LONDON – ATLAS II Discussion with the SO/AC Chairs - Section 1
Tuesday, June 24, 2014 – 07:30 to 08:30
ICANN – London, England

UNIDENTIFIED MALE:	June 24, 2014, Balmoral Room, ATLAS II, Discussion with the SO/AC Chairs, Section 1. Thank you.
OLIVIER CRÉPIN-LEBLOND:	Good morning, everybody. You had enough sleep? No? Okay. Let's start the recording, please. Maybe I should go in the middle so I can point to the camera as well.
	Good morning everybody. This is an early morning session. I appreciate you all coming in. This is our time when we're meeting with some of the people that chair different parts or are major movers in different parts of ICANN – not only on the ALAC, but on the other parts, if we look at the overall structure.
	Actually, can we go over to the slide, which shows the different component parts of ICANN, please?
	This is the ICANN Multi-Stakeholder Model diagram that we have with the different component parts. I'm glad to add that today I have my pointer – laser pointer.
	Quick recap: ICANN Board of Directors and different supporting organizations – the Address Supporting Organization, the Generic Name Supporting Organization, and the Country Code Name Supporting Organization. Of course, we are here. And then, we've got some

advisory committees – the Security & Stability Advisory Committee and the Root Server Advisory Committee.

What we're going to be doing today is to speak to some of the people who are based in some of these other supporting organizations. We have Steve DelBianco, who is with the Business Constituency. You can see here, GNSO, Businesses. He is going to be speaking to you and while interacting with you. Any questions you have about the business constituency, that's the person to ask.

Then we have Rudy Vansnick and Cintra Sooknanan, I think, is joining us shortly, from the Not-For-Profit Operational Concerns, and that's actually – well, it says here, "consumers." We'll see later on. We've got a diagram of the Generic Name Supporting Organization organizational diagram.

Actually, we can swap to that, because both people are from the GNSO today. I'm not quite sure whether we will, but we also have it in the cards to see Heather Dryden, the Chair of the Government Advisory Committee, but when she comes in, we'll add her to the schedule.

The next slide, please. In fact, two slides down. Next one. That's the one. That's the structure of the GNSO. That's the only diagram I managed to find on one of my old presentations. I hope it hasn't changed since, because I know that here, we've got Non-Commercial Constituency – that's where the NPOC (the Not-For-Profit Operational Concerns) is. We also have the Non-Commercial Users Constituency that's within there – the NCUC.

Without taking further time, I'll hand you over. Let's start with Steve DelBianco and then we'll see how we go. You've got about 10-15 minutes.

STEVE DELBIANCO: Thanks, Olivier. With those 10 to 15 minutes, I assume we want to do some Q&A, so I'll use no more than a moment to introduce a notion of who the Business Constituency – in ICANN Land, we almost always just abbreviate that to "the BC."

The BC's mission – and this is somewhat unique in the GNSO structure, it's not unique because of the overlap of ALAC – our mission is to promote policy development and enforcement that promotes end user confidence in an Internet where it's safe to do business.

The business constituency members are businesses that are registrants for websites, but in addition, registrants who are concerned about the interest of their customers – the customers who use Google, who use eBay and PayPal and Facebook. Those are our customers in the Business Constituency.

We are both registrants of websites and concerned about all the things that a registrant would be, but as well, we want to be sure that our customers are safe and can enjoy the [inaudible].

Consumer trust concerns, they have a lot of choices among the businesses they can visit. They have different ways to access the Internet, in multiple scripts and languages. We're interested in the

availability of the Internet – not only 24/7 and 365, but in multiple scripts and languages and in every part of the planet.

All of these interests that I'm explaining are awfully coincident with what the ALAC's mission is, and yet, we are constrained to look closely at the generic names space.

So the ALAC has this visibility that includes the country code domains, and you're concerned with the interest of end users of content across all of those, whereas the BC, we focus on the generic name space, and we focus on the business registrants and business users. We've had a fantastic relationship with ALAC through the transactions that occur in working groups.

Most recently, Cheryl, Olivier, and I, and Evan Leibovitch, worked for the better part of a year and a half on helping to evaluate this New gTLD Program that we're in the middle of now, helping to evaluate it against whether it really has promoted trust, choice, and competition in the domain name system.

There's a lot left to see whether it will meet that test. Quite a bit right? We spent a year and a half designing metrics, or measurements, and came up with nearly 70 metrics that we would suggest that ICANN use when we use the affirmation review of the New gTLD Program.

The idea is to come up with measureable ways of assessing whether we really are delivering on the promises and obligations we have to end users and registrants and take it in that direction.

I'll close by clarifying one thing, is that we're very clear in the Business Constituency that the Internet has many facets to it. The fact that governments, for instance, govern our behavior no matter whether we're online or offline, and it's not an Internet governance question to say, "How do we use the domain name system in the nature of behavior?"

We realize that ICANN's remit is rather limited. It handles the registrations of names and the resolution of names. There's a lot of mischief that can be done in the registration and resolution, and we want to focus on that in ICANN.

We do try to stay away from policy issues that really have nothing to do with the domain name system. That makes us stay a little bit more focused.

I can say that our main focus right now at this meeting in the BC is the two tracks of IANA transition, and ICANN accountability. We are very grateful that ICANN has finally acknowledged that the IANA transition was an opportunity to reexamine ICANN's accountability, because if the Commerce Department steps out of the role of holding ICANN accountable from the outside, well, who is going to hold them accountable from the outside?

The Business Constituency is submitting this week a plan for that., that suggests that this cross-community structure that we have – which includes ALAC and GNSO and the GAC – that that entire cross-community structure is really the entities to which the Board and Management need to be accountable.

So later this week, we'll be unveiling our recommendation – and I do hope to join some ALAC members on the new Cross Community Working Group to look at enhancing ICANN's accountability.

I'll stop there, Olivier, and see if there are questions, or anything else I can do to illuminate.

OLIVIER CRÉPIN-LEBLOND: We only have one mic at the moment. Thank you very much. Sivasubramanian Muthusamy?

SIVASUBRAMANIAN MUTHUSAMY: Thank you, Chair. The Business Constituency's position as mode of focus on DNS whereas the At-Large Community's outlook is that ICANN's role is broader and that it's broader to the – ICANN is broadly accountable to the Internet and Internet community at large.

Do you foresee these differences being reconciled while you work on Cross Constituency Working Groups and are able to balance?

STEVE DELBIANCO: Sharpen for me the final part of that question about Cross Community Working Groups. Ask that last part of the question again – I didn't hear it correctly.

SIVASUBRAMANIAN MUTHUSAMY: With these wide differences and position that it should have focus on DNS, and that it should have a wider rule – do you think these

differences will be more and more reconciled while working in Cross Constituency Working Groups?

STEVE DELBIANCO: I certainly hope so. To my mind, Cross Community Working Groups – which include everyone at this table – having GAC and ALAC and GNSO and ccNSO and ASO and the SSACs, having us all work together only sharpens that tool, because we are the community. We are the community, this whole group of folks at the table around the room.

And yet, when we develop policy and send it up the ladder to management and the Board, they are accountable to the organization that they work for. The bylaws require the Board to look out for the interests of the organization or corporation, and that's what they're doing. And yet, the community wants to be able to hold management and the Board accountable.

We've got to work together not only to develop policy but to enforce that policy and hold management and the Board accountable to us. I hope we'll do more of it.

OLIVIER CRÉPIN-LEBLOND: Thank you. I now have a mic as well. Next person, Garth Graham, please.

GARTH GRAHAM: You began prefacing your reference to accountability via cross-community process by saying that it was outside. In what sense is that outside?

STEVE DELBIANCO: Great question, Garth. So the ICANN accountability – enhancing the ICANN accountability track – is partly to replace the external accountability mechanism that exists today, whereby the Commerce Department could withhold the IANA contract as a form of leverage to keep ICANN – for instance, to make sure that ICANN does not quit the Affirmation of Commitments, to make sure ICANN lives within its scope, follows its bylaws.

The U.S. government is giving that up. It's not going to maintain that unique role anymore, so it falls to us to design some other mechanism.

The word "external" that I'm using, and "internal," Garth, is reflecting Board and management of ICANN, and external to them is the community. I'm not suggesting external as in United Nations or some other inter-governmental structure. ICANN is accountable to community.

We already have a very close relationship. We elect many of the Board members. In essence, when you read the bylaws, the Board is accountable to the organization. We all know that the management works for the organization. They serve the community. They do an awfully good job of serving the community, so it's the community that should hold them accountable. That's what I mean by external. Is that cleared up? You don't look convinced.

OLIVIER CRÉPIN-LEBLOND: Garth?

GARTH GRAHAM: I certainly understand exactly what you're saying, but I don't see how that contributes to the ordinary Internet user understanding ICANN's role and how ICANN is accountable in a sense of global acceptability, because the external world does not distinguish between the various parts of ICANN. They don't know these charts.

STEVE DELBIANCO: Nor should they.

GARTH GRAHAM: 3.2 billion of them never will.

STEVE DELBIANCO: Yet, their interaction with what ICANN is responsible for still comes down to two things: the registration of names and the resolution of names.

                            To the extent that the world wants to register a domain name, that any citizen at any point in the planet, they're going to interact with parties following the policies and contracts of ICANN. They become a registrant.

                            Once a registrant, they may be concerned with things like cyber squatting and fraud. They'll be concerned with renewal policies and domain name transfers.

At the same time, virtually all of the planet are Internet users. I do think that registrants and users have voices on this accountability structure.

Garth, you have a follow up?

GARTH GRAHAM: Very briefly, I agree with you about ICANN's mandate. But I've noticed over the last few days that ICANN's mandate extends – in order to strategically address its own survival – ICANN's mandate extends to being a key actor in defining multi-stakeholderism.

So I find that ICANN is accountable for the multi-stakeholder model, to the sense that they're defending it.

STEVE DELBIANCO: Yes, and that's not necessarily in ICANN's mandate. It may have been something that was politically expedient for ICANN to do, and the Board probably approved this notion of being the leader of multi-stakeholderism.

But those of us that practice the multi-stakeholder model from the bottom up know that it's a lot of work and it's a messy process. If the world can learn lessons from the labors we do at ICANN, well, then fine, let's do that.

But the remit of ICANN is not to be the global guider for multi-stakeholderism. That's something that's nice to have, but it's not part of our core mission.

OLIVIER CRÉPIN-LEBLOND: Thank you, Steve. Next is Holly Raiche.

HOLLY RAICHE: Thank you. I'm sure we'll see more of your position once your paper is out.

Graham and I were actually talking yesterday for about nine hours on accountability, so I think what you're hearing is a result of that discussion.

I first want to take issue with what you say – why should the public know or care about the internal workings of ICANN? It's like nobody needs to know how the phone works. They just need to know that it works. I think you don't need to know the internal workings of ICANN to actually have trust in the system. I think they're different things.

Now, my question to you is really left over from the discussion yesterday and today that we had internally, which is, do you see in terms of accountability a hierarchy, or just a difference?

Because you're talking about a Board and its Board responsibilities in governance. You're also talking accountability of a constituency that in one sense is below it, but in another sense I think what you're saying is it's also either above it or at least has some oversight role. I think you're talking about not quite a hierarchy in how you think enforceability sits in that structure. Thanks.

STEVE DELBIANCO: Thank you, Holly. It turns out only the last 15 seconds of what you said came through the speaker. I like that you talked about the hierarchy and the holding of us cross community, holding ICANN accountable.

Olivier tells me that I've used all of my time at the BC, but let me refer you to a post I put up yesterday on CircleID. It expressly answers, I think, what our proposal will be in terms of having a structure of accountability to hold management and the Board accountable to us.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Steve. Now next we have Heather Dryden, the Chair of the GAC, the Government Advisory Committee. If we could backtrack two slides, please. You'll see – there we go, Government Advisory Committee, completely on the right hand side of the diagram.

Of course, the GAC had a high-level meeting that took place yesterday. We already know the GAC is very high level, but that was even more high level than usual.

So I hand you over to Heather to tell us a little bit about what's happened. We didn't see any ambulance outside, so it looks like it went quite well.

HEATHER DRYDEN: I mean, far be it for me to sum up the high-level meeting hosted by the U.K. government. I will say good morning to you all first.

I'm not certain to what extent you're familiar with the Governmental Advisory Committee, so perhaps I could say just a few things about that first, but I'm happy to answer questions as well.

The Governmental Advisory Committee has existed almost from the beginning of ICANN and is comprised currently of a growing membership of 141 governments and 31 observer organizations. Those observer organizations lend either regional perspectives or expert views on topics relevant to what ICANN does. Governments look at issues from a public policy perspective and generate advice that has particular standing in the ICANN bylaws.

The advice is provided to the Board, and then there are particular things that the Board has to do if it determines to take an action that is not consistent with GAC advice. There's a whole process outlined there in the event that those things happen.

It's a consensus-based committee, which means that as we grow, coming to consensus on matters takes us a long time. It's one of the pressures on the committee and its ability to remain flexible and continue to evolve within the ICANN framework.

As far as how the GAC is run, a chair and three vice-chairs are elected and the membership is, as I say, comprised of governments, but in particular, there has been a tendency to have expert-level participants in the GAC, as we call it. This is another kind of pressure working on the committee, where it's becoming increasingly politicized and there's a lot more interest in coming and participating in the GAC. It is seen to be influential or an important position.

The first, beginning with the gTLD program, where we were given a particular role to provide advice on controversial or sensitive names. That advice came in the form of safeguards to be generally applicable to certain sets or kinds of sensitive top-level domains and in some cases, concerns were raised by some governments within the GAC or even consensus objections to some applications or strings.

That is for the most part that part of the program and the GAC's role is essentially concluded, but I heard Steve talking a bit about the IANA stewardship process currently underway, and the GAC has an expectation of participating in that.

At our meetings here, we're very much focused on dealing with those kinds of process points. How would the GAC participate? What are the expectations for anyone that is nominated by the GAC to sit on the Coordinating Group for that?

The track related to enhancing ICANN's accountability – well, it's the same thing. ICANN is wanting – I'm sorry, the GAC is wanting to deal with the process issues associated with that and make some decisions here if possible, or at least come up with some guidance.

But accountability matters are an area where governments do have some expertise. They deal with those kinds of matters at home. I expect the interest from a government perspective will be strong, and hopefully there will be a good contribution there from governments, including via the GAC.

That's a bit of an intro. Would this be a good place to stop for questions? Are there any questions? No questions?

OLIVIER CRÉPIN-LEBLOND: No, we have a question. Garth Bruen?

GARTH BRUEN: Thank you. Garth Bruen, NARALO Chair. Sorry to come in late. I have a question that is for all of our communities. It goes right to the heart of accountability.

I've been digging deeply into specifically UDRP enforcement failure, and I've actually shared the details of ten case studies with many of you. In Singapore, we presented these ten case studies to ICANN Compliance and asked them specifically why was there no enforcement in these cases? What happened? This is now available in the transcript.

The Compliance staff said there were global communication failures. That's it. That's the answer. First, we had the mystery of why these were not enforced. Now we have the mystery of what was this long-term global communication failure that prevented one of the core enforcement tools from being use?

I would love to discuss with everybody a way we can get this resolved. We need to know what happened in these cases and we need to know why there was a global communications failure. I don't think we can let this go. It's important for consumers, it's important for businesses, and it's important for governments, too. Thank you.

HEATHER DRYDEN: Thank you for raising the topic of compliance. This is very much at the core of the kinds of things that governments do pay attention to here at ICANN.

I think this is one of the drivers for asking for briefings from ICANN – regular briefings from ICANN – on the topic of compliance and wanting to understand, particularly with new gTLDs now, where they're coming online, that the organization is positioned to be able to deal with them and to understand really what are the facts associated with this, what are the details?

I think getting hold of good data and understanding the kinds of things you're talking about is really essential. I think you will have a lot of support from your colleagues in the GAC to explore that and to want answers, to respond to the kinds of concerns that you're pointing out. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you, Heather. So we had Garth Bruen, and now we have Garth Graham. The two Garths flock together.

GARTH GRAHAM: This is another historic occasion here – we just got a double Garth.

Heather, I'd like to ask you a sort of national question, but I believe that becomes a kind of a case study for an area of concern for many other countries. Many countries have Internet governance forums. I believe that Canada does not – I don't consider what CIRA holds to be the equivalent of an Internet governance forum process.

You may correct me and say that there's something I am missing, but if I'm right – that there is not an Internet governance forum in Canada – how would that help or hinder your role?

HEATHER DRYDEN: How it would help or hinder my role, specifically?

GARTH GRAHAM: Yes. Would you find that useful?

HEATHER DRYDEN: There are a lot of questions there, but really, all I can say is that in my capacity when chairing, that's really a matter to look at separately from the Canadian government. Obviously, they're related, but in chairing the GAC, there's an expectation around my neutrality.

We clearly do it, and I have the support of my government because we do think it's important. It has value. The Canadian government is a longtime supporter of multi-stakeholder approaches to dealing with the technical issues that ICANN and the other Internet organizations address. So in that sense, they are supportive.

I think, as far as the Internet governance forum, particularly, clearly many countries and regions have set up Internet governance forums and found them to be very useful for gathering together all different stakeholders to become active and become knowledgeable about the issues, including those that relate to ICANN.

So in general, those activities are useful and are considered to be one of the main successes of the global Internet governance forum – that it led to those national and regional efforts. And of course they're localized. That's the value of it, is that you can set priorities and talk about issues that are relevant to a particular to a particular place, and bring those results to the global forum to exchange with others at the international level.

There are a variety of efforts underway in Canada that aren't really government led, and considering that we support multi-stakeholder approaches, I think that's the right one for us.

But anyway, as I say, chairing the GAC, I'm accountable to the membership as a whole in carrying out that particular task. That is the expectation from the membership.

OLIVIER CRÉPIN-LEBLOND: Thank you, Heather. Next question is Evan – we already have a queue. Evan, Tijani, and then Christopher Wilkinson. Evan Leibovitch?

EVAN LEIBOVITCH: Thanks, Olivier. I have a specific answer to Garth, both in the Canadian context and an international one.

The IGF is something that goes beyond ICANN's remit. It deals with all sorts of things about Internet governance, and not just those parts of it that ICANN deals with. As such, the discussion of that goes beyond ICANN – well beyond ICANN.

I have two answers – one at a local, one at a global. I can say to Garth that there is actually work underway to have a public IGF in the spring in Canada. The Internet Society Canada Chapter is working on that.

In fact, last night at the meeting of chapters of the Internet Society, I raised the very issue of whether or not there was a role to play for ISOC in providing its chapters all over the world with the means and the mentoring to be able to do IGFs everywhere. In fact, some of the response was very positive, including the likely development of an IGF toolkit being considered to enable chapters and others around the world to be able to do this kind of forum in a local environment.

So I'm happy to be able to say both on an Canadian and an international basis, there is work underway, but because that's beyond the scope of ICANN, there's a lot of other actors that need to take part in it. I'm happy to be part of bringing that together. Thanks.

OLIVIER CRÉPIN-LEBLOND: Thank you, Evan. Steve DelBianco wanted to just add one quick thing.

STEVE DELBIANCO: Your neighbors to the south in the U.S. have held a couple of national IGFs and we're holding one on July 16th in Washington, D.C. We would be delighted to have some Canadian attendance at that and have it be more of a North American IGF. You're welcome to come. You can see me for details.

EN

OLIVIER CRÉPIN-LEBLOND: Thank you. Next is Tijani Ben Jemaa.

TIJANI BEN JEMAA: Thank you. As you know, there used to be a lot of tension between governments regarding Internet governance. Do you think that, with the transition of the U.S. government stewardship to the community, to the multi-stakeholder model, perhaps, will it diffuse this tension? Would it perhaps reduce the tension, especially regarding the enhanced cooperation?

HEATHER DRYDEN: Thank you for the question. I'm not sure I heard all of it, but you were pointing to the range of views that exist among governments regarding IANA stewardship. What was the specific question related to that? It's hard to hear.

UNIDENTIFIED MALE: [off mic]

HEATHER DRYDEN: Well, I can't answer that question. I think it was in your comments. The answer was there, in that you have a range of views among governments about what is the right approach? How you define the role for governments in relation to these matters and as far as the relationship between what we would call a multi-stakeholder approach or multi-stakeholder decision-making process and how that relates to a multilateral process, there's such a variety of views out there. For

governments that – it's difficult to say outside of focusing effort on the IANA stewardship proposal and putting efforts there.

Yes, there are relationships to discussions happening in other places. We will see how that plays out. It's going to be interesting to observe, certainly.

OLIVIER CRÉPIN-LEBLOND: Thank you, Heather. So we have a question in the chat, which was asking, "Should the IGFs be organized by governments in their countries?" I understand this is an IGF question. We have a couple of IGF experts in the room.

I'm not quite sure – as far as I'm concerned, I haven't seen any IGF organized by a country by itself as far as a local IGF is concerned. Perhaps it is in some places. Cheryl, you might have an answer for this?

CHERYL LANGDON-ORR: I'm Cheryl Langdon-Orr for the record and echoing very effectively. I apologize for that.

It is varied. It is very varied. There are a couple of local IGF initiatives within countries, which are predominately sponsored and supported by the government in a given country.

We also get a lot of support for many of the regional sub-regional initiatives from what's considered "the host government" in whatever country we're holding our meeting. That should not be underestimated. That is a serious and very, very valuable contribution made both in kind

support, in diplomatic and political support; in cold, hard cash in some places; and of course, in resourcing of people to be present and assistant. That may vary very much.

What you'll see in the Asia Pacific regional IGF, with the amazing support we've had in the last couple of years, just – and only to just – look at the last couple of years, the one immediately past, at the present, the support we've had from the government in South Korea and the government in India has been quite amazing, and perhaps quite disproportionate to what you might see in some other regions.

But a different situation, a different time, different sets of topics, different motivations for governments to be involved, and you'll get that entirely differently.

In terms of national initiatives – and here, I'm speaking specifically from an Australian point of view, where as the administrator of the .au space of the country code for Australia, it is far more appropriate for us to put in the resources and expand our multi-stakeholder model and be inclusive of government as one of many stakeholders. That's how we manage it.

I think you'll find many national initiatives, because that's where the resources are capable of being drawn from. We choose to do it this way. Other national initiatives, you would have almost a cooperative, where in fact it is the component parts of what makes up the multi-stakeholder model that are coming together in a cooperative time and putting forward the resources.

But from an Australian perspective, we certainly have decided that AU is the vehicle, which will then gather the rest together.

I've just said that there's a lot of depth, there's a lot of breadth, there's a lot of color – and there should be. It should not be one size fits all. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Cheryl. I think we've pretty much circled the whole IGF issue. This is really the time to speak about GAC issues.

Let's go back to Christopher Wilkinson, and then we'll have to let Heather go, because she has a long day ahead of her.

CHRISTOPHER WILKINSON: Thank you. Just to follow on, the European IGF is not organized by governments. Otherwise known as the EuroDIG, it is not organized by governments.

Heather, my question is how will the GAC approach the question of accountability in the sense of who is accountable to whom? We've just heard one model from Steve, who outlined basically internal to the ICANN community model of accountability.

As you know, there are other models in town. I don't want to comment on them except to say that there are issues of accountability within the ICANN structure, for which there are seriously interested stakeholders outside the ICANN structure. Just by way of example, privacy rules, IDNs, and the conditions of competition in the DNS market.

How would GAC approach this? I don't ask you to say what the GAC position would be, but it is a methodological question as much as a policy question.

HEATHER DRYDEN: Thank you for the question. Well, the GAC is part of the ICANN framework, and there are these two processes underway. One of them, a process convened by the ICANN community regarding IANA stewardship; and the other one, more of an ICANN-specific process, if you will, to look at enhancing the organization's accountability.

These are the processes that are immediately available to the GAC, and where you have expertise in the GAC, as far as officials go, governments go, about these kinds of matters and how they relate to the domain name system or the policies related to the unique identifiers for the Internet.

It's quite natural that the GAC and GAC members individually would look at what are the ways to contribute to those two processes, as we understand them currently. There's a lot of interest in understanding the relationship between those two tracks and precisely how that functions.

But at this point, we're wanting to look at the process issues – clarifying, for example, that there may be GAC views on issues related to IANA stewardship. In that situation, how would we convey them, how would we appoint people to participate in the coordinating group, and this kind of thing.

The same is for enhancing accountability. For example, the Board has a much more clear role regarding the enhancing accountability track of discussions.

As for individual governments, well, they will go to discuss things in the forum of their choosing. Some will choose ICANN, some will choose the GAC, in some cases, to be part of a consensus view if not consensus advice specifically, and others will want to engage and discuss in other places as well. We can anticipate that.

I would point out that we do have, again, 141 governments in the GAC, and we have observer organizations to the GAC that can at least have briefings, receive briefings and information about these issues by the GAC.

I think the way I view this is that the GAC is really central to handling those questions and being useful to both ICANN and GAC members in facilitating inclusion and engagement and so on in those matters.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Heather. We're running out of time. In fact, we have kind of run out of time, since I know you have to leave. Was it Fatima or Antonio who had a question? Is it possible to submit it in writing and Heather will reply to it afterwards? I'm really sorry, it's just that we still have two more people and we only have 15 minutes left.

Okay, well, thanks very much, Heather.

HEATHER DRYDEN: Thank you, everyone. Appreciate it.

OLIVIER CRÉPIN-LEBLOND: Just a comment, and I'll pass it over to Sam Lanfranco and Rudi Vansnick from the Not-For-Profit Operational Concerns.

There was a comment in the GAC with regards to ICANN being the bookkeeper of the Internet and not the regulator. This could be a bug, not a feature. I think this is something we've heard here before, with regards to watching – who watches the watchers?

Over to you, Sam and Rudi.

RUDI VANSNICK: Thank you, Olivier. I think many of you know me already from my previous presence in ICANN. I was among you. I still am among you. I cannot leave ALAC just behind me.

The reason why I am here and not Marie-laure is that Marie-laure couldn't stay on as Chair of the NPOC because she had professional engagement that didn't allow her to stand any longer. We are actually in election process that answer at the end of this week, and we will have a new ExCom taking seat.

Just to give you a very quick idea of what NPOC is, it stands Not-For-Profit Operational Concerns Constituency – that is, I think, one of the longest constituencies in ICANN. It has been created in June 2011 basically due to the fact that there was this New gTLD Program, and that there was not enough representation in the GNSO for that group.

In fact, the NPOC is the home for the not-for-profit organizations, like NGOs and like even some of you At-Large Structures are also NGOs. It's interesting to have your voice among what I would call, the "implementation policy."

For a long time, At-Large has seen a lot of very, very good, marvelous advice going up to the Board. As we know, that advice is something that is not binding. You need a process where you can bind the Board to execute, and that's the reason why I moved over from the [Advisory] to the GNSO.

I would like to have more of you, or colleagues of you, or people you know in the not-for-profit world, to stand up with us, because we need many, many heads in the many, many working groups that are, in fact, directing toward that is happening when we talk about policy and policy implementation.

I am actually, myself, engaged in three working groups, and one is a quite interesting one. It's revealing a lot of issues that we didn't think about before. It's a Translation and Transliteration of Contact Information. That's a real sticky one, because the problem that we have and that we encounter is that we have to wait for many input from other working groups.

It appears that that starts to be one of the issues we are discussing also in the GNSO itself. It's about the fact that we have a lot of working groups and PDPs going on at the same time on similar topics. The problem is that, as we are all volunteers – and we need more volunteers on board – as we're all volunteers, it's all about time. Time is precious as

we have deadlines, but we do. I think that's one of the aspects that we need to cover as soon as possible.

Still being a really young constituency, we need more people on board to be able to raise the voice of the not-for-profit, raise the voice of the NGOs, because they are, in fact, organizations that are also representing a lot of users. If we want to hear the voice of users, well, it's true those organizations that we can bring them up inside the GNSO and have a better representation of what are the needs.

And we know all that when we discussed in 2009, I remember the first summit where we had been standing – and when I say "we," At-Large – had been standing at the mic, asking for more attention for the community-based gTLDs. We very often were blown away again. That's one of the reasons why NPOC has been created. That's one of the reasons why we try to stand up now and bring the requirements of the users to the table.

I'm quite happy with the way it works, actually. In the GNSO there is a very good understanding, there's a good representation. As I said, I'm impressed by the way that we can do things.

I thought that the GNSO was a very closed world, but it isn't. It's an open world. We would enjoy having you among us. Maybe, Sam, you have something to add to what I said?

SAM LANFRANCO: Thank you, Rudi. I'm Sam Lanfranco. I'm currently the Membership Committee Chair of NPOC. I'm going to talk at a different level in about 90 seconds.

My background is an economist and a social scientist. One of the important things I struggle with is that the Internet is young, ICANN is young, NPOC is young, the IGF is young – in particular, NPOC and IGF.

Most young humans – we have an argument, is it nature or nurture? There is no nature here. There's only context. Everything we build here, we have to nurture. The context is the Internet.

When we're asking what should IGF be doing, what about regional ones, NPOC? We have two responsibilities: one is the voice going up, trying to influence policy, having stakeholders talk to policy. But the other one – and this is particularly important for the question about IGFs and regional IGFs – the other is to build the stakeholder dialogue between stakeholders so that the stakeholders themselves can participate better in where things are going.

Just as the GAC carries on an internal discussion to kind of resolve how it thinks about things and doesn't always fully agree, the same thing needs to be happening. We need to nurture these institutions at each and every level.

If we were the ILO, which has been around – the International Labour Organization – for 95 years, a certain amount of how we did things would be already based on lessons learned.

But we have to view ourselves, at this point, as learning organizations, and those really good questions give us a work agenda. They're not questions to which we have answers because of our nature.

Think of these things, think of NPOC, think of ICANN, think of the IGFs, not as just policy forums to [feed] policy up, but as opportunities to build an internal learning community at various levels, in particular, between those stakeholders who have to find not just how they have a voice in what we do, but how they have a voice in the rest of the Internet.

RUDI VANSNICK: Thank you, Sam. I think it's time to come to the question session, because in about five minutes, we have our Constituency Day Meeting starting at 8:30 until 12:00. I would love to have some of you in the room. It's in the Thames Suite, so there is space to come.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Rudi. We have Christopher Wilkinson first, then Evan Leibovitch afterwards, and we have Murray McKercher. So, Christopher Wilkinson.

And I think that three questions is enough for five minutes. Please make them short, and short answers, of course, as well. Christopher.

CHRISTOPHER WILKINSON: Thank you. Christopher Wilkinson. Rudi, Sam, thank you very much. Very interesting. I'm very sympathetic to the outline that you've given us.

But my first concern is what happened to the Non-Commercial Users community, and how do you distinguish the NPOC's input from the more or less established Non-Commercial Group?

Secondly, more generally in the ICANN context, I have the impression that the user community's interest in representation is, in practice, fragmented. You have At-Large on one hand, you have the Non-Commercial Group, you have your group and other user groups. I'm not convinced that that's the best way to go in the longer term.

Two not critical, but I hope provocative, small questions. Thank you.

RUDI VANSNICK: Thank you, Christopher. It's indeed two good questions. I will take up one of them, and I will allow Sam to respond to the other one.

Actually, NPOC is part of what is called the Non-Commercial Stakeholder's Group (NCSG), in which you have also another constituency called the NCUC, the Non-Commercial Users. They are addressing more the aspect of the non-commercial user itself. It was created before NPOC was created. In fact, we have a little bit of two silos in that structure that we need to work on to get better aligned on things we want to do.

That's one of the missions that I'm going to take up, as I probably will be the new Chair starting next week. One of the issues that I want to take

up is to have a better presentation of what both constituencies are representing, and what their mission and their objective is.

For us, it is quite clear. We need to bring to the table the NGOs. We know that most of the NGOs even don't know that ICANN exists. I think that's one of the issues.

ALAC has demonstrated that it is possible to show to the world and to the users and to other communities that ICANN exists and how ICANN operates. It's NPOC's mission to do the same for the NGOs, which is a large group. And especially with the new gTLDs that are going to be rolled out, it's going to be huge in impact on what's going on, especially for them.

As for instance, just taking one sample on which I think we were going to work very quickly, is about the point that an NGO most often doesn't have the funding, the finances to protect their brand. There is a solution that has been created in the mechanism of this New gTLD Program. It's called a "Trademark Clearinghouse." Maybe there is a way to get them cheaper protection of their brand through that mechanism.

We're going to have a discussion next week already in Brussels on how can we get this solution brought up for them. Maybe that's something where already we will have a kind of a win-win situation, and we will help the community to come into the world that is not known to them.

I think that is an answer of where we position NPOC today, vis-à-vis the Non-Commercial User Group. For the second one, I would like Sam to answer.

SAM LANFRANCO:

First of all, thank you for the three questions. My first request to you is keep those three questions on the agenda forever. Every time we get a working answer to one of those questions, it's going to generate new problems and new questions. This is an ongoing process. It will never be over. We're going to have to nurture this thing forever. Really, that's about all that I would say.

The internal issues within ICANN as to who covers which base and how they cooperate, I see NPOC as reaching back into a whole community through the representatives of the various NGOs, the non-profit sector of people. It has a responsibility in that direction – not just to pull people in, but to work in the other direction. I think that the IGFs will have that same obligation.

It's as though a bunch of people woke up one morning and discovered they are citizens of a new country. The country has no rules or regulations, and they're not quite sure what it means. That's where we are now. We have to sort that out.

Reasoned dialogue between constituencies and constituency and individuals and organizations is absolutely essential. There is no rulebook.

OLIVIER CRÉPIN-LEBLOND:

Thank you very much, Sam. I really apologize to those people in the queue, but the five minutes were taken with the one question. I know we had Evan Leibovitch and Murray McKercher. If you, like for the

previous speaker, submit your questions in writing. We will be forwarding them over to NPOC, and we'll publish the responses on the mailing list.

I thank all of you for coming here. We now have a meeting with the Board, which happens next door. I invite you all to pack up and come next door to join the meeting with the Board.

Thanks to everyone, and speak in a few minutes. This session is now adjourned. Thank you of course, for all of our guests who came in today. Thank you.

[END OF TRANSCRIPTION]