent system and it gets updated across all the ACs and OCs.

Literally, this such kind of systems do exist, number one thing. Number two thing, where does ICANN lapse? That was an initiative which has been heavily invested into a lot of time. Some of the stuff that you know ICANN pull off on its own without the community participation. This is where we shouldn't desert ICANN. We should bring the ICANN [Maps] to explore such kind of an open-source system and bring it across the

community for everyone. For At-Large, it's a very huge issue. But it is something which is going to be helpful across the community because then just imagine the power of such a system.

It will allow you policy communication across the ACs and OCs through one source. It makes everyone efficient. It makes ICANN efficient. It's something which is going to work top-down, bottom-up. It's going to be a complete full engagement system.

How is it going to be made? That is where, again, the At-Large community can play a major role. Because we do have an [inaudible]. Personally speaking, I've been working on these kind of things for more than three years.

The Green Party system's a proxy system. Basically, you can nominate someone else to comment on your behalf. Just imagine what that will do for ALSes. The ALSes could nominate someone as a proxy on their behalf. They could comment in the process. You would actually cover a lot of ground on your ALS engagement. You would cover a lot of ground on your ICANN engagement. It will help the engagement processes across even the ALAC members, the liaisons with other ACs and OCs. It's really a remarkable idea if we start exploring this.

DEV ANAND TEELUCKSINGH: Thanks, Fouad. I think one of – I guess something we can write up on is something regarding the public comment system that ICANN implements that really needs to be improved with a look at making it more accessible.

Just also, just something that comes to mind. We're just looking at the English versions. The other language versions, if you wanted to try to incorporate that, it doesn't really happen efficiently. Because what happens is that, with the way ICANN treats it now, it's like it's actually like a sandbox. The policy staff who – in charge of the various ACs, SOs, when they get up the whatever the statement or policy is out for comment, they fill a form, a Word doc, and hand it off to the web development team to, "Please put this exact information up on the website." They literally just toss it over the wall and then the web development that updates the website to put the public comment.

UNIDENTIFIED MALE: [inaudible]

DEV ANAND TEELUCKSINGH: This is the – yeah. Yes. But the problem is also is that the different language versions don't even come out on the same time as the public comment when it's first announced. The language versions [inaudible] after. The problem is that the different language versions, there's no easy way to find out whether that has been published or not unless you really dig into the public ICANN's public period and, "Oh, there's a English version," and so on. Olivier?

OLIVIER CRÉPIN-LEBLOND: Thanks, Dev. Thanks for mentioning the different language versions. On the ATRT-2, we looked at the recommendations of ATRT-1 and several of them dealt with the availability of all the ICANN documents in different languages and so on. We've noticed that one of the problems

is you might ask the language department to translate three pages on a Monday and you'll get it within 24 hour because they've got nothing else in the queue. You might ask it for a week before an ICANN meeting, and they will you, "That's going to take two months because we're really overburdened."

One of the recommendations we've made is – I think it's a recommendation or an observation – I can't remember, one or the other – is for the language services department to develop a CRM system where you could go on the web and actually find out what the state of the queue is. Not only that, but also forecast the load in the language services department throughout the year before ICANN meetings, etc., since this is all cyclical. They could actually forecast when it is. You could actually, therefore, choose when you want specific documents translated so as to actually smooth out the curve of the load in the language department.

So far, it doesn't work like this. So far, when you want something translated, you take your document and you send it over to the language services department. It goes into the queue. They look at it. They calculate the number of pages and stuff. They send another e-mail to the people that do the translation. There's a flurry of about ten e-mails or something. Then, they finally e-mail you back and say, "It's going to take three weeks." It's just highly inefficient.

Again, so we're dealing with another component of ICANN that needs to be optimized in that way. And industrialized. At the moment, it's just craftsmen at the moment. It's not a proper system that you would imagine of an organization that is a truly international organization.

I was wondering that anyone else has views on this, because I know we've all got strong views on things. Maybe you can–

FOUAD BAJWA: Let's look at this. This is ope –

UNIDENTIFIED MALE: Mic, please.

DEV ANAND TEELUCKSINGH: Yeah, Fouad? Start over again because you're not on the mic so nobody would hear you when listening to the transcript.

FOUAD BAJWA: You really don't want a Pakistani talking about [inaudible]? Okay. This is Fouad Bajwa, APRALO. This is just for a thought. Look at this on your time. Explore this. There's a demo version over here. I've actually sat with the researchers who analyzed this in the eastern part of Germany. We sort of understood where it was. This is what popped in my mind, that the communities that I volunteer to could really make use of these kinds of systems.

They can be changed to actually – when there's a policy proposition, there's a policy [problem] definition, what you need is to identify where the problems are. Then, you need some sort of a diagnosis. Then, with the diagnosis, you need solutions. This is what that is.

Now, one version is created of some topic. Then, it is put out for public comment. Public can comment. Public can proxy. Public can proxy

representatives of their members or 100,000 people can select one representative to comment on their behalf.

If you start creatively thinking what this is, it is actually a lot closer to what we want to achieve as well and something which ICANN can really improve on. This is just food for thought. This just came to mind. Maybe you want to look at it on your own time. Thank you.

DEV ANAND TEELUCKSINGH: Thanks, Fouad. It does look interesting from reading the website. Okay, Bogdan.

BOGDAN MANOLEA: Thank you. I just have two idea. But just to mention, I knew this one, also the [Private] Party has a similar system that is working quite interestingly. They get a lot of feedback from their members and supporters. This is something to look into.

I wanted to touch on two ideas, but first, I heard the Olivier, the first phrase of the earlier statement, which I'm not allowed to tell, was we got the conclusions in the [ATRT-2] from the [ATRT-1]. Now, that's typical ICANN speech, which is difficult to understand by a normal user like me and other Internet users. This relates to one of the ideas that I wanted to show. I get to that one, actually, to be easier.

The webpage that you present us is great, but is too complicated. You really need to have a usability expert to look on it. It's not that difficult, but you have too much information. Any regular user that would get

there, they will say, “Oh, what a nice chart. Too much. What do I need to do? No link. Close.”

An Internet user decides on what to do in the first seven to fifteen seconds when they reach a webpage. So what you really want to do if you want to get to that webpage, just put a big button called “comment.” “This is happening now. This is what I want you to comment. These are our topics.” This is usability of things. The data, you already have it. You just need to structure it much better. It can be done. But right now, it’s very unattractive for a regular user.

UNIDENTIFIED MALE:

You never know how many people are commenting on it.

BOGDAN MANOLEA:

Yeah. This is a simple thing. It’s a great idea, but it needs to be structured in a way that the regular user will understand it.

The second point was related to the fact that ICANN changes their website. I think that’s ridiculous that we discussed that, not because it happens, but because we are in ICANN. I’ve heard the same problem happening with the European Parliament or with a national parliament. But they’re different institutions. Here, we are talking with an institution that supposedly we are somehow part of.

I think one of our [inaudible] suggestion would be to ICANN first to present the information in a way that it can be reused. There are ways of doing that. All the world talks now about open data initiatives, about [XLM schemes]. In order to implement that, it’s not that difficult. In

order to do that if you do that once, then anyone – not just ALAC, anyone – can reuse the data. You can reuse the data in order to make some statistics on how many comments do ICANN policies receive. Or how often do they change it, so on and so forth. I think one direct recommendation that could come from [inaudible] is to have a system implemented that would allow anyone to reuse the data.

DEV ANAND TEELUCKSINGH: Excellent suggestion. I think that's an excellent idea.

UNIDENTIFIED MALE: I'm [inaudible] from APRALO. I will just add a point to the [inaudible] feedback system. That's probably why the At-Large Structure is important, because I'm new here but already there is a simplified Chinese version and traditional Chinese [inaudible] version of feedback being implemented. The translation has been done about half a year ago. The code is being put on [key hub], so anyone can [inaudible] it and try to run a prototype out of that.

That means that if you need someone to scrap the data and try a prototype system, we have a lot of people, developers, who could just give their passion and work out a prototype site and everyone could test it. Because it's all online right now and we're being in contact with some of the people using the system from Italy, from Germany, as well. Thanks.

DEV ANAND TEELUCKSINGH: Thanks. If I may want to put on another hat, there's an At-Large working group called the Technology Task Force, which I think would be very interested in looking at these type of systems. Actually, I would encourage persons if you want to join that Technology Task Force Working Group, because, for example, one of the things we have looked at for social – we have looked at the social media. If you noticed now, there's a very vibrant social media presence now. We looked at a collaborative platform by which information can be funneled to At-Large staff, which can then re-tweet information.

For example, we're using a group chat system, which allows for group chats to be channeled or tagged to a particular topic or room. What happens, our persons are subscribed to those rooms who are the reporters and who have has been tasked to tweet about these various sessions in play. It's working quite well. On the first day we got I think there was about 160 messages coming in. Pictures, comments, and so on. Ariel has a lot of information [inaudible] from staff, who can now take that a lot of that information and re-tweet it.

Again, Technology Task Force. Please do join that group. Anybody has hand is raised? Nobody's saying anything. I want to just throw it out, because I'm seeing...

UNIDENTIFIED MALE: Go back to that one [inaudible].

DEV ANAND TEELUCKSINGH: Go back to what? Yes.

OLIVIER CRÉPIN-LEBLOND: Just for the transcript, I don't know how they put on the transcript your humming.

DEV ANAND TEELUCKSINGH: Yes.

OLIVIER CRÉPIN-LEBLOND: Because it happens on the calls. It's a [inaudible] thing. "Any comment? Hmm, hmmm..."

DEV ANAND TEELUCKSINGH: It's kind of like, you know, hey, you know. Times of – I guess I never really was – picked up on it. Anyway. [inaudible] brought to my attention. I guess it's because I just don't want to have dead silence. Go ahead, Fouad.

FOUAD BAJWA: They usually type "inaudible," "silence," or something.

DEV ANAND TEELUCKSINGH: Thanks, Allan, for putting back what was supposed to be our Sunday agenda. Because we did start off late, what we were supposed – what we just started off with was going back to the question from before and continuing the discussion.

What was scheduled for today was to review the Saturday session, to have a continuation of the R3 white paper discussion.

UNIDENTIFIED MALE: R3 [inaudible].

DEV ANAND TEELUCKSINGH: What is the R3 paper? Maybe I should –

UNIDENTIFIED MALE: [inaudible] go into that.

DEV ANAND TEELUCKSINGH: Yea, I think we couldn't go into that. Olivier, do you think you can? Let me see. Do you want me to open the R3 paper and put it on the screen or?

OLIVIER CRÉPIN-LEBLOND: Thanks, Dev. I don't know whether we've reached that point yet. Have we reached that point? You're Chair.

DEV ANAND TEELUCKSINGH: Thanks. I don't know if there's any – does anybody have any additional feedback from those three questions? One of the other things that we're supposed to look at was the volunteer burnout. I'm trying to see if whether that was also on the agenda.

OLIVIER CRÉPIN-LEBLOND: If I can help you, Dev. As the sole living representative of the subject matter experts, my two other colleagues having dropped off somehow –

one I think still being stuck in Toronto and the other one having NomCom duties. I know that Stéphane Van Gelder wanted to come back to us at some point during the day to speak to us about volunteer burnout. Might I perhaps suggest that we wait until he comes back to address this.

The volunteer burnout is something which you will learn about maybe via Alan Greenberg today, our GNSO liaison. The GNSO met yesterday for its first working day and they actually had a number of issues they want to discuss with the Board and with the CEO. One of them is volunteer burnout. It's apparently going to be quite a heated discussion, which is really what's needed here, as it's getting very cold. A heated thing.

That's one thing. If that's okay with you, we can wait for Stéphane to take us through the volunteer burnout discussion. We're all suffering from that.

I can take you through the R3 white paper. The reason for this agenda, by the way, is to put some kind of shape to our discussion so we don't spend 90% of our time on just one thing. Please, as a subject matter expert, I'm pleased to see we actually are progressing through the agenda. I think the reporters will have had quite a few points to report on now, and maybe a number of recommendations that will come out of that. It looks – or several recommendations pointed towards the Board, towards At-Large, towards the various components.

We have to remember it is the Board that ultimately has the Board Finance Committee. The Board Finance Committee then finances projects for the community and they allocate. If we need more

processes or more automated systems and things that would require investment and so on, these recommendations will have to go to the Board for them to then back to us. Fouad?

FOUAD BAJWA: Right before you go to the R3, one small that I had in my mind was that volunteer burnout, does it concern the participation aspect, as well? That burnout can not only happen virtually, it can also be happening physically in ICANN meetings, as well. What do you think? Do you think it goes up to that level?

OLIVIER CRÉPIN-LEBLOND: My brain is so fried at the moment I cannot answer.

FOUAD BAJWA: There you go. There you go. I've literally seen Olivier become weaker. Every minute I see him, he looks like his suits are getting bigger and bigger. Those are not newer suits. That's Olivier disintegrating.

OLIVIER CRÉPIN-LEBLOND: That's my tailor readjusting the suits to make them look bigger and bigger.

FOUAD BAJWA: Yeah. That's a volunteer burnout happening. The guy's burning out.

OLIVIER CRÉPIN-LEBLOND: Okay. Let's then try and go to the R3 white paper. I, myself, am trying to find it at the moment and for some reason, my webpage is not behaving. Ah, here we go.

The At-Large Future Challenges Working Group is one of working groups that is jointly chaired by Jean-Jacques Subrenat and Evan Leibovitch. They established – started out a few years. Their point was that we often just look at things which are just in front of our nose and we don't actually look at the bigger picture and the wider issues, the wider, long-term issues that come to us.

One of the works of the working group and there were quite a few people who were involved in that and these are the primary participants, the primary individuals: Rinalia Abdul Rahim, who will now be our future Board member. Yrjö Länsipur, who was also NomCom Chair last year or something, from EURALO. Evan Leibovitch, as we know. Carlton Samuels from Latin American and Caribbean. Jean-Jacques Subrenat and Hong Xue. Very well-respected set of people.

They looked at the overall structure of ICANN and wondered whether this was the right structure to generate the kind of results that an organization that is supposed to act in the public interest and act in the interest of the Internet as a whole is the right kind of organization at the moment.

As you remember, the presentation we gave yesterday, the different Supporting Organizations, the Advisory Committees, at the moment, the policy development is made in the Supporting Organizations and the Advisory Committees advise. They produce advice which comes in after the original policy was there, so as to perhaps change the course of the

policy but not draft a policy from scratch. Am I clear or am I – okay. These are the things, yeah. They were looking at basically the four specific areas: the global public interest, the multi-stakeholder system, global governance, and institutional and practical cooperation.

This paper was then presented to the At-Large Advisory Committee and it was ratified as a – this paper was called a white paper. That was ratified by the ALAC as being a very good paper that the ALAC might wish to present to the wider community. We then engaged a public comment process asking other Supporting Organizations, Advisory Committees, and effectively people in ICANN just like the public comment process we’ve heard before, but as us asking for comments.

That received quite a few comments, feedback. Primarily, what the paper says, it basically says ICANN needs to be completely reorganized. Yeah, Fouad?

FOUAD BAJWA: Just a quick intervention. Can you just scroll down to the global interest part and last paragraph? Scroll down further, further, next page, next page. Next page.

OLIVIER CRÉPIN-LEBLOND: Maybe – should we just go paragraph by paragraph]?

FOUAD BAJWA: If you look at this, this is the summation of the – this is what caught my sight even then. Look at this. The public interest? “This unfortunate ambiguity is compounded by the fact that ICANN lacks a clear

engagement strategy to better serve the global public interest.” This is really directly corresponding to what we’re doing right now.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Fouad. That’s the point, exactly. The first line of this paragraph. “One of main factors limiting ICANN’s ability to rise up to this challenge is its ambiguous understanding of the public interest.” There is no definition of the public interest today. If you go on the Internet and you look for a definition of the public interest, you will dozens of different definitions which sometimes contradict each other. That’s only in English. Then you try to look at it in other languages and that makes it even more complicated.

Therefore, because even in ICANN, there has been no definition of what the public interest is in the context of ICANN, this totally undermines the public’s confidence in ICANN to act. Because if there is no definition of the public interest, how would ICANN know how to act in the public interest? And if ICANN doesn’t know how to act in the public interest, then, in whose interest is ICANN acting?

Of course, since vested interests have definitely been defined, at that point, you would say it’s easy to then come up and say, “Well, ICANN acts in vested interests.” The vested interests are the contracted parties, primarily, in the ICANN context.

That’s where there is a both philosophical but also structural argument as to how this could be resolved one way or other. We might have some – some people might have points of view about this, here.

DEV ANAND TEELUCKSINGH: Thomas, go ahead.

OLIVIER CRÉPIN-LEBLOND: You just scared me because I looked there and I went, “Oh, Dev. You’ve changed.”

[laughter]

THOMAS LOWENHAUPT: Wouldn’t there be, ICANN being a California not-for-profit, I would presume that the California law would have somewhat of a guidance as to what the public interest is. At least, they’re controlled by the state of California and I guess the U.S. Constitution beyond that. But I would think that would be fairly – have some – a business, a vested interest couldn’t easily become a 501(c)3 under U.S. law, I would think. But I didn’t look into it. I’m just – short comment. Thank you.

DEV ANAND TEELUCKSINGH: Fouad, go ahead.

FOUAD BAJWA: Thank you, Dev. Fouad Bajwa, APRALO. One important thing, with regards to what’s happening this year. ICANN’s transition into sort of a global management role, an independent management role, and stewardship of the IANA function and it’s struggled to become that global organization for years.

Just imagine that the public interest is not defined. Where is the global confidence and trust within ICANN? This is a big issue. For an

organization which is not treaty organization, for an organization which is not an Internet governmental organization, for an organization model which is not a recognized model. The community recognizes it, the community inside ICANN. The community outside ICANN does not recognize or understand this model.

The public interest part or the public interest declaration for ICANN is what actually creates the confidence which we call the people's confidence. That is what impacts global policy in the future. This is a really important aspect.

The global interest part has to be pushed. It has to be something like – you've seen the [inaudible], you've seen other efforts, the AOCs and so forth. But you haven't seen an effort at the ICANN across cross-community and across community for defining public interest and moving that as one of the key things to promote as part of globalizing ICANN. That hasn't happened. The word is thrown around and it is abused. I call it an abuse of the word, of the term. Even in democratic processes and so forth. It has to be brought on the agenda and forcefully. Not a [inaudible]

DEV ANAND TEELUCKSINGH: Okay, thanks, Fouad. Olivier?

OLIVIER CRÉPIN-LEBLOND: Yeah, thank you very much. Quick refresher, because I've seen pulling faces and I remember what you've just said, Karaitiana. Sorry, no – well, no, no, what was said earlier. Okay, I'm totally out.

ATRT (Accountability and Transparency Review Team) is a bylaw-mandated review that needs to take place. In fact, it's even more than a bylaw-mandated review that needs to take place every three years, I think. Or three or five years. No, three years. It is in the Affirmation of Commitments, which is the document that ICANN has signed with the U.S. government, with the National Telecommunication Infrastructure Administration – the U.S. Department of Commerce, effectively. In that document, it basically says ICANN needs to review itself every X number of years and make sure it acts in the public interest. That's where the term "public interest" comes.

Of course, the Department of Commerce being what it is – and of course, I'm not criticizing the U.S. Department of Commerce, thank you. The term "public interest" is not defined. But one would gather that it would be under U.S. law, since the U.S. Department of Commerce runs under U.S. law. But I don't know if that is a loaded term or not in the United States.

We have looked at this, by the way, in the second Accountability and Transparency Review Team. The first one did its work a few years ago. The second one did its work last year. It had one year to review if the recommendations of the first Transparency Review Team had been implemented. It also needed to see whether it was going to have additional recommendations for ICANN to follow. These recommendations are then send to the ICANN Board. It's for the ICANN Board and staff to implement these recommendations. They have six months to provide a response. We will see, later this week, since the second ATRT finished its report and handed its report on the 31st of December, 2013. We will see before the end of this month – in other

words, this week – a response from the Board on these issues and what are they going to do about it.

You can already know that one of the things they’re going to do is to launch a working group – hey, this is ICANN. Launch a working group on accountability and transparency of ICANN. Hey! Lengthen the source and get more people involved. It’s a review of a review of a review of a review, but hey, that’s how things work.

However, what’s important to note is that the term “the public interest” is still not defined. That’s a serious question about it. This is mandated by the Affirmation of Commitments.

Last thing to note: because, now, there is this process by which the oversight of the IANA function – that’s to do, protocol, parameters, IP addresses – all of that oversight is going to be taken away from the U.S. government and then go into some new structure. There’s a deadline by October 2015 for a proposal to be brought forward by ICANN and sent to the U.S. Department of Commerce for approval of some sort.

Where do we base our new accountability process? If the U.S. Department of Commerce has not defined the public interest, does ICANN have to define it now in a new process? We might not be the only people working on this, by the way. There are other parts of ICANN that are certainly scraping their minds on that.

DEV ANAND TEELUCKSINGH: Yes. I think as well – just to jump in here, because this was part of the draft FY15 Strategic Plan. One of the focus areas for FY15 is to – I’m quoting from the policy page – is “to develop and implement a global

public responsibility framework.” It will be just a – they are looking at it. It’s one of the core five – one of the five focus areas of the FY15 – the five-year, from FY 2016 to 2020 for ICANN.

What they say here is that, just to read from the policy – from the Strategic Plan: “As the Internet grows worldwide and society increases its dependency on it for all manner of activity, the Internet systems of unique identifiers becomes more important of global public interest. ICANN seeks to develop a public responsibility framework for promoting the global public interest in the coordination of the Internet’s unique identifier system.”

It goes on to establish some sub-points of this public responsibilities framework. “ICANN seeks to act as a steward of the public interest, promote ethics, transparency, and accountability, and engage in public responsibility activities.”

I’ll stop there, now. But I see Olivier. Go ahead. Then Fouad.

OLIVIER CRÉPIN-LEBLOND: Thanks, Dev. I was going to add one more thing, in case you are not completely confused by now. Add a bit more spice to it all.

ICANN has mentioned on several occasions – well, Fadi Chehadé has mentioned – that ICANN’s responsibility is to its customers. Who are ICANN’s customers? According to some, ICANN’s customers are organizations that have a contract with ICANN. These are registrars and registries. According to some, the term “customer” as such is anyone that makes use of the Domain Name System. In other words, Internet users. According to some, its customers are anyone who has purchased

a domain name. That's domain name registrants. Which one of the three is it?

The view of the ALAC, by the way, just as a note, is that there is a disagreement between the terms of the Affirmation of Commitments, where in there it says ICANN should be, with regards to the public interest and so on, it speaks about consumers. Of course, consumers, we have the U.S. Department of Commerce. Commerce, purchase, sell, supply, consumer. We're looking at users.

I know that one of the other groups from yesterday's feedback that we had with your groups is looking at the term "consumer" versus "user" and how it doesn't translate well across things. We might not wish to look into the problem of consumer versus user, but that's just to give you a bigger idea of how things are a bit complicated and a bit wooly in this. Thank you.

DEV ANAND TEELUCKSINGH: Fouad?

FOUAD BAJWA: It's time to become noisy. How do you become noisy within ICANN? There should be at least – I think this is a suggestion for ALAC – but there should be a call from ALAC for a public interest summit or something like that. It should happen either one or two days before the actual ICANN meeting in the very near future. Or it should happen during the meetings, so that you will have more critical mass gathering from others. You should reach out through your liaisons to the other ACs, OCs. Invite them to this discussion. Find out if we can have Board

members come in to have the discussion. We can find out if some of those people from NTIA that usually come to the ICANN meetings can also join in discussion. There are clarity on this definition or this nonexistent definition of public interest is created.

For a future globalized ICANN or whatever, the stewardship model is really, you cannot move forward with the clarity of public interest. Because you're turning this into a public policy issue in the near future. It is a public policy issue. The U.S. government is transitioning this role. It is a public policy issue. For the organizational level policies, this is something else.

But then again, wouldn't ICANN be reviewing who it's calling its customers? Who it's calling its consumers? If ICANN is following a bottom-up community decision-making process, then it is the community who has to suggest one version of the definition of public interest.

Again, this is that junction point in time where you have to push this. This is not only to be part of this exercise, but it should be taken up in ALAC, as well. [inaudible], this point has to be pushed. This is a very important point. It should be advocated. There should be a bit of activism. There should be noise. Not the Pakistani style, but more of like policy entrepreneurship on this issue. Thank you.

DEV ANAND TEELUCKSINGH: Thanks, Fouad. Just going back again to what ICANN has as part of this Strategic Plan, to do. Outline some proposed that –for example, by the end of calendar year 2014, produce a report synthesizing the existing

public interest considerations across ICANN by the end of calendar year 2014. Then, following that report by the end of fiscal year 2015, create a framework for ICANN's bodies to assist them in assessing how their actions can be better aligned with the public interest. Then, assess the public interest framework and review its implementation. Go ahead, Fouad. I'm just pointing out what's in the pipeline, to speak.

FOUAD BAJWA:

Within that, the feedback collection process, if you leave it to the commenting process of ICANN, you can just imagine where that can go. If you can somehow even reach a very small percentage of how NETmundial was gathering its comments, that gives you an idea from where I'm coming from.

Opening up that small space, it's about a definition. It's about reaching – it's not even a consensus call. It's about understanding what is a version of public interest in the minds of the various stakeholders and are there any common points? [So] an agreement can be reached. Because beyond the U.S. control of things, what would be a public interest definition which would be in the global interest?

Your [PIA] is going to turn into a [GI]? What are the versions we're – what is the future thinking for that? How will ICANN deal with this? How will the community come to terms with such a definition? There will be always conflict. How will that conflict be managed, first of all? Thank you.

DEV ANAND TEELUCKSINGH: Okay, thanks. Thomas?

THOMAS LOWENHAUPT: Just a historic perspective that I saw recently was that they were looking at the U.S. Declaration of Independence, which was written by Thomas Jefferson. In one instance, there was a cross-out. They looked at it through this technological way, where they could look at the layers underneath and they saw that he had changed the word “subject,” as we were in the U.S. to the King of England. He had carefully crossed that out and written the word “citizen” over it. He was complaining about how we had been treated as subjects and he wanted to be treated as citizens. The exact same space had held both words and it was such a difference between being a subject of the King and being citizens, owners of a country. That is extremely significant.

I think we’re looking for the same thing here. User – I never wanted to be a user of any sort. I don’t know where that name came from. But I think some of these definitions, somewhere in the public interest – whatever that is – is certainly so vague. The Department of Commerce sells things, so they’re probably the consumer. The Department of Defense has a very different interest – different definition as to what the public interest is. It’s vital that we address that and get it answered.

DEV ANAND TEELUCKSINGH: Okay, thanks. Any other comments regarding the public interest? Okay, not seeing anybody raising hands. Olivier, is there other aspects of the R3 paper that you wish to then highlight?

OLIVIER CRÉPIN-LEBLOND: Yes, thanks very much, Dev. If we scroll a bit further down. Next, we have the multi-stakeholder system and a discussion on the ICANN approach. Is ICANN's approach to the multi-stakeholder system sufficiently robust and sustainable in the long run? It basically describes how ICANN has gone from the smaller number of people in the community to the larger number of people in the community right now and whether there needs to be some change in the bylaws and engagement with the GAC, etc., etc. I think this is quite structural and process-based.

Next, further down. Next you've got the changes in the global governance today. It just goes through a background of the global governance arrangements, the resources that they – a concern I personally have is, I wasn't involved in this although I did vote in favor of this paper. It mentions Internet's critical resources.

You have to remember, this was drafted a couple of years ago. At the time, the use of critical resources was not a loaded word. Since that time, there has been the World Conference on International Telecommunications that took place in Dubai in December 2012. It was made clear by governments that anything that is critical becomes a government remit. We're not using the term "critical resources" anymore, because that would effectively be saying, "Oh, great. That's it. We've got the answer. In the bin. Government, take over."

Yeah, it basically looks at the ICANN's ability to deal with this. In fact, I think that part of the points which were raised there have recently been taken care of by ICANN, in a way. I'm not sure whether it was down to the reaction to this paper or whether it was a natural progression of

ICANN under the new stewardship of Fadi Chehadé, the new CEO, but certainly the involvement of ICANN and the NETmundial discussions in the wider governance space – or, at least, the stewardship to help out.

Of course, this work with what we call the ISTAR organization. ISOC, ICANN, IETF. I don't know why the ISTAR has W3C. W3C is the Worldwide Web Consortium. All of these. That's basically showing that ICANN is moving forward into this direction and to engage more in Internet governance as such.

Continue scrolling down. Then, we've got institutional and practical cooperation. This is the cooperation thing, ISTAR organizations. Okay, so I've just talked about that.

Further down. Here we go. Now we got the recommendations. There's the global public interest recommendations. I think some of that is actually permeating through the system. The whistleblowing is a big point, which was also raised by the Accountability and Transparency Review Team. Some of the points there – the ATRT-2, by the way, read through that report and lifted some of the points which were taken from that report and made them into recommendations for the Board for ICANN transparency. I think a lot of this has already passed. The ship has sailed.

The multi-stakeholder system. This is one which I thought asking everyone here who hasn't been involved with drafting this paper whether you think it might be worth considering or not. Transform the roles of the Government Advisory Committee and the At-Large Advisory Committee from purely advisory to involvement in policy formation. This measure shall not be implemented separately from nor before a

coordinated reform of structures affecting all Supporting Organizations and Advisory Committees. Then, reorganize the roles and relationships of the Supporting Organizations and Advisory Committees with explicit aim to improve balance and avoid silos. Address the country code top-level domain diversity of practices, vis à vis ICANN's general standards and best practices. Finally, provide permanent and qualified staff support for each stakeholder group.

The last one I think is something which is needed all across ICANN. There's still some work needed on that. The one just before that, the country code top-level domain diversity of practices is something we actually just discussed this morning from 7:00 to 8:00 a.m. We were reminded, once more, that country code operators are not all members of the ccNSO. Some of them are not. Country code operators see their country code as being a sovereign asset. In other words, ICANN cannot tell them what to do.

In fact, they went to the level – when we mentioned about the level of collaboration between a local At-Large Structure and a local country code operator, in some countries this is happening. We said, “Well, could we do a survey of this? Find out what countries and so on do that and then use this as a best practice for all country code operators?” The answer was, “You don't want to call it 'best practice.' You might want to call it as examples of what goes on. But if you say 'best practice,' that would mean that those that are not doing it are doing lesser good practice or worse practice.” That has a political component to it. Remember, country code operators are not linked to ICANN in any way. If they want to come to the table on Monday and decide they don't want to come to the table on Tuesday, they're very much able to do so.

They're not asked to pay fees either to ICANN. If they want to give ICANN millions of dollars – which some do, actually, because they support the model that ICANN works on – they will. If they don't, they can come to ICANN paying zero. It's a tricky relationship. Number three is tricky. But the first two, transform the roles and reorganizing the roles which produce the most waves across ICANN and across other communities, especially when the GNSO, being mandated with policy-building and policy-making, was suddenly shown a suggestion that it wouldn't be the policy body in ICANN.

The reason for this recommendation by the way, to give you a quick background so you don't need to read the whole thing, is that the GNSO, being divided into two houses, a contracted parties house – the registrars and the registries, the people that sell you domain names – and a non-contracted parties house, the people that are made up of commercial constituents, companies out there, the Internet service providers, intellectual property components, and noncommercial and not-for-profit organizations. Because it's a 50/50 thing, the GNSO often has big problems in making decisions, because one side decides we want to go for it. The other side decides we don't want to go for it. It just breaks things.

In effect, because half of it often is a vested party for policies that will help in selling more domain names, the contracted parties are of course going to say, "Okay, let's move forward." Of course, it's not as simple as that, by the way, because there's sub-themes to it. But the points of view of the group here was, "Let's just strip the policy-making of any vested interests and put it in the hands of those who have least vested interests." In other words, governments and end users.

We've seen, since that paper, that this has changed a little bit, because with regards to governments – just as a little sidetrack – there has been an ongoing war for the past year-and-a-half based around wine, dot-wine and dot-vin, where the European Union and various countries in the European Union are objecting to having an open space for domain names under dot-wine or dot-vin, so that you wouldn't have someone in the U.S. that could register champagne.vin or merlot.vin or something, or bordeaux.vin. That is still going on, apparently. I got feedback yesterday from the Chair. Very, very dark eyes, ready to cry, going, "They're still at it. It's the fourth ICANN meeting." These are vested interests, though. But these are national vested interests. Are vested interests really not vested interests?

Throwing this over to the room. We might not need to find a resolution or some conclusion, but I thought it would be an interesting thing to discuss here. Don't start discussing dot-wine and dot-vin, please. I'm totally neutral on that, by the way.

DEV ANAND TEELUCKSINGH: Fouad?

FOUAD BAJWA: Thank you. Olivier, if we scroll back to the multi-stakeholder system part and the recommendations. The recommendations in the end. Yeah, about here.

I think the first two, we should revisit this, maybe after a coffee break, and actually stress on these recommendations again, develop a language for this. This is something we keep the discussion ongoing with

ICANN. Make it part of our statement. These are important aspects, as well. That's [inaudible].

DEV ANAND TEELUCKSINGH: Fouad, I have to confess, I didn't catch that last phrase because you weren't quite close to the mic. Could you just repeat that? Sorry.

FOUAD BAJWA: Oh, yeah. On the multi-stakeholder system, the first two recommendations, I think we should include this in our statements as something we want to stress on again from ICANN, because the discussion has to be kept going. The stress has to – we have to stress ICANN to somehow look into this. This is where the public interest thing comes in, as well. The users' interest, the users' public interest, these are things which affect that. Thank you.

DEV ANAND TEELUCKSINGH: Thank you. Sorry. Any comments on that? I think it's a good idea. Yeah? I'm seeing nods. Okay. Yeah, anyone? No?

OLIVIER CRÉPIN-LEBLOND: Once you start humming. [inaudible] ask the same question after [inaudible]

DEV ANAND TEELUCKSINGH: There you go.

OLIVIER CRÉPIN-LEBLOND: There's a vested interest [inaudible].

DEV ANAND TEELUCKSINGH: That's right. Okay. Thanks. Going back up to the public interest, going up, if you scroll up a little bit again. Sorry, thanks. Yeah.

I think, then, possibly one of the wordings of – in the declaration is probably to support the – I'm just throwing it out there – the concept of the public interest does need to be defined. I will say probably wording to the effect that ICANN needs to be support the proposal and it FY15's Strategic Plan to develop a public responsibility framework. I could quote a line from the actual focus area wording of that. All right, Fouad? Okay.

FOUAD BAJWA: Actually, also refer to some of the articles from the ATRT-2 that was being mentioned, where the public interest has to be focused on. Because somehow, if we can make a statement in which we're referring to do things which have already – with ICANN and ICANN has to implement those. And we [re-stress] on that. That's that something that ALAC wants, as well, At-Large Community wants, as well, from ICANN. It reemphasizes the stress on that issue.

Then you can propose a strategy to how to go about it. The public interest summit is an idea. Or you can have some other version as a cross-community working group on public interest. Suggestions like these.

DEV ANAND TEELUCKSINGH: Olivier?

OLIVIER CRÉPIN-LEBLOND: Thanks very, Fouad. On the issue of – we’re going to have to scroll back down, again. I know it’s a bit of a yo-yo. I’m sorry, everyone. I hope you guys are not just getting neck ache out of this.

I’d like to offer a counterargument to this. I’m not saying whether I’m supporting it or not. The counterargument which is given here is as far as the Generic Name Supporting Organization is concerned, because it has contracted parties inside there, they are the ones who are best suited to really understand the issues around the Domain Name System, both technical issues, market issues, and some of the issues. Because they have customers, so they also are able to relate to their customers and they know what works better, in some cases.

Their point of view is, “Well, the structure might not be absolutely perfect, but certainly the Supporting Organizations, which developed the original policy, have that balanced view with the contracted and non-contracted parties.” Have the knowledge from contracted parties and the insight from non-contracted parties into developing policies.

But maybe the work inside the existing organization, inside the Generic Name Supporting Organization, specifically, needs to be reorganized. Or with all of the new arrivals, with the new generic top-level domain applicants, at the moment, there were only 20 or so of them. Now there’s going to be hundreds of them. They’re going to have to reorganize their processes anyway altogether.

It's a challenge for them. There's going to be a Generic Name Supporting Organization review starting very soon on that. Their point is before looking at completely reorganizing all of ICANN from scratch – because this would be, effectively, taking ICANN, shaking it, and then starting again – why not just give it a go first with a GNSO reorganizing and seeing how that goes? Making this as a case of all of ICANN should be looking into this possibility of involving Supporting Organizations and At-Large – sorry, and Advisory Committees into policy making. But as a study, not as a recommendation that it should be done now.

One last piece of feedback. One of the feedback I have received from the Board on this, and it was an e-mail. I think it was from Steve Crocker. He said, "Are you effectively saying we should scrap the GNSO and we should put ALAC in charge?" I said, "On the record, of course not. Between you and I? That would be great." That's totally off the record, of course. No, I'm kidding, here. But fact is it is a very significant thing to ask for something like this. And one has to be careful, also, what one wishes for.

DEV ANAND TEELUCKSINGH: Be careful what you wish for, you may get it. Okay. I saw Y.J. first, actually, and then Fouad. Y.J.?

Y.J. PARK: Yeah, thank you. I think our breakfast discussion seems to be all connected to yesterday's question, who we are and what we can do. I think based on our discussion yesterday, it seems to go for more broader definition of the users. That includes not only private sector,

but also government, in that sense, because government officers, at the end are users, as well. That's a very tricky part of the definition, but based on our discussion, if we go for that broader definition of the users or the public. And then it goes down to the today's discussion, which we are going to probably cover if we still have time that can at least defend the public interest. They are all the circular debate in the questions.

When it comes to what we can do and what we do as of today, I don't see At-Large engaged with ASO policy discussion at all. I don't see At-Large engaged with ccNSO discussion at all. What At-Large is engaged is GNSO, right? The GNSO? We do have some interesting roles together with GAC. But again, we don't really know who we are. We don't really know whether we can be identified as public interest group, which is quite different from GAC. At least GAC is well-known to the group that can defend public interest.

At this stage, our challenge in this structure and in this system is whether we can get some kind of agreement from, for example, GNSO whether they will recognize At-Large as public interest group that can go same – the [rationale] for ccNSO, whether ccNSO group is going to recognize At-Large as public interest group. Same go with ASO.

If this community, as a whole, they can acknowledge At-Large as public interest group, I think it might be much easier from then on. But again, they can still go back to the definition of who we are. If we include all the users – the private sector users or technical community users and just users and government users and – then how can convince the rest of the groups in this ICANN structure we are the one, together with GAC, defend the public interest in this system?

This the real challenge from now on. We need talk about a lot of those public interest issues through [RSA] paper. But I think the fundamental question, which we really have to try to answer to is who we are and how we can defend those public interests. If we can solve this kind of challenge, I think it might be really much easier from now, that we can work closely with GAC, and we can also closely with other stakeholders.

The challenge is we know that we work with other constituencies. Today, there was the breakfast meeting between the ALAC and ccNSO. Those who attended those meeting, you can pose your question to ccNSO; whether ccNSO are going to really recognize At-Large as public interest group. If they can do it? Wow. That's a big progress. We can ask the same question to GNSO. We can ask the same question to GAC.

That's the kind of the consensus-building process for At-Large have to achieve down the road. I think that's main really – the challenge.

DEV ANAND TEELUCKSINGH: Thanks, Y.J. Olivier?

OLIVIER CRÉPIN-LEBLOND: Thanks very much, Dev. I'm not going to comment on what Y.J. said, although – yeah, very interesting. Interesting idea.

I was going to just mention one thing. Policy development in the ASO does not take place in – ASO, Address Supporting Organization, IP addresses. The policy development does not actually take place in the Address Supporting Organization. It takes places in the Regional Internet Registries. You've got the pyramid. The Address Supporting

Organization is at the top. The Regional Internet Registries are into each one of the regions. Each one of them has got a local policy development with their region, which is open, by the way, which is multi-stakeholder.

One of the things we're trying to do with At-Large and the ASO is to have better links between the regional At-Large Organizations and the Regional Internet Registries. That will then – the first step was that. This is starting to come together with the signing of Memorandum of Association. The next step is to get At-Large Structure representatives to be funded either by the Regional Internet Registry or, perhaps – this is something we might explore soon – some funds from ICANN, to go to the Regional Internet Registry meetings and engage in the policy development processes in the Regional Internet Registry annual meetings or monthly – not monthly, but yearly meetings or something. That's why there's no policy development at the ASO level itself.

With regards to the country codes, again any policy development is actually undertaken by the country codes themselves. Some of them do it in a multi-stakeholder fashion. Some of them don't. No policy development takes place at the ccNSO level except when it is something like the Internationalized Domain Names (the IDN) policy which they wanted to harmonize. In which case, many country code top-level domains came together when they were using the same script to come up with a harmonized policy. That's one thing.

And there's also another working group which you will have heard of this morning, the Framework of Interpretation Working Group. We learned from this morning from Becky Burr, the Chair of that working group, that this has gone on for five years. Five years, a huge stack of

paper. That basically is a framework that they're designing as to – in the country code top-level domain space, as far as policy is concerned, who has responsibility over what. Where do the boundaries go? It's unclear to us. It's unclear to them. It was unclear to everyone. It's a very touchy thing, again, because of the sovereign nature of country codes.

Primarily, this is why you hear so much interaction between At-Large and the Generic Name Supporting Organization because the Generic Name Supporting Organization produces policy here at ICANN. That's why there's so much involvement with that. I guess ICANN is, with all this, very generic-name-centric because of this. It's an imbalance that is recognized. But I didn't want to take you away from Y.J.'s point, so go back to that. Thanks.

DEV ANAND TEELUCKSINGH: Thanks, Olivier. Fouad, did you have your hand – yeah, I knew you hand raised afterwards.

OLIVIER CRÉPIN-LEBLOND: I know. He's going to say, "Coffee." No, it's at half-past.

DEV ANAND TEELUCKSINGH: What's that, sorry? I didn't hear it.

UNIDENTIFIED MALE: [off mic]

DEV ANAND TEELUCKSINGH: Okay. Sorry.

UNIDENTIFIED MALE: [inaudible] reframe the question.

DEV ANAND TEELUCKSINGH: Can At-Large defend the public interest? Fouad?

FOUAD BAJWA: That takes you to question number one. Which interest is At-Large trying to defend? Is it our version of public interest? The user interest? Or is it the ICANN public interest? If it's the ICANN public interest, what is the public interest of ICANN? It's cyclical. Thanks.

DEV ANAND TEELUCKSINGH: Olivier?

OLIVIER CRÉPIN-LEBLOND: If you wanted me to even make it even more complex, but I hope that we're going to hear from everyone else around the table. Maybe you should put people on the spot from now on.

UNIDENTIFIED MALE: Let's go around. Let's do a round.

OLIVIER CRÉPIN-LEBLOND: Around. A Board member, once it is selected by its community – so, for example, Sébastien Bachollet, once selected by the At-Large community

to be on the Board is not there to represent the At-Large community anymore. They have to act in the best interest – listen to this one – they have to act in the best interests of ICANN. Board members – if you look in the ICANN bylaws – Board members have to act in the best interest of ICANN and are not representatives of the body that has elected them to that position.

What are the interests of ICANN? Are these the best interests of the public? [inaudible]

DEV ANAND TEELUCKSINGH: All right. Let's see. Maybe it's a good idea to call on persons. All right. Let's see, Michael.

MICHAEL FORDE: Michael Forde, LACRALO. Yes, I agree with that. I think that's the best way. That would be in the best interests of the public, in the end.

DEV ANAND TEELUCKSINGH: I guess I'm not quite understanding. What would you say would be the best? What are you agreeing with?

MICHAEL FORDE: I meant the point that a Board member – is that not what we were talking about? Yes?

DEV ANAND TEELUCKSINGH: Sure.

MICHAEL FORDE: A Board member, having been appointed, then from that point on, as long as he or she is a Board member, should act in the best interest, should in fact focus on acting in the best interest of – yes. That’s Governance 101, I thought.

DEV ANAND TEELUCKSINGH: Olivier?

OLIVIER CRÉPIN-LEBLOND: Thanks. This, as you said, it is governance 101 because of course, as you know, ICANN is a not-for-profit organization in the state of California. Of course, if you’re part of a Board, you have to act in the best interest of the organization itself. That’s a given.

However, a not-for-profit organization in the U.S., with ICANN’s mandate, has the mandate to act in the public interest. Would it be, suggesting things, would it be an interesting – no, sorry, let’s not use the word “interesting.” Would it be a possibility that Board members should act in the public interest, not in the interest of ICANN?

Rather than saying Board members should act in the public interest, rather than say Board members should act in the interest of ICANN? Or say Board members should act in the interest of ICANN; ICANN should act in the public interest. Therefore, Board members should act in the public interest. Did I lose you? Okay.

Okay, it’s A, B, and C. If A needs to work with B and B needs to work with C, can A work with C? If Board members have to act in the best

interests of ICANN and ICANN has to act in the public interest, then does that mean that Board members have to act in the public interest?

DEV ANAND TEELUCKSINGH: I guess my initial reaction is that it really has to [inaudible] how that public interest has to be then be very clearly defined in a very clear way, because then you'll know the boundaries. But again, opening it up to questions.

OLIVIER CRÉPIN-LEBLOND: You have two solutions there, of course. You can define it yourself or you can pass the baby on and make the recommendations and say, "ICANN really needs to define the public interest."

DEV ANAND TEELUCKSINGH: Yeah.

OLIVIER CRÉPIN-LEBLOND: That then goes back Fouad's suggestion of saying, "Well, why not have – there should be an ICANN meeting or some group or something that will meet up and define that."

DEV ANAND TEELUCKSINGH: I'm just trying to think, did the NETmundial ever put any reference to this, in terms of public interest or anything like that?

OLIVIER CRÉPIN-LEBLOND: Yeah, thanks very much, Dev. NETmundial, we had a cross-community working group on Internet governance that was created in ICANN and that presented a paper to NETmundial and an input paper to NETmundial. Of course, one of the things we had there was hey, yes, let's define the public interest. Very quickly, we said, "Let's not define the public interest," because we spent so much time discussing it. You will have noticed that NETmundial itself did not define the public interest, either. That's how crazy this thing is.

DEV ANAND TEELUCKSINGH: Sorry, Fouad, what was that? I didn't catch that, sorry.

FOUAD BAJWA: For the record, I was mentioning that it's a really important subject. We should really – public interest should be actually a focus of At-Large advocacy within ICANN, because it's something which affects our stakeholders. It is something which is going to affect the future of a globalized ICANN. And it is something which is actually affecting the policy processes within ICANN.

Because the public interest is not defined. Policies are being referenced within or with respect towards protecting the public interest. You're actually referring to a gap and something does not exist over there. You're making basically we would call, let's say, I don't know what the correct word would be for that. Policies for the organization, but not policies for the global citizenry. Even if you want to call it users, consumers, customers, whatever. It becomes that a trade body is doing.

It becomes a lobby activity. It becomes interest groups which do not have interest in public interest but more in business interests.

That is why you have to have a clarity. For example, if you define public interest in the context of a country, as Y.J. Park mentioned, citizens. It's usually there is a specific entity which is referred to. Then, you have the issues of public morality and public order. This did come up in the beginning when public interest was brought up a few years back. There was a lot of hustle, bustle around the words "public morality" and "public order." That's what really interested the governments.

It has to be brought back on the table. Even if we become the owners – we take the owner of moving this forward – I think we should do it. Apart from – within the statement and beyond the statement. Maybe food for thought for ALAC.

DEV ANAND TEELUCKSINGH: Thanks, Fouad. Konstantin?

KONSTANTIN KALAITZIDIS: Okay. I've been taking notes furiously here so Fouad can interpret them later, hopefully. I thought, as I'm listening, I'm relatively new to ICANN. I've been trying to make sense of the whole discussion, in terms of – so it's very clear that public interest absolutely needs to be defined so we all understand that. There are various comments around how to do it. ICANN proceeding towards becoming more of a global, multi-stakeholder model. Continuing that and becoming more and more global.

I guess the biggest challenge that I see, at least, you have all these different nations, sovereign nations and so on, and public interest it seems like we'll probably end up with maybe 200 definitions, depending on the region of what public interest means. It seems I guess, since it seems everybody seems to agree that public interest needs to be defined. NETmundial did not define it. I guess is the next step to basically decide on is it a work group maybe Olivier or that needs to be created? Is the At-Large Organization or does it go up to ALAC? I'm trying to look for the next steps in terms of what's next. We all understand that public interest needs to be defined.

DEV ANAND TEELUCKSINGH: Okay. I see Olivier and then Michael.

OLIVIER CRÉPIN-LEBLOND: Yeah, thanks very much, Konstantin, for this. In a way, it's for us to decide. My suggestion would be to ask for a cross-community working group to work on that and with resources to be able to work on. I think it's going to be very difficult to do this by e-mail or on an ad hoc basis on telephone calls and things. Off the record, it might require big dinners.

UNIDENTIFIED MALE: [off mic]

OLIVIER CRÉPIN-LEBLOND: Coming back to [inaudible] and so on. Also, I think it would be very difficult for At-Large to define the public interest and have that definition accepted by the other component parts of ICANN. There's a

certain amount of suspicion with regards to being the sole definer of the public interest. Any recommendation might wish to look at involving everyone.

DEV ANAND TEELUCKSINGH: Indeed. I think so, too. Michael?

MICHAEL FORDE: Michael Forde, LACRALO. I might be guilty of oversimplifying this public interest thing, but I see public interest as ensuring transparency in the decision-making process and then trying to balance all the competing issues that are being considered. That's it. It may be an oversimplification, but for our purposes, we need to do that and not spend time – make it as a separate issue. This is my view.

DEV ANAND TEELUCKSINGH: Fouad and then Y.J.

FOUAD BAJWA: In the fundamentals of public policy, governments regulate their resources and they try to control social behavior. That's very fundamental. This is the [sociology] the society. Then the other part is the economic system that requires regulation and efficiency.

If you look at ICANN from this perspective, essentially it's doing it the other way around. The economic system, the demand and supply, has more interest of ICANN involved than the social side of things. When we start talking about the public interest, the public interest in ICANN

might be actually compromised between the social behaviors and the economic activity. I'm just speaking philosophically.

But when the debate actually comes in to the court, you'll have two interests. Sorry, you'll have three primary interests. You'll have the commercial interest. You'll have the government interest. You'll have the user interest. The way they're going to be approaching this is with code name public interest.

It's really a very complex debate. We can discuss it even for weeks [inaudible]. But really giving a call for a cross-community working group and adding it up into a dedicated meeting of one or two days is a very good and [probable] suggestion, because that will set the scene that will help putting forward an agenda so the people – because you really need to learn what the agenda for the stakeholders are with respect to that particular topic.

Really, you have to shape it a bit politically, but then you have to give it a bit of democracy so that you can hear from everyone, something that NETmundial was trying to do, as well. The, that gives you something even further concrete to move forward. But this is going to require a lot of resources from ICANN, as well. This is going to require full interpretation. This is going to turn it into a mini-NETmundial, because it is an issue of global interest. Thank you.

DEV ANAND TEELUCKSINGH: Yeah. I was just thinking, yeah, it probably requires that kind of focus that NETmundial did. Who was it? Oh, sorry. Yeah, it was Y.J. Just before you go, just before you take [inaudible], Y.J., I'm just looking at the time.

I'm seeing that we were supposed to go up to 10:30 and we're approaching that time. But I know we started about 10-15 minutes late.

OLIVIER CRÉPIN-LEBLOND: Do you want to do your around-the-table? Because you said you were going to ask people around the table, put them on the spot. Maybe we can do that and then we can go for coffee and warm up. I've just sent a message, by the way, complaining about this, because I think the temperature is even dropping further. It's not the debate, which is good, but definitely there's a problem here.

UNIDENTIFIED MALE: [off mic]

OLIVIER CRÉPIN-LEBLOND: I think the temperature, having lived in London, this has gone below 19 now. It's pretty cold.

DEV ANAND TEELUCKSINGH: Okay. We'll try to go a few minutes. But go ahead, Y.J.

Y.J. PARK: If we have some time limit, I can skip my intervention.

DEV ANAND TEELUCKSINGH: No, want to get some inputs here, so go for it.

Y.J. PARK:

Okay, thank you. First, I wanted to respond to what Olivier was just saying about the At-Large engagement in ASO and ccNSO. Indeed, he explained how it works in each RIR. I personally have been attending those meetings, especially those APNIC region as one of these – the expert to the ccTLD of Korea, the KISA. So I know how it works. I also attended RIPE meetings several times when I was in Europe.

But when we tried to penetrate these new policy-making processes, like RIRs, they are very different from ICANN. The way they work also very different from region to region. For example, like APNIC's case, they are more based on this national Internet registry, so-called like ccTLDs. But also these are RIPE is more like this the company-oriented decision-making process and all the technical community. I wonder how as individual user can be effective if, again, we are bonded by those who have some conflicts of interest in this context. If we get [inaudible] by directly from RIPE and APNIC, I guess we're the influence in that decision-making process. It will be very tricky.

I really wanted to look into the third scenario, where we can set up some kind of trust fund, whatever, so that can allocate the participation for At-Large so we don't really have to be bound by those funding sources in the future.

But ccTLD-wise, it's a little bit more complicated because, as we all know, each ccTLD has the different kind of the structure. But again, as individual user, it will be very challenging for you to get engaged with the ccTLD policy making as well, because they already have their own institutions. Whether they include those user community or whether they're just like a [forum], they're expert-oriented groups, it will be

challenging for new stakeholder like At-Large to be just engaged with the previous other players. That's one of my comments to Olivier.

Going back to this public interest, I thought Fouad mentioned quite interesting comment that traditionally, the public interest is more like the strong values on the social benefits rather than economic values. But maybe since we are in the ICANN space, we can think a little bit differently, because ICANN is driven by basically these economic values.

I think this is very dangerous approach, because we know now the reason why government are paying attention to ICANN more and more is they learn. They realize a lot of things what ICANN is doing is related with the people's safety and security in everyday life, because they are encountering lots of the cyber threats and security issues. So that's the reason they keep wanting to come back to ICANN and wanted to get really engaged with ICANN. Under that kind of situation, if we just highlight the economic values rather than just social benefit, I think we will be killed by the dialogue in the future. So I really strongly ask ourselves to look into these public values.

But the challenge, as we said before, how can we convince other stakeholders, how can we among ourselves achieve this consensus we are the right party to perform this public interest in this structure? Again, we really have to review who are we? Who can be the members of this community? How can we make this community as the right entity that can perform public interest?

That's the kind of the approach I think we can strengthen the value of At-Large, rather than we just broadly approach to this public interest. Who are At-Large? So whether we can we defend the public interest in

a very [vague] manner that can end up with a [literal] waste of our time.
That's my impression so far.

DEV ANAND TEELUCKSINGH: Thanks, Y.J. Please introduce yourself.

AMIR QAYYUM: Okay. This is Amir from APRALO. I was thinking that in the break, I will not only grab a hot cup of coffee but also bring my jacket on, because I was not expecting this much cold.

Okay. I was thinking that rather than asking ICANN to define the public interest, I was wondering if this is possible to consider the opinion of At-Large Structures or their representatives' opinion, considering that this is a public interest because my fear is – my personal fear is – that business or governmental vested interests may intervene more easily at higher levels of [echelon] rather than in the broad-based structures where a lot of community is engaging and putting them in the form of representing and communicating to their representatives. It is difficult or less probable.

I was just wondering if the opinion of the representatives of At-Large Structures can be considered as the public interest rather than ICANN defining and fixing the public interest.

DEV ANAND TEELUCKSINGH: Olivier, go ahead.

OLIVIER CRÉPIN-LEBLOND: Yeah, thank you very much, Dev. Very interesting thought, Qayyum. Amir, sorry. It's interesting because that then puts the emphasis on the legitimacy of the At-Large Structures themselves. Some might say, "Hang on. How can you self-define yourself as being in the public interest?" Or, "How can an At-Large Structure self-define itself as the public interest?" Is there a process by which we vet organizations joining At-Large as being organizations that are in the public interest? It's a real tough one, here. There's an argument and a counterargument in each way. Who defines what you are? Do you self-define yourself?

DEV ANAND TEELUCKSINGH: Indeed. Okay. Amir, go ahead.

AMIR QAYYUM: Just a very brief comment on this. When we apply for becoming an At-Large Structure, we claim that we work in the public interest. It's a declaration or an agreement thing. It may not be verified through means but we at least claim.

DEV ANAND TEELUCKSINGH: Yeah. I guess that's the thing. It comes out onto, then, how do you measure whether that is – actually you are stating as you're – an ALS is claiming to be acting in public interest. I see Bogdan. Bogdan and then Olivier.

BOGDAN MANOLEA: Actually, the same question can be asked for ICANN. Can ICANN self-define the public interest? I think it's probably a conflict of interest.

I was actually thinking once the [inaudible] but let's assume for the sake of the discussion that we have a fantastic definition of public interest that everyone agrees and we can adopt it. What next? How do we enforce it? How do you make sure that the Board members respect this public interest?

This brings me to the idea that maybe it's better to look in the issue of conflict of interests and avoiding the conflict of interests that are probably already defined in ICANN policies than trying to define something that is very difficult to enforce.

Yeah, I agree with Amir that actually the ALAC is maybe the best suited in order to see the public interest. However, it will be difficult to self-assess themselves publicly, in this respect.

DEV ANAND TEELUCKSINGH: I agree. I agree. I saw somebody else had a – sorry, Olivier. It was Olivier's hand. You wanted to say something after? Okay, thanks. Okay. I saw somebody else had a hand raised. Was it Konstantin? Okay.

KONSTANTIN KALAITZIDIS: Yeah. This is Konstantin, NARALO. My question was I guess are we going to perhaps switch gears maybe and come up with some kind of recommendation in terms of what the next step is in defining public interest and...?

DEV ANAND TEELUCKSINGH: Go ahead.

OLIVIER CRÉPIN-LEBLOND: I think, yeah. That's the reason why we're having the discussion. We have to come up with a recommendation or more than one recommendation maybe on this. I don't know.

DEV ANAND TEELUCKSINGH: I know time is also eating up into our, because our next session's supposed to start at 11:00. I know you want to get your break, but I see Anthony has his hand raised. Go ahead.

ANTHONY NIIGANII: Okay. Listening to all the discussions, I was thinking back to a lot of things within my culture and within my community and how we talk about deliberations and planning for defining who we are, what we want to do to, and how do we want to protect those around us.

Within our governance systems, within our philosophy, when we make decisions or deliberate on anything, we take a step back and look at how is that going to impact seven generations down the road. We look at the longevity of a decision that we make.

Listening to the discussion, we're talking about the immediacy. I think that's why we're sometimes spinning our wheels on some topics.

When I look at the aboriginal philosophy and the way my culture looks, we look at four things. We look at how this is going to impact our children today, how it impacts our youth today, how it impacts our adults today and our elders today. Many of our elders today don't understand what the Internet is. But many of the youth today, within

the next 25 years, will be the adults and the elders who will understand the Internet.

That is where our first step should be looking is how do we prepare for that influx of that knowledge and that experience? Because looking at the smaller things, yeah, it's really good to talk about it and see how it impacts us now. But how is it going to impact our children? Our grandchildren? Our great-grandchildren? Thank you.

DEV ANAND TEELUCKSINGH: Excellent point. Because that's the thing, you really have to think about the future users or the future – yeah. It's a very, very good point. Sorry. Thomas?

OLIVIER CRÉPIN-LEBLOND: He can't see in this direction.

THOMAS LOWENHAUPT: Don't we have a global standard in the sense of the Declaration of Human Rights? Is that something we could start with? Isn't it something that we've all – and I see heads going both ways. But is it not – I know it's a very long document and such, but it at least provides some guidance or attempted to deal with the same issue, I believe, some time ago.

DEV ANAND TEELUCKSINGH: Fouad, okay. Go ahead. Then Olivier.

FOUAD BAJWA: Usually, it's the public welfare and the collective welfare of the public which is usually the public interest. That's like the generalized or more or less the stereotyped version of it. That is why when you look at it from an organizational perspective, you remove the word "public" from the policy because then government is out, they're directly out. The direct intervention of government is out.

Then the interest that you have has to either have social implications, economic implications, or some kind of political interest. It depends on the nature and the maturity of the economy that it's being dealt in or the society it is being dealt in. It's a really complicated issue. It's not a simple situation to deal with.

DEV ANAND TEELUCKSINGH: Okay. Sorry. Olivier, first? No. Okay. Okay. Go ahead, Olivier.

OLIVIER CRÉPIN-LEBLOND: Thanks very much, Dev. I'm sorry, the cold is really slowing my neurons down. I'm starting to feel it, actually, by the way. Ideas come and go and they just go and it comes back.

Tom mentioned earlier the...human rights, there we go. Whoa. That's slow. Human rights framework. In fact, this has already been suggested. The Council of Europe has suggested the human rights framework to Internet governance. In fact, we know that the NETmundial meeting has also mentioned human rights. There are several rights and responsibilities organizations that have been looking at this, including more recently Tim Berners-Lee's organization is also looking at the rights of users on the Internet and is actually going to tap into all of

these human rights issues or other rights and responsibilities that are given.

Now, there is one question, though, and that's to do with the framework and how human rights relate to the ICANN framework. So far, there has been pushback, because these are two different things. One is these are just theoretical principles. The other thing is actually a proper – ICANN is just an organization that runs, coordinates the domain names and things like that. How do you get the two to link up together?

There's a question about this. It might be something that we wish to raise indeed, and make a recommendation, therefore, that this avenue should be explored and not just pushed back and said, "Well, this is none of our business."

DEV ANAND TEELUCKSINGH: Agreed. Okay. It's now 10:43 and I know that our second session is supposed to start at 11:00 so I think we should break. We're going to freeze here, I think.

UNIDENTIFIED MALE: [inaudible] warm up.

UNIDENTIFIED MALE: 20 minutes.

UNIDENTIFIED MALE: Throw this around, everyone.

DEV ANAND TEELUCKSINGH: Let's go play some football. Okay. Yes. Going to break. Let's try to come back at 11:00. 15 minutes, yeah? All right. This is adjourned until 11:00. Okay. Ten past 11:00, how about that?

UNIDENTIFIED MALE: [inaudible]

DEV ANAND TEELUCKSINGH: Okay. Ten past 11:00, everyone.

[END OF TRANSCRIPTION]