
LOS ANGELES – ICANN PUBLIC FORUM
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NANCY LUPIANO: Ladies and gentlemen, it is with great pleasure that I introduce board Chair of ICANN, Dr. Stephen Crocker.

[Applause]

STEVE CROCKER: Thank you for that. It is a pleasure to be here, pleasure to welcome everybody. The public forum is intended to give the community a direct line of communication with the board of directors, that's us who are up here, and the rest of the community. So this is a forum not just to talk to us but, indeed, interact with each other without formality, without filters. I will talk more about how the session will flow in just a few minutes.

A couple of things, first of all, we're conscious that we've gone in the wrong direction in the sense that we're now sitting up here on stage. In the past, we've deliberately tried to lower things down. This is one of the many difficulties that comes when you are moving venues all the time. We have had extensive meetings about this. They promised me absolutely in that Los Angeles they would fix this by scheduling an earthquake that would take care of the elevation problem. I don't know what the problem is, but here we are. So maybe it will come in the middle, and then we will all have a big problem. But in any case, we're conscious of it and we are making the best of it as we can. It does help

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in some sense for sight lines from our point of view, but it conveys not the message that we had in mind.

Another element that's a bit different here is there is no gala this time. They're expensive, and we've typically had sponsors for them in the past. And we worked pretty hard at trying to interact for a sponsorship. And at the end of the day, it passed by. So we are looking at options of how to do that in the future.

It will be interesting to see what kind of noise there is about whether or not it is a good thing to have missed the gala or whether or not it is deeply missed and we should do something about it.

Let me turn to another -- entirely different kind of topic. Today, this very day, October 16th, 16 years ago, 1998, Jon Postel passed away. For those of us who were close to him, we can -- it sits as one of the days among the handful where one remembers where one was. I was actually driving streets of Oakland on the way back to San Francisco, and I got a call from Vint Cerf who informed me. And I was quite moved.

I had had the pleasure of working with Jon from the very beginning. We were part of the same team of graduate students at UCLA in the late '60s, '68, '69, '70, when this tangential side project was -- came along about connecting a few computers together. And a handful of us gravitated into the middle of that.

I have told many times the story of my own involvement with the creation of the Request For Comment series which I administered in a very, very light and incidental way for years. And then I went off to

Washington. And as I was leaving the group prior to completing my graduate studies, but as kind of an interruption, I notionally turned over my shoulder and said to Jon, "Would you take this over?" He said "Oh, sure."

At that point, the task of administering the RFC series was really quite a small thing, hand out numbers and make sure the mailing list is up to date. But over time, partly because Jon was, indeed, a serious researcher and was very much in the middle of the long-term planning and thoughtfulness about the network and partly because of his own personality which was rare among the bunch of us who were involved in that -- he was a thoughtful and deep thinker but did not insist that he had to be the only one speaking or in charge of anything. It was kind of a -- almost reticent in a way. He was -- had a very high degree of acceptance. He wasn't elbowing other people out of the way.

And what wasn't appreciated for a long time but which became extremely helpful is that he was actually very organized. I mean, you see him here with a picture of a scruffy beard and so forth, but that did not signal the orderliness of his mind and his ability to care for detail and to sort out when detail was important and when a little bit of latitude and fitting in smoothly with larger ideas was important.

So it happened in a very organic, a very natural way that the next time and the next time and the next time that there needed to be something of essentially a clerical nature, let Jon do it. He is doing a good job. That accreted over a period of time. That accumulated and eventually became the IANA function that we see today.

And, in particular, Jon was at the center along with Paul Mockapetris when they were both at the Information Science Institute, USC's Information Science Institute of creating the Domain Name System, which grew out of trying to get other -- expand the Internet and enable other groups.

And Jon personally traveled quite a bit and found pioneers, thought leaders, first movers in a sense but not in a commercial sense around the world, and handed out top-level domains, as it were, to get things started and was instrumental in helping set the direction of independent initiatives in each country that were rooted in those countries so that local community sponsorship was extremely important and to try to -- in a very light-handed way but in a very definite way, try to be as embracing as possible.

ICANN was -- he was so successful at the way he did things that the natural evolution, the evolution that should have taken place far earlier -- we are talking about the creation of ICANN in 1998 for administering the Domain Name System and the other identifiers that had grown very large and important over almost a two-decade period. That transition in other settings might have taken place a decade earlier or even much earlier. So in the lingo that I like to use, he was a success disaster. It grew beyond the normal bounds that one might expect and eventually required a large-scale solution.

So, Jon, with the help of a couple of able assistants was running the Domain Name System -- top-level Domain Name System and the address allocation and so forth, the whole IANA function.

It is not uncommon when somebody is overworked in a job and they leave and they look back and they find they have been replaced by three people. In this case, Jon departed if he were looking back now, he would see replaced by 300 people who are getting paid and another 3,000 people who are volunteering. It is an enormous legacy that he leaves behind.

One of his gentle but very insightful pieces of advice to -- principally in the technical community, the implementation of protocols where you have different people implementing each side of a communication system, so you have, for example, now the Web, you have a browser that has to interact with a Web site. Both sides have to speak related parts of the protocol.

The slogan that emerged out of this was, "Be conservative in what you send and be liberal in what you receive" because in a lot of cases the communication was not quite perfect. There would be ambiguity about how rules were interpreted. So his counsel was, "Try to build your side of the implementation in a way that is gentle with respect to what it demands of the other side and also very tolerant of what it is willing to accept from the other side."

It's been an insightful piece of advice. It is one of the common pieces of wisdom in the technical community and might actually apply in other places as well.

So with that, I am pleased to bring to our attention the contribution that Jon has made over the years. I suspect I'm off script because I can say these things from personal knowledge without having the help. But I think we have another slide that we have to project here.

This rather hokey slide, picture was created in the summer of 1994 as part of a commemoration of the 25th anniversary of the ARPANET. So the first nodes on the ARPANET went in the September, October, November of 1969. And Bolt, Beranek, and Newman put a lot of energy into trying to bring attention to all of that 25 years later.

As it turned out, Vint and Jon and I were all at a meeting in Toronto and "Newsweek" was going to write a feature article. And so we spent an extraordinary amount of time putting this picture together. Although I cheated. I was there for the pre-breakfast, early morning organization. I disappeared, came back, and we spent until about 3:00 a.m. actually.

Meanwhile, Vint and Jon had gone off and bought a bunch of vegetables to string up and connect them to tin cans.

A lot has been said about this network doesn't really work and sort of the personalities of the various people involved. But it was -- as I said, it was in 1994. Jon passed away four years later. We would not have ever guessed that we would lose him then.

Vint said shortly after his passing, Jon's memory is rich and vibrant and will not fade from our collective consciousness. What would Jon have done is a question that gets asked frequently if one is trying to orient a conversation and get it back on track. And we will think about that as we wrestle in the days ahead with the problems Jon get so well tamed for so many years.

Jon, you will not, cannot ever be forgotten. So let me ask you for a round of applause in memory of Jon Postel.

[Applause]

And very much in line with what Jon would have done, let's get down to business.

The public forum is not intended to be a replacement or an add-on to the public comments process that we seek on issues and policies. Please do continue to provide your formal feedback, and that will -- and we've been sharpening and expanding and improving that process incrementally over time. And that is a very vibrant and important avenue affected by that.

Let me turn things now -- you'll hear more actually even about some things that are affected by that. Let me turn things over to Brad White, director of communications for North America, to give you an overview of how questions will be fielded.

Brad?

BRAD WHITE:

Thanks, Steve.

As Steve explained, we're going to basically build on what we've done in previous public forums. After each public forum, we reach out to the community to try and determine what worked and what didn't. We're constantly tweaking it.

So what we are going to see here today is a combination of things that we've decided worked. We've abandoned a few that didn't. Three ways to make a comment or ask a question. For those of you in the room, we've got two microphones right here. You can queue up to

those microphones. Brevity is the keyword here. Always try to keep it short.

There's two ways for remote participants to ask questions, make comments. One is through the Adobe chatroom. The other is if you want to drop an email to engagement@icann.org, you can do that.

The other way we are going to hear questions and comments is what we tried in London that worked very well, which is the video hubs. These are places where we have worked with The Internet Society, with ISOC, in establishing these hubs. You'll note in a lot of places they're in areas where broadband access, live streaming, is either difficult because it is hard to get or it is expensive if it is available. So what we're trying to do is facilitate input in a lot of those areas. This effort with ISOC was very successful in London. So we're bringing it back. It is a little bit rough. We'll occasionally cut to a camera, and they are not exactly prepared or something. If you are expecting to see a smooth BBC production, you have come to the wrong place. But, hey, it's live TV, right?

When you come up to the microphone, please speak slowly, speak clearly, state your name, state who you are representing, if anyone. There are some rules that basically govern what we're doing here. They're on the screen. The bottom line is just have respect, have respect for whoever is speaking, listen. This is really your chance to speak not only to the board, to the community, but let's do so with, as I said, with respect.

We're going to adhere to what we have done in the past. Those of you that have been to the other public forums realize it is the same drill. It

is the rule of 2s. We'll have a clock on you. You will get two minutes to ask your question, make your comment. The board will have a clock on it as well. So they'll respond, two minutes. You've got a possibility for a two-minute follow-up. It will be exactly as we've done it previously if you have been involved in any of the other public forums.

This is always a balancing act. We want to hear from as many people as possible, but we don't want to cut anyone off. A lot of times, we'll end up getting questions that we just don't have time for either in the queue, in the room. Please let us know what those questions are. Keep the dialogue going. Keep the conversation going. It may end in the room, but we want it to keep going.

With that, Steve? You're on, Steve.

STEVE CROCKER:

Thank you. Sorry.

Okay. As we have done and made a pattern of, we are going to have different people facilitate different portions of the program. And we've been typically trying to align our facilitators with the geographical regions. Suzanne Woolf is going to lead us off on the session on accountability on IANA stewardship transition. Suzanne?

SUZANNE WOOLF:

Thank you very much, Steve. Thank you especially for the introduction in the memory of Jon. I think for those of us who have the history, this first topic, the IANA transition -- the IANA stewardship transition and accountability topic is near and dear to our hearts.

We are here for the present and to look ahead. So I would like to -- I think we've had a great deal of discussion and comment, and I think people should have things they want to say so I'm hoping, please, to the microphones.

STEVE DeLBIANCO:

Are we good? Steve DeLbianco with the business constituency. With respect to the general ICANN accountability and enhancements, last night the business constituents joined the Registry Stakeholder Group and the Non-commercial Stakeholder Group and withdrew a reconsideration request we had filed a little over a month ago. We did so in recognition of the fact that staff and management did reverse course and gave the community what we had asked for with respect to a cross-community working group and our ability to define the scope. And we are very much in appreciation of that. Would like to thank the staff and management for that as well as any role the board played in that change of heart.

I wanted to make a statement and request. The statement would be that as we embark on this cross community working group to come up with recommendations, we are going to take the advice -- we'll try to take the advice about having two tracks. We see those two tracks and there is one being all the accountability measures that have to be in place before the IANA contract transition, and the second would be items that can wait until after the transition, a simple distinction that we may pursue. But it will be up to the community to define that.

The second is this notion of what the board would do with recommendations that arise from the cross community working group,

hopefully before this time next year. And our request would be this: As the board learns of concerns it has about the practicality or the legality of some of the accountability mechanisms that we are discussing in our open cross community working group, it would be so helpful to hear real-time from the board on the legal and practical problems so that we can address them in our recommendations. That is far superior to the alternative approach of us sending things to the board only to have them come back. So it's a request to get information from you. Thank you.

BRUCE TONKIN:

Yes, I think, Steve -- I think that's definitely the intent of the board and that the board will have a liaison on the cross community working group and certainly we'll be able to take matters back and, you know, direct staff to look at issues if we think there might be legal issues and keep the board informed. Also, board members are members of the community themselves so we have board members, members of the addressing community, the country code community, and the GNSO community. So I'm expecting those board members will be fairly active within their own communities and give feedback if they see any issue. So although we've been talking about I guess it's a scenario planning or stress testing as you say, Steve, we basically just wanted to set out clearly what would happen in a particular scenario, but we're not expecting that scenario would ever emerge. In other words, we're expecting that the report will already have the board's agreement before it even gets to us.

STEVE DeBIANCO: Thank you.

SUZANNE WOOLF: Thank you very much. Next.

LEE GRACZYK: Good afternoon. My name is Lee Graczyk. I represent a group called Mature Voices Minnesota, and more specifically a sub-project of Mature Voices Minnesota which is RxRights organization. And the reason I'm here is because in terms of accountability, one of the premises this organization places on your Web site, and I quote, is "ICANN's fundamental belief is that all users of the Internet deserve a say in how it's run." And I'd like to see the organization spend a little more time in figuring out how to ensure that the consumers' voices are heard in the process. And because what I'm finding is this idea as stated doesn't seem to be playing out in practice. Over the course of the last year and a half my organization and I have sent multiple letters to ICANN's leadership and have taken every opportunity that we saw to comment on the Web site as it relates to the assignment of the top-level domain .PHARMACY. And to date, we've sent -- our letters have been sent, but we've received no response except on one occasion we did receive a response that we would receive a response and we didn't receive said response.

One of the things that we're concerned about is that the National Association of Boards of Pharmacy has been telling folks that the issuance of the domain names (indiscernible) and they've been doing that for quite a long time, and that if this is true, our concern is that

consumers' voices weren't brought to the equation. You know, if you're going to make a decision, it seems to us that consumers' voices should have been heard before the decision was made, not after the fact.

[Timer sounds.]

And then the other thing I want to say is my organization has collected 25,000 signatures of folks across the country who are engaged in personal importation and would be incredibly disadvantaged position if .PHARMACY is finally implemented and I want to bring that point forward.

So I'd like to give the petition to you, and I would hope that we could have some ongoing dialogue and discussion about how to ensure that consumers' voices are heard before decisions are made, not after.

SUZANNE WOOLF:

Fadi, if you would. Thank you. Fadi, did you have any comment on that?

FADI CHEHADE:

Well, I -- if I may, thank you very much, sir, for your comment. I will not respond specifically about the .PHARMACY TLD. I'll let this happen through the normal course of our engagement to the community. But just to emphasize that we heard you, that we appreciate the importance of the voice of the consumer and the user in the decisions we make very, very much. I can assure you of that. And I think the decision we made on Sunday to appoint a new senior leader in the company who will report to me who will establish additional new focus

on the area of consumer safeguards should give you some comfort that this is very important for us. And he's here in the room and I'll make sure he finds you before he leaves and at least you get a chance to meet him. He's sitting up front here. Okay? Thank you.

SUZANNE WOOLF: Thank you very much. The microphone to my right, please. Michele.

MICHELE NEYLON: Thank you. Michele Neylon speaking on my own behalf. Just reaching around this entire thing around the IANA stewardship and transition. Over the last few months the entire community has seen a huge focus of efforts and to deal with this entire transition. But to be ultimately the IANA functions are really, really boring. I mean, they're boring, they're functional. They need to happen, but it needs to be kept as simple as possible. Unfortunately we're seeing a lot of people trying to use the IANA transition as a proxy for opening up all sorts of crazy conversations around how the Internet works. And I just think, you know, it's time that people just kind of step back a little bit and just got on with the simple IANA functions and stop trying to overload everything onto it. We've heard stuff, people talking about free speech, we've heard of Obama giving up the Internet, and the last time I checked he didn't own the Internet but okay.

SUZANNE WOOLF: Thank you very much. And I think --

[Applause]

The board liaison to the ICG I think actually might have something to add to that. Thank you, Kuo-Wei.

KUO-WEI WU:

This is Kuo-Wei Wu and actually I'm the ICANN board liaison to the ICG group. And I think I try to perform just like a liaison, very quiet in ICG and listen to all the members talking about how to developing the process. And I think I might be like to talk in my personal opinions. I run a supercomputer center for nine years, you know, during the 1990s, and I always told my users, you know, when it's running well it doesn't mean it have to without any effort. So I think the global internet is operating -- you know, we should not take it for granted. So, you know, my personal opinion is, I encourage you all stakeholder, including the individual, to, you know, participate in the transition process and particularly interested communities, you know, to discuss about the -- eventually the proposal. But I like to, you know, raise a very critical and important issue to remind all the stakeholder or the, you know, any people involved into the process. I think we have to be careful and we have to be aware of how to maintain the Internet stability, security, and resilience. It's very important for the global Internet and also it's a -- it's for the global public interest. So, you know, maybe -- maybe we should think about if you want to developing a proposal, maybe you have to think about have a one single session talking about how you can prove this proposal still can make the Internet -- the global Internet stable, reliable, and also secure. I think that is --

[Timer sounds.]

-- that is very important. I'd like to share the message to all of you.
Thank you.

SUZANNE WOOLF: Thank you, Kuo-Wei. Second microphone, please.

RAMI SCHWARTZ: My name is Rami Schwartz. I'm an applicant for .TUBE. I'm speaking on my own behalf. This is again regarding the never-ending issue of generic strings. We are concerned that some closed generics are being allowed to contract, despite that there are closed generic applications. They may be able to implement discriminatory registration policies. So absent a clear prohibition on non-discrimination and a vehicle for redress, generic strings could still be delegated to registries that may circumvent the intent behind the category 2 protection and PICs. We seek clarification on what recourse a party may have if they are precluded or prevented from registering a domain in a generic non-branded or non-community string. Thank you.

SUZANNE WOOLF: Thank you. We do have a time set aside later for a discussion on the new gTLD topics, so I would like to give precedence in this discussion to the folks with comments on the ICANN enhancing accountability and the IANA stewardship transition processes. Everyone will be heard, but we're trying to manage our topics carefully, so please.

MIKE PALAGE: Thank you. Mike Palage speaking in an individual capacity. I would like to begin by supporting many of the comments that Steve DelBianco echoed at the beginning about the positive steps that the ICANN board has taken regarding this important topic. I have a request though, and the request deals with an upcoming event that's very important and needs to be looked at. This December in D.C. there will be a hearing in connection with the .AFRICA. This will take place as part of the independent review which right now is the highest level, it's the pinnacle in the ICANN bylaws. So my request is that these proceedings be webcast for the entire community to see. So if we're going to be talking about accountability and IANA stewardship, instead of doing this in a vacuum, let's look at what the current bylaws provide for. Let's look at it in realtime and use that as a data point. Let's not do this in a vacuum. So that is my request.

[Applause]

SUZANNE WOOLF: Thank you. Next.

ELLIOT NOSS: Thank you. Elliot Noss from Tucows. Very often the IANA stewardship transition is described, especially in the press, as cutting the last vestigial connection between the internet and U.S. government control. I want to put out and remind that I don't believe that that is the case and there are, in fact, two more. One is the situation today with the operation of the core root. I understand that there should be some learning through the IANA stewardship transition process that should

facilitate either ICANN or some neutral party from operating that core root. I think that's very important. But there's one more that's not talked about at all, and that is the nearly billion dollar subsidy that exists right now in the .COM contract. We've now had nearly a year of operation of new TLDs. There are lots of learning -- there's lots of learning in that, but the one singular conclusion that's inescapable is .COM still is king and still has massive market power, and that that will continue for the foreseeable future.

I've been speaking at the public forum now for 15 years. There's a comment I made, I believe in Stockholm in 2001, that is the one that has been repeated back to me most often and for years, and at that time I stood up and said, the .COM contract was priced at an extreme premium and that Tucows was willing to perform the .COM contract at a price of \$2 a name. At the time, that was radical. I would now like to revisit that comment and say today Tucows would perform the .COM contract for 25 cents a name. And I say that as much -- by the way, I'd love the business at that level and it highlights that the economics of the Domain Name System today are fundamentally different than they were when these contracts were originally priced. Thank you.

SUZANNE WOOLF:

Thank you very much for that input. Next, please.

JOHN McELWAINE:

Hi, I'm John McElwaine. I'm an attorney in private practice, but I'm also the vice chair of the International Trademark Association's internet committee and speaking on behalf of INTA. INTA was glad to learn that

the sense of urgency relating to the accountability issue had settled down and that ICANN had tapped the brakes. However, to this point INTA's position remains firm that the process for transition of stewardship of the IANA function should not be decoupled from measures for ICANN accountability.

IANA functions transition should only follow after approval by the board of a thorough accountability plan developed by the community. This is our chance to get it right. We've heard today in the forum on enhancing ICANN accountability that the CCWG process will be open to all voices. We should be looking for analogs in other fields to help guide this accountability process. In other words, we don't have to reinvent the wheel.

But where will we find that expertise? Most likely from the broader business sector. Thus, there's a need to ensure that the role and voice of the business sector is heard as well as being integral to insure governmental support of the ICANN framework resulting out of this accountability process.

INTA looks forward to reviewing a draft charter that insures meaningful opportunities for business input.

I also have one question which is -- I'd asked in the earlier meeting with the GNSO with the board a timeline when the board would address its role in reviewing the accountability decision. I understand that that may have been -- there's some information out about that now or that we might be hearing from it later. So just curious if we have any update. Thank you.

SUZANNE WOOLF: Thank you very much for that input. I'm not sure if we have new information on that at this time. Or we'll just -- we can take --

FADI CHEHADE: It may be helpful to remember or recall the words that Assistant Secretary Strickling has made very clear. On the issue of the link between the accountability recommendations and the transition, I think he put that one to bed by making very clear that, alongside the proposal he expects from the ICG, he expects community consensus. And community means the board as well.

So we all have to be in consensus on a set of recommendations that we can submit to him alongside the proposal. If we do not have both, we have an incomplete. So he's made that very clear.

And then on the issue of the board and the community not being aligned, as I just said, when asked, his comments are very important for us to hear. He said, if the community comes up with the recommendations that the board does not adopt, that means we're not in consensus. And, therefore, it does not meet his test. So, when the board receives the recommendations, it is in that spirit that we will look at them. And, if there are questions, we will consult with the community as our bylaws ask us to so that everyone is assured that we will get through this together in consensus and, hopefully, have a proposal back to the U.S. government.

SUZANNE WOOLF: Thank you very much, Fadi. I think we have a remote question.

BRAD WHITE: We do, Suzanne. I'm told we have a question from our video hub in Kinshasa in the Democratic Republic of the Congo. I'm told the question will be in French, so you're going to need to tune in to the scribes or use your headset. I might also add that it's about 10:20 at night there.

REMOTE INTERVENTION: The Democratic Republic of Congo, the ICANN community of Kinshasa. I have certain concerns. We have two major concerns -- the management of the ICANN now that the U.S. government will no longer be part of it and the transition of IANA function. What is the priority?

The management and accountability of ICANN or the ICANN function? In the case of Africa, we propose that regional meetings should be held so that the regional organizations, including the Comisol, ATADEP, CADSA, (phonetic) may participate in this process supervised by the African Union so that all the contributions will be taken into account without excluding anyone.

SUZANNE WOOLF: Thank you. That sounds like that would be -- certainly, these are interlink concerns. And, if Fadi would like to comment a little bit on the accountability process and the outreach, that sounds like that's very much the topic on your minds. And thank you for that question.

FADI CHEHADE: (non-English word or phrase)

This is simply to confirm that the idea of all the regional meetings is really very good. It's really very much appreciated. We're going to talk

to our vice president, Pierre Dandjinou, so that he may talk to you and check how we may include all African organizations in our work of outreach in Africa.

SUZANNE WOOLF: On my left, thank you.

ROBIN GROSS: Hi, thank you. My name is Robin Gross. I'm with the non-commercial stakeholders group. I wanted to address the issue of ICANN accountability and thank you for this opportunity to speak today. And I also wanted to thank ICANN for the significant changes that were made into the enhancing ICANN accountability plan that recently came out.

I join with the others who have said that we appreciate the significant movement that happened over the last few weeks on that plan. We haven't -- we haven't -- we have a lot of work ahead of us to do. We've got to fix the IRP and the reconsideration requests. And we need to do some work on encouraging more of a bottom-up leadership here. So we've got some work to do. But, really, I wanted to thank you for -- or to thank ICANN for making more significant changes to the accountability plan. We want ICANN to be accountable. And, more importantly, we need ICANN to be accountable. And we are here to work with you to make that happen. Thank you.

SUZANNE WOOLF: Thank you very much. Next microphone.

PAUL FOODY:

Hi. Paul Foody speaking on my own behalf. It's been seven months since March the 14th. We've got 11 months to go before the transition is meant to happen.

The speed that this is happening at has been described even by the intellectual property community as aggressive and insane. Many people even at this meeting still don't know what it is that's being transitioned. So, when it comes to accountability, ICANN has said -- it's gone on record as saying that it's going to do a study a year after the introduction of the new gTLD program. I think the phrase that was used was a year after the launch of the new gTLD program. Since we're -- we've still got 60% or more of the new gTLDs to come in to operation, I hope in view of the accountability issue that's being debated here, that ICANN will delay the start of the -- that year period until all the new gTLDs have been introduced. And then, at the end of that year, once that report has been completed, then maybe look at the IANA transition then. That would also give the U.S. government the chance to raise the issue of transitioning the IANA function during an election campaign rather than doing it midterm, which could well cause serious problems with the electorate.

Many thanks.

SUZANNE WOOLF:

Thank you. And I'll point out again that the next session is actually dedicated to the topic of new gTLDs. Next microphone, please.

JONATHAN ZUCK: Jonathan Zuck from the App Association. Thank you. It's been three months since my last confession.

[Laughter]

I've found --

[timer sounds]

[Laughter]

SUZANNE WOOLF: I thought you said three months since your last question. So please proceed.

JONATHAN ZUCK: It feels that way. I was interested in Michele's statement very early on that the IANA functions are boring. And it could be that he hit upon the real reason that the NTIA wants to dump them. But, at the same time, it seems somewhat at odds with something that Ben Peterson said in the accountability session this morning, which is that the discussion happening right now is the most significant one that he'd had in his 35-year career in government.

So there is some strange, weird juxtaposition between these boring IANA functions and the fundamental future of the accountability of ICANN.

And I also agree with Michele that we shouldn't throw the kitchen sink into the IANA transfer functions but find just those small pieces of accountability reform that give the tools to the community down the

road to bring about the additional accountability functions we'd all like to see. And I think the onus is on us to keep that as confined and narrow as possible, as Michele mentioned, but make sure there's sufficient teeth there to get the job done. It reminded of a scene in a movie called "L.A. Confidential." I don't know if you've seen it. It's one of my favorite noir films. And there's this guy named Dick Stensland. And he's talking to this guy Bud White. Bud White was the Russell Crowe character, the kind of dim-witted bruiser, right?

Dick says, "Hey, let's go out and do a night on the town sometime soon. On me." Right?

And Bud says, "I'll bring my wallet just in case."

Something to think about. Thank you.

SUZANNE WOOLF: Thank you. Next, please.

CARLTON SUBRIM: Good evening, everyone. My name is Carlton Subrim, (phonetic) Bankers Association. Yesterday, board and Fadi, there was some concerns that through this IANA transition that ICANN has the potential to grow into one of the world's largest unregulated monopoly. And also some people wanted ICANN to go into the U.N. International Telecommunications Union. And there is a concern about the increase in taxes. And, as you said in one of these speeches, that you want to tell the world that ICANN is a trustable model.

My question is just two comments. Are we considering, if it hasn't been done, an independent auditor inspector general to put checks and balances within the system? Because, you know, when our organization has increased in terms of its asset base, revenue base, these are the questions that come up.

I also want to suggest to the board here that in the strategic plan that you spent 17 months on, I do believe that a sectorial development committee should be implemented. The reason why I'm saying this, we all remember September 15th, 2000. In the morning we got up at Lehman Brothers. And as the bubble stopped eventually with ICANN. What's going to happen is that the predicted recession, recessions. But we need to sit down with the regulatory people and talk to them. And I'm saying we could start with the banking sector, the insurance, financial services and a couple of the other sectors that contribute to the nation's GDP. Bring them in. Because we don't want to keep it too tech, but you need to bring in the other major disciplines. So that's it. Thank you.

SUZANNE WOOLF:

Thank you. Erika, I believe, wants to have a comment on that.

ERIKA MANN:

Sir, I'm not totally sure if I understood everything you said. Sorry if I missed some of your points. Just to assure you we do have an independent auditor, a firm we worked with. We just changed a firm. The documents are always accessible. And we'll be happy to have a meeting with you as well to explain it in case there's some

misunderstanding. So we do work with an independent auditor firm. The firm is auditing the financial assets of the -- of ICANN.

SUZANNE WOOLF: And I think we have a remote comment.

BRAD WHITE: We've got a question from the Internet Society video hub in New York from Joly McFie. Mr. McFie?

REMOTE INTERVENTION: Oh, sorry, I wasn't ready.

So, you know, it was good sessions this morning and I made a comment which was I don't understand, you know, why we're in such a rush to do the IANA transition, and we see that ICANN itself is in the process of transition right now.

It's not -- it's changing fairly rapidly and spreading and consolidating and all this kind of thing, and so this is kind of clouding the system.

You know, I asked what was the rush, and Alissa outlined, you know, this excellent process and she said, "If it comes by June and we don't have consensus, then we may have to think again."

I think that, you know, it could be that our proposal to the NTIA is, you know, "Let's take some more time."

And I -- you know, Steve just mentioned we're on today the 16th of October is the -- is the anniversary of the death of Jon Postel in 1998,

and invoking RFC 1122, I would say to the working group and to the NTIA, you know, be liberal in what you take in but conservative in what you put out.

And lastly, I was impressed by Lynn St. Amour's remarks where, when dealing with the IANA functions, we don't necessarily have to take them all as one package. We could separate out the three and make them -- you know, and deal with them separately, you know, because some of it is already, as Jari Arkko said, you know, quite handily dealt with by the IETF and the IAB. Thank you.

SUZANNE WOOLF:

Thank you very much for the comment, and Bertrand, if you would.

BERTRAND DE LA CHAPELLE:

Hi. My name is Bertrand de la Chapelle. It's not so much a comment towards the board than comments towards the general community.

First, I've been reassured by the commitment of the coordination group during the meeting this morning. I had some qualms and I think they're approaching it in a very good way.

The second thing is a response to Mr. Foody. If there are people in this room beyond him who do not understand exactly what is being transitioned, I encourage all of you to read the excellent documents that have been produced by the SSAC, and if anybody at this stage of the discussion doesn't know what is being transitioned, I don't think they should be participating in the discussion.

The second thing is that it is extremely important, as I've said in other places, to distinguish -- when we talk about the IANA function transition, to distinguish the two roles that NTIA is playing.

One role is within the workflow of individual decisions, particularly when there are changes, requests for the root zone file and the other which I call the mandate decision, which comes once a couple of years when the mandate is being given to a particular organization and the SLAs are being set.

I think it's extremely important that in the discussion that takes place in the different subgroups, the three subgroups that are being set up, this distinction is being made. And I would like to suggest that when we talk about the NTIA role in the workflow, we talk more about the trustee's function or trusteeship function than an oversight function, and that when we talk about the mandate, it is about where does the legitimacy of the function come from.

The final point on accountability, I'm not sure that I follow Steve DelBianco's distinction between accountability before and after the transition. The distinction is more that in the IANA discussion --

[Timer sounds]

-- there are accountability mechanisms, and that the working group on accountability is more about the overall discussion. I think the coordination group and the process should deal with the accountability related to the IANA function and have the second dimension dealt with separately.

I could go on further, as you know, but...

SUZANNE WOOLF: Thank you very much, Bertrand.

And the other...

ANTHONY NIIGANII: Good afternoon. (non-English word or phrase). I mean, (non-English word or phrase). My name is Anthony Niiganii. I come from the Pimicikamak Cree Nation in northern Manitoba in the Keewatin Tribal Council area, and I'd like to take a moment to welcome you all, all the people that came from around the world, the ICANN board and staff, to the traditional territory of the tribal council of nations of this region.

As our communities start to learn more about what you guys are talking about, and learning more about the industry, we are starting to see a valuable opportunity for us to begin participating in the discussion and in the global dialogue.

So I just wanted to take a moment to welcome you all. (non-English word or phrase). Thank you.

[Applause]

SUZANNE WOOLF: Thank you, sir, and welcome.

I believe Fadi wanted to reply to the last comment, and then we have a few more minutes left in this session but this is kind -- this is the last call if you want to comment on this topic, if you want -- if there's anybody else that wants to speak. Otherwise, we will go to the next session a few minutes early.

And Fadi?

FADI CHEHADE:

Okay. And just quickly, Anthony Niiganii who just spoke from the Indian tribes, I just wanted to recognize that Manitoba has now become the newest ALS in North America. That's an at-large structure. Getting us to the number of 177 at-large structures in our community.

So welcome on board. Welcome on board.

[Applause]

FADI CHEHADE:

So the previous speaker, Bertrand de la Chapelle, brought up an important point and I was asked to just clarify, Bertrand, how we're going about this.

So there will be three places where the accountability will be discussed. First within the ICG, there will be some discussion about accountability but very limited to operational issues.

In the new track we created, called the accountability track, that will be organized through a cross-community working group, there will not be two sequential but rather, hopefully, two parallel tracks.

So in total, there will be three. One within the ICG and two additional ones in the new. And these two additional tracks will be divided but clearly highly interrelated and inform each other.

One will focus on what are the things we must do prior to the transition, and the other one will be on what are the accountability mechanisms or

recommendations that we must do, period, but could be on a different time line.

So this gives us some flexibility. I think some of these things could be road mapped, agreed, pre-agreed. Some of them may be irreversibly agreed. I don't know. This is up to the community to tell us. But we need to have some flexibility frankly, to address the New York caller's point, which is we shouldn't feel rushed in accountability.

We should -- we should remember that accountability is a lifelong commitment of ICANN. It won't all happen before the transition. Some of it must, some of it could be agreed on a roadmap, and some of it could be planned as we go forward.

All these nuances, the community has to help us with. We don't have a pre-setup.

The important thing is the scope is open. There's no scoping. There's no limitation. Everything should be on the table. And we hope the community will help us build a clearly layered plan so that we can get through this transition and beyond it and remain committed to our accountability. Thank you.

SUZANNE WOOLF:

Thank you very much.

Next, please.

PAUL FOODY: Paul Foody. I'm just responding to Bertrand's comment, and if he -- if he just goes back through what was said at this public forum just now, Elliot Noss got up at the stand and said that he disagreed with how the press are reporting the IANA transition. If you go to the meeting this morning, there was clearly a lot of confusion, even in that meeting, as to what exactly is being transitioned. And that's here.

So IANA, with regard to its accountability, you know, perhaps you guys, if you could put out a definitive statement of exactly what is being transitioned and send that to the press so that the press can be absolutely clear about what's happening, and then hopefully the confusion can be mitigated, or at least -- or maybe even removed completely. Thank you.

SUZANNE WOOLF: Thank you. Next, please.

FADI CHEHADE: Suzanne?

SUZANNE WOOLF: Do you want to --

FADI CHEHADE: This is an historic moment. I'm in perfect agreement with Paul, and I just want to say it.

[Applause]

FADI CHEHADE: He is -- he is right. So thank you. Thank you, Paul. This is -- we'll do that.

SUZANNE WOOLF: Thank you very much. And the last speaker, please.

DUO LIU: Okay. Yeah. Good afternoon, everybody. Yeah. I'm Duo Liu from the China Academy of Telecommunication Research of MIIT, and we think that accountability is the foundation of ICANN's legitimacy and the long-term trust of global multistakeholders and in all of the urgent principles needed to be facilitated to enhance ICANN's accountability should consider strengthening developing countries active participation to ICANN's accountability. Compared to developed countries, development is denied for the majority of developing countries and the underdeveloped countries is currently is still in its nature stage.

ICANN should take into account the imbalance between developed countries and developing countries and should take effective measures to improve the participation of developing countries and underdeveloped countries and they should maintain regional coordination of overall development of Internet.

So this is our idea. Thank you.

SUZANNE WOOLF: Thank you. And do we have a comment?

Thank you very much for everyone who's commented.

We clearly have a great -- processes well underway here but we have a great deal of work to do and we will look ahead to getting that work done in the weeks and months ahead and we will go on to the next topic.

Steve, I think back to you.

STEVE CROCKER:

Thanks, Suzanne. We're now going to delve into questions of new generic top-level domains, so I'll turn the floor over to our next board facilitator, Ray Plzak.

RAY PLZAK:

Thanks Steve.

Well, we're always going to have new gTLDs, so I think this topic was intended to talk about the program in the current round.

I also would like people to not use this forum to make the points that they may have made in several other sessions during the week unless there is something new that they really need to add or to emphasize.

So it may be that there was something that was said in one particular forum that you think may need a wider audience. If that's the case, please come forward. And we're still going to follow the same rules we've been having.

So the floor is open.

J. SCOTT EVANS: Good afternoon. My name is J. Scott Evans and I'm from Adobe --

RAY PLZAK: Excuse me.

J. SCOTT EVANS: -- Incorporated.

RAY PLZAK: Excuse me. I would like to recognize you first. I'm facilitating this.
So I'm going to call the microphone where you're at is Number 1 and the microphone over here is Number 2.

So Microphone Number 1, please proceed.

J. SCOTT EVANS: Okay. I'm J. Scott Evans from Adobe Systems. I'm also president-elect of the International Trademark Association but I'm here speaking today on behalf of the business constituency who has asked me to step forward and just bring some things with regard to the program to the board and staff's attention that were raised during our meetings during the week.

We've just noted some practices that have been occurring within the market activities within the new gTLD program. For instance, sunrise reservations for \$4,500. When you go to general availability, they're sold for \$90.

Make an offer. We don't know who you're offering against. You don't know what's going on. There's no transparency to that.

While we realize that some of these may not be compliance issues currently under the contract compliance, we just want to say that we believe that these affect predictability, effectiveness, and fairness, and that we would hope that staff, in doing its look-back over the implementation, as we begin the review process, that we also look at practices that have developed in the marketplace that none of us necessarily thought about or realized could occur, and that we bake that into our analysis so that we can have some solutions, if they are called for, in any additional rounds that might occur.

Thank you for your time.

RAY PLZAK:

Any comment?

Okay. Number 2.

AKINBO ADEBUNMI ADEOLA: Okay. Thank you very much. The name is Akinbo Adebunmi Adeola. I'm from Africa. Nigeria, to be specific. I work with the ccTLDs and one or two (indiscernible) groups and also in the NGO industry.

Now, concerning the future of gTLDs, especially in Africa -- I'll be speaking on behalf of registrars and registries -- we are looking at the cost and the ability to have an approach, a different approach to applications from Af- -- from non- -- from developing countries. Let me

use that word. I don't want to mention Africa all the time. From developing countries.

Now, while at the opening press, Fadi mentioned the fact that though the bar may be the lowered on the cost -- may be lowered on the cost -- the standard will not be compromised. I quite agree with that.

But Akram was making mention of the fact that it may take four years of such a discussion to be considered.

I beg to differ and I want to question the essence behind it. Why will it take that long?

If Africa is ready -- or let me use the word non- -- or developing countries are ready, I think the discussion should start taking place now. Before we get to Marrakech, I think it should be on the debate table. Thank you.

RAY PLZAK:

Fadi, did you want to say anything to that?

FADI CHEHADE:

Thank you very much.

I was with you when I made the comments and Akram made his comments.

I think Akram used the broad time frame of two years or four years.

I think simply to say we still don't know. He wasn't saying that it will take Africa or any part of the world that long to get ready. He meant

that the whole community needs to engage in the process of getting ready for the next round and that that may take some work.

We don't know if it will take one year, two years, or four years. That's up to the community. But we are -- we stand ready to do everything we need to do.

And as to your earlier comment about engaging Africa, as I said in the press conference, I'm -- I agree with you. I think we -- we have quite a bit to do to truly engage in Africa. We're doing quite a bit more in the last year, with Pierre's efforts, but there's more to be done so that we're ready for the next round.

And I assure you that in whatever next round comes, and when it comes, Africa will be fully in the process and we'll do everything to make sure no one is left behind.

Thank you for that.

RAY PLZAK:

Evan.

EVAN LEIBOVITCH:

Thanks, Ray. My name is Evan Leibovitch. I'm from Toronto. Hi there to the folks at the hub.

I'm vice chair of ALAC, and usually I'm here talking in my own capacity, but this time I'm actually talking on behalf of the ALAC which passed this motion just a few minutes ago unanimously.

Whereas the At Large -- Whereas the At-Large community of ICANN is deeply concerned about numerous identified problems with procedures related to public interest commitments in the current round of generic top-level domain applications; whereas these concerns have been expressed previously and repeatedly; having also been supported by comments previously made by the Government Advisory Committee, including its communique here at ICANN 51. Whereas the subset of the new gTLD applications notably in the fields of health, education, finance, charities, and gambling have been identified by the GAC as particularly sensitive requiring enhanced safeguards to build public trust.

Whereas, the At-Large Advisory Committee has held a public comment process that has attracted a number of comments from the broader global community that have been critical of and raised concerns regarding the PIC safeguards processes.

And whereas, ICANN has proceeded to sign contracts regarding some of these highly sensitive TLD strings despite the repeated concerns expressed by the ALAC, GAC, and other communities regarding urgency of these enhanced -- enhancing these public interest protections.

The ALAC has resolved to advise the Board of ICANN to immediately freeze -- that is, cease contracting or delegating -- the 28 strings identified by the GAC as requiring enhanced safeguards, category 1, safeguards 1 to 8, pending further community review and subsequent changes to the public interest protections of the TLD agreements.

Thanks.

[Applause]

RAY PLZAK: If you could send a copy of that resolution to the New G Committee so we could take a look at it.

EVAN LEIBOVITCH: I've been told it was already going through the ringer. It was just passed an hour ago.

RAY PLZAK: Okay. Thanks.

RAYMOND KING: Hi, I'm Raymond King with Top Level Design, registry operator for .WIKI, and I would like to read a statement from Yana Welinder who is the legal counsel at Wikimedia Foundation.

The nonprofit Wikimedia Foundation is asking for a select number of two-character .WIKI names to be created for URL shorteners for Wikipedia. We currently support 287 language editions of Wikipedia. The URL shorteners would, for example, allow someone looking for information about dengue fever in Spanish to type in es.wiki/dengue to get directed to the Spanish Wikipedia article about dengue fever --

RAY PLZAK: Excuse me. Can you speak a little slower?

RAYMOND KING:

Oh, Sorry. Just trying to make sure I don't go into a my two-minute warning.

Would normally be an es.wikipedia.org/wiki/dengue.

It would also allow people to share short links to Wikipedia articles and other WikiMedia sites on various social media and invite more people to edit Wikipedia.

We hope that this will improve user access around the globe. URL shorteners will be particularly impactful in the global south where people generally use mobile phones rather than desktop computers to access the Internet.

As an example, we're working with a pilot with UNICEF to provide SMS messages to links to Wikipedia articles on topics such as ebola, flood control and micro finance.

We recognize the concern that two-character domains may sometimes appear similar to national ccTLD identifiers; however, given that Wikipedia is organized by language rather than country and millions of users have been accessing Wikipedia sites via domains such as en.wikipedia.org and es.wikipedia.org over the past decade, users will easily recognize domains such as en.wiki and es.wiki as links to different language versions of Wikipedia.

Granting this use of two-letter domains will transcend borders --

[Timer Sounds]

-- and empower entire language communities to access knowledge and participate in knowledge creation.

I hope the ICANN Board recognizes the importance of providing these domain names to increase access to Wikipedia and approves this request as soon as possible.

Thank you.

RAY PLZAK:

Thank you. And I say at this point that your statement is noted and we'll consider.

JOHN BERARD:

Thank you, Ray. My name is John Berard and I'm speaking on behalf of the business constituency. I think I have something fresh as you ask, although not unfamiliar coming from us, and it regards the GAC ideas about geographic terms.

We read its draft, have discussed it, and will comment online in due course. But I want to let you know that the B.C. notes that the proposed scheme would be unpredictable as to whether a string is geographic. And also silent on who the authorities are that will decide.

Our goal as constituency is to create more clarity at ICANN, not less, as less clarity is extremely burdensome on business applicants. And our view as well, any policy change should be handled in a GNSO PDP.

And finally, we should rely on a consensus definition of public interest in the context of ICANN's limited and specific mission.

Thank you, Ray.

brand integrity and the reputation of those regions as well as for the consumers that rely on them when they're making their decision.

So we're hopeful as things progress here that those considerations are made and that there are some sort of safeguards given for .WINE and .VIN.

Thank you very much.

[Applause]

RAY PLZAK:

Does anyone want to comment on that? This is an ongoing thing.

Fadi, did you want to say something?

FADI CHEHADE:

Thank you very much, and appreciate your comment. Simply to say that there are now deliberations occurring between the wine growers and the applicants. We're watching and hoping for good outcomes to come, and hopefully common sense will prevail so that everyone can move forward in a positive note.

REX STULTS:

That's encouraging. Thank you. One point I wanted to make is this is not a European versus American thing at all. This is something of importance to all quality wine regions from all over the world, whether it's Australia, New Zealand, South Africa, the Napa Valley, Long Island, all over Europe. It's an important issue for all of us.

FADI CHEHADE: Thank you. I can assure you that's the case, and we deeply appreciate that, and especially the fact that you represent many small businesses and families. So it's paramount for us. Thank you.

RAY PLZAK: We have a remote participation question. Brad.

REMOTE INTERVENTION: Thanks, Ray. We have a question from Tim Mackey.

With the ebola outbreak representing perhaps the greatest global public health challenge of the 21st century, accurate and reliable health information online has never been more important, yet ICANN, GAC, and the Board have not sufficiently responded to public health concerns voiced by the World Health Organization, World Medical Association and others, including published studies and media reports.

Just today ICANN's vice president for GDD operations, Christine Willett, responded to a letter from the WMA, IMIA, and HON Foundation that concerns should be brought up directly with future registry owners, seemingly contradicting public comments that others at ICANN have made that public health concerns are being appropriately addressed.

The public health community is waiting for an answer to our proposals for proper vetting and participation in the new health-related gTLDs to ensure consumers are protected online with relation to health.

When will the Board address this? We need tangible action.

RAY PLZAK: There's -- Steve or Fadi, do you want to comment on that?

FADI CHEHADE: I would like to first just make it clear we are not oblivious to the health concerns. We are very committed to these concerns you have. We are aligned.

This Board is made of people like everybody else who has families. We worry about these things just like everybody else.

We look to the community to actually help us through the proper processes here so that we can put the right safeguards in place.

I want you to recognize that with discussions that took place with the Board and with the management, we have now added to my team a very senior attorney who will report to me, responsible for contractual compliance and consumer safeguards.

We've never had this position at ICANN. This is a very clear statement that we understand that we also have a responsibility like everyone else in ensuring these matters are addressed properly.

I urge you to meet with Allen Grogan, who is seated right here in front of me. Get to know him, share with him your thoughts. We're here to serve the community and ensure that concerns like health and other industries are addressed fully. I assure you we're not callous to that. We are aligned in that regard.

RAY PLZAK: Thank you. Microphone 1.

STEVEN BATES:

Thank you very much. My name is Steven Bates. I'm executive director of the Long Island Wine Council, and I just wanted to actually follow on my colleague from Napa Valley to say that it's not -- certainly it's a global issue for all of us small regions. And in fact it's not just a matter for large regions of small businesses. It's also an even more important issue in some cases for small regions of small businesses.

On Long Island, we have 50, 60 producers, but we're also a major engine of economic growth for that small community in terms of tourism.

And so we absolutely need some integrity in our regional place names. Not only for the wine quality that we're producing but also for the many people that are looking to come to visit us and looking for information on the Internet.

We've already, unfortunately, had a problem where someone has hijacked a domain name that's very close to ours and we've spent a lot of resources defending that name and trying to differentiate us from that domain. So we really hope there are effective safeguards. We know there is some positive movement in that direction and we want to make sure it's not just a West Coast or European issue. It's also an East Coast issue as well.

Thank you very much.

RAY PLZAK:

Thank you.

Number 2. Steve.

STEVE DELBIANCO:

Steve DelBianco for the business constituency. And for well over a year the business constituency has been ringing the bell over concerns of singular and plural forms of the same TLD in the current round.

The BC members yesterday told me to come up and ring the bell one more time. Little did they know that I would be in line behind the two gentlemen worried about .WINE. Since if we don't actually fix this between now and the next round, they are going to live all of this over again as .WINES and .VINS end up in the new TLD strings.

So there were 24 sets that were presented to us. 24 sets of TLD applications where the singular and plural both came in. For seven of those sets, we had experts who said they are confusingly similar, so we are not going to have both a game and a games. We are going to have both a web and a webs. And that's a good thing.

But the rest are delegated or on the way. So we are going to have a .PHOTO and .PHOTOS. In fact, they are already out there. So a registrant in .PHOTO also has to register in .PHOTOS or risk having a competitor confuse him and his customers or he has to potentially understand the way that a customer hearing an ad for his site is never, ever going to remember if it is photo or photos when they go online.

In London, we rang that bell one more time and talked about the inconsistency of decisions because some of the singular or plural pairs were in the same contention set and others weren't.

Cherine, thank you. You responded in July with a letter. But the board declined to address the concern we have been raising and instead looked at a very narrow scope of just a couple of them. And I really

think that misses the point because you said in there very few applicants had objected to string similarity on the other side of a singular/plural, but that wasn't our point. Our point was that registrants and users are the ones who are aggrieved.

So it is probably too late to address this in the current round, and that's unfortunate. But please make a public stand at some point before this round is done about acknowledging what a mess it has been and encouraging us to get it right in the next round. Thank you.

RAY PLZAK:

Cherine, did you want to follow up?

[Applause]

Bruce, did you want to say something?

BRUCE TONKIN:

Yeah. I think, Steve, if we want to look at the current round, one of the things that needs to be looked at is the criteria that the different dispute resolution processes are using. And so if you like, the particular outcomes of the current round are a result of the criteria that were worked on through the applicant guidebook following the GNSO policy recommendations in this area.

I think that's probably the right place to start, is to actually -- because all the panels have done is implemented the language they were provided.

STEVE DeIBIANCO:

Each in their own way.

BRUCE TONKIN: Each in their own way, yeah.

So I think the bit where we need the community input on for a future round is really -- I think those broad processes have worked pretty well. We got string similarity. We've got legal objections. We've got community objections. And we've got public order objections. So I think the existing GNSO policy is still very strong and basically stood the test.

But the implementation, the wording, that's something that we will refine. Just like any laws or rules or regulations need to be refined. So I think that's where the effort of the community needs to go, is to actually -- how do we get those definitions of the criteria clearer for the next round.

STEVE DeIBIANCO: Even if definitions were made clear, we may have independent experts who given GAC criteria will still reach different decisions. We may need a layer that calls for consistency of objection determinations.

BRUCE TONKIN: And that's another layer as well, yeah. So basically what you're saying is that different review processes need to look for consistency across decisions. And the other thing we've consistently heard is some sort of appeal mechanism. So these are all suggestions that would go into the next round.

RAY PLZAK: Sebastien, did you have a short comment, please?

SEBASTIEN BACHOLLET: Yes, very short comment on my own behalf. We have also -- I know that we have processes, and that's very good. But we also have to take care of the cultural differences. When you talk in English, you say the S. If I talk in French, we don't say the S. As an end user, S or no S, in French, it's impossible to see what is the difference or to hear the difference. And that's something that was never taken into account. And I understand the answer, Bruce. But for me, that's not the point. We need as an organization to defend the end user. And the end user in other languages than English don't know what it is, this plural with the a S. It is an English matter and maybe other languages. But at least a lot of others don't hear this.

RAY PLZAK: Thank you, Sebastien.

[Applause]

Just a moment, Jonathan. We have a remote question.

REMOTE INTERVENTION: Question from Jason Polaz (phonetic). Since 1990, I have been determined to get a Greek email address. From 2001, I have been lobbying ICANN to support IDN ccTLDs.

In June this year at the ICANN meeting in London, I asked a question in the public forum and expected a response in July. One: When will

ICANN grant Greece its Greek ccTLD? Two, what else must be done to make this happen?

RAY PLZAK: Do I see --

CHRIS DISSPAIN: You see me waving, Ray.

RAY PLZAK: Okay, wave away.

CHRIS DISSPAIN: I won't go into all of the history here. I believe that that step has -- we're now at the last stages of that. The panel has found that it's not confusingly similar. And so, therefore, that application for, I believe it's epsilon lambda can proceed.

RAY PLZAK: Thanks.

Microphone 1.

JONATHAN ZUCK: Thank you, Jonathan Zuck from ACT: The App Association. And just to keep things interesting, I decided to go after .CHEESE and say it is only for photographers to keep things interesting.

[Laughter]

But speaking of the next round, there's a lot going on to look at what's going on in this round, right? We have a lot of people come to the microphone and talk about how we need to hear from users more. The board approved a set of surveys to find out end user reaction to the new gTLD program, two surveys.

They also approved two pieces or parts of an economics survey that would deal with some of these pricing issues and things like that, that have come up. I'm part of a work group that was defining a set of metrics at the board's request for a review -- AoC-reviewed -- mandated review on the new gTLD program. So these are all things that are going on. We all talk about we need to make sure we maintain the AoC commitments as we move forward as ICANN.

I'm part of another work group that's trying to bring fact and databased work into PDPs. So -- and given the fact that Fadi at one point dubbed me "metricsman," my comments probably are predictable, Ray. So instead of making them, I guess what I will do is ask: Do you share my concern that the timeline associated with the next round of TLDs runs the risk of getting out too far away ahead of the processes that we've all put in place, the many processes that we put in place to evaluate the current round. And if we are actually trying to make fact-based decisions going forward, should we wait for the facts to be in rather than just letting this freight train continue on down the track?

[Applause]

RAY PLZAK:

Anyone want to comment? Cherine?

I thought you were finished. You got an applause.

Just a second, Cherine. Is there something else you wanted to say, Jonathan?

Okay, thanks. Go ahead.

CHERINE CHALABY:

Jonathan, we do agree with you. We are not going to rush ahead with anything until all the lessons learned from the first round are well understood, absorbed, and taken care of. So we do agree with you.

RAY PLZAK:

Thank you. Microphone 2, Werner.

WERNER STAUB:

My name is Werner Staub. I have a comment that I wondered if I was going to give it under accountability because it is about accountability mechanisms, and it is also about gTLDs. And there is views of accountability at stake.

We have accountability mechanisms being used now in what is a real barrage of opposition from what I would call ICANN insiders against communities.

These are parties who have been able to draw the rules that would apply to communities which were not able to participate so easily because they have their own governance to take care of. They didn't spend the last five years in ICANN drawing rules about community evaluation should happen. They trusted ICANN.

But ICANN could be accused of having, you know, developed its own attractive elite. People kind of control it and from there on, you know, wrote those roles and tended to push it more and more against the interest of communities.

If you look at the documents, you can see how this happened since 2007. In 2007, the policy said community has to be interpreted broadly. What came out in 2012 was nothing of the sort. And the people who worked on that were ICANN insiders mostly.

The most shocking thing you see now in this barrage of opposition to ICANN -- ICANN is being called to be accountable when, in fact, it is about others. It is about attacks of communities whose assets are viewed by those ICANN insiders as something to take.

And the argument is the standard argument of a looter, the looter says actually you don't exist --

[Timer sounds.]

You are not the community. Or is it: You are not handling your community right. Hence, I should have what is yours.

RAY PLZAK:

Thank you. Comments are noted.

Bruce, do you want to say something?

BRUCE TONKIN:

I just want to comment generally on the topic of communities. I think we need to separate the ability of communities to apply for names

versus dealing with contention between multiple applicants for names. So I've often heard the discussion sounding like it is anti-community. It's not actually. Communities -- many communities have been able to apply and have had their names go through the evaluation process and the names and they passed evaluations. I don't think there has been any issue of that against communities.

Where the rules have been much more detailed is where you have multiple applicants for the same name. And one of the big issues is where you have multiple applicants, there is often a name that is commonly used by lots of people in the community and that's where those rules have become more stringent in that -- how can any one community group claim to have exclusive use of a particular name. So I just want to be clear that it's the contention process that you're disputing and I have no problem with reviewing those rules. But I just don't want the argument characterized as though the program is anti-community.

In fact, communities were freely able to apply for their names. And if their names were unique, there would be no reason why there would be any contention. They would get that name.

WERNER STAUB: I respectfully disagree.

RAY PLZAK: Okay, thank you. You have had your turn at the mic.

WERNER STAUB: I'm sorry?

RAY PLZAK: Werner, you have had your turn at the mic. You can come back.

Okay.

WERNER STAUB: It is easy for people to control much of the process that I testified to. Just put in another misuse, frivolous accountability request such as independent review or reconsideration. There was a real barrage of this. The communities don't have those resources. It is some kind of a scorched-earth policy of people who are inside ICANN and essentially are attacking the outside. They are taking those names not because of their meaning, because it has value.

[Timer sounds.]

And they destroy quite a bit just as looters do.

RAY PLZAK: Thank you, Werner, for your very insightful comments.

[Applause]

Paul?

PAUL FOODY: Hi, Paul Foody expressing my own opinion. The board has made it very clear that dotless domains will not be accepted. I was speaking with

someone the other day. Apparently, there is in the new gTLD contract that dotless domains will not be permitted. As a result, when the new gTLDs come out, you're going to be looking at something -- new domains will be something dot Werner, 1650 domains.

Right now we basically have a choice of two. We have something .COMB or something dot the CC where you are.

So what we're going to look at is we are going to look at an immense amount of confusion. Someone described it as a mess earlier, and that's exactly what we're going to look at. There's going to be zero or very little incentive to register a gTLD if you cannot distinguish your top-level domain from any other domain and, you know, having email.anderson or email.google is not going to be the same as just Google or Microsoft or whatever.

Now, you're against dotless domains, but we've had dotless domains. It was the -- the dotless domain in the past that elevated the .COM to the situation that it has enjoyed up until now. But that was facilitated by the browser operators, the manufacturer of the browsers.

So what you're doing is you're creating an enormous mess and you are leaving it open for the guys running the search engines, running the GEDA browsers to clear up that mess for you.

You know, a couple of years ago I would have -- I would have run at the chance for a new gTLD. Right now what I would be doing is I would be speaking to Google and I would be buying the keyword because that would give me a lot more value.

So if ICANN's role is in guarding the Domain Name System, you guys have got to act. Because I'm looking up at this or the screen up there.

[Timer sounds.]

It says Ray Plzak. Okay? How easy is it to make that sort of mistake? It shouldn't be that making a simple spelling mistake will take you to the wrong Web site. We have a -- we have a -- we have a technology that is so brilliant and yet you cannot get to the site you want to? That's insane. Thank you.

RAY PLZAK: Just for the record, everything I've seen with regard to my last name has been spelled very correctly. So --

PAUL FOODY: It's up on the screen spelled as Plzak.

RAY PLZAK: No, it's spelled correctly, and I'm not going to get into it. Werner, Werner, hello, I want to talk to you a second. Werner. Yeah. I'm right here. I'm right here. To your left. To your right. Right here. Hi. The comments you made I think are something that needs to be brought into the review process that's going to happen for the new gTLD -- for the next round, before the next round starts. So I would encourage you to put those together so that when that review process starts, that those get included in the considerations. So if you could do that, we would really appreciate it. Thank you. So, we're back to microphone number two.

GREG SHATAN: Hi, this is Greg Shatan. I'm a participation coordinator from the intellectual property constituency. I had something fresh to say when I joined the line, but John Berard of the business constituency raised a topic. I'll just briefly comment and bring the board and community's attention to the GAC subgroup proposal regarding geographic names in the future rounds.

We've submitted comments and we'll be submitting further comments on this. We believe this is an issue of considerable concern that goes beyond intellectual property concerns to the concerns of just about any applicant who will be applying in future rounds.

Finally, we wanted to draw the community's attention to the GAC's deadline for comments on this proposal of October 31. Thank you.

RAY PLZAK: Thanks. Anybody want to comment on that? Heather.

HEATHER DRYDEN: Thank you. Just to be brief. You are quite right that there is this effort ongoing on the GAC as part of this subgroup. So there will be opportunities on an ongoing basis in the future to take in those comments, and I understand that there is a plan or an intention to have a revised document and again present and engage with the community at the next meeting. So just to alert you to that.

RAY PLZAK: Ram, did you want to say something about facilitating TLDs to work?

RAM MOHAN: Yes, Ray. Thank you. I wanted to speak to an earlier intervention made about this expectation that just because you have a new TLD it should just work everywhere. We know that across the entire technology landscape there are many legacy applications as well as new applications, and I -- I would suggest to all of us in the community that beginning with an expectation that all names will work is probably a bad place to start.

Now, I think we also have a shared obligation to find ways to work with the various parts of the community, both represented within ICANN and outside, to help facilitate the acceptance of TLDs and have them work well. But I want to underline that our expectations from both within this community and certainly off ICANN should not be that just because a TLD is delegated it will be automatically or magically accepted in applications everywhere. Thank you.

RAY PLZAK: Thank you. Before we proceed here, Brad.

BRAD WHITE: Thanks, Ray. We have got Joly MacFie from the ISOC video hub in New York with another question. Mr. MacFie.

JOLY MacFIE: Hi. I want to raise the specter of the applicant support process. In the last round it was basically too little and too late and so, you know, people never really had the time to think about the kind of people who it was designed to work on. And towards -- you know, just at the last

minute we saw very generous offers from several registries to step up and help people with it. It didn't really happen. I think it was one applicant in Africa.

Now, in terms of access in Africa -- and I welcome Fadi's comments about that -- you know, we at the Internet Society, we have a project with the African Union to set up IXPs in every country and the key of it is local content and having local TLDs is a very important aspect of that. So what I'm wondering is if there couldn't be a mini round, a catch-up round, of applicant-supported community TLDs aimed at developing countries that would be focused on and not just be disappeared under a mountain of a whole TLD round. That's my question.

RAY PLZAK:

Anyone want to comment? (Multiple speakers) Mike.

MIKE SILBER:

All right. Thanks. Maybe just for the record, to confirm, that's IXPs, internet exchange points, and the Internet Society doesn't need to deploy an IXP in many African country. Many of us have our own IXPs already. They're assisting those who don't already have IXPs.

As to the special catch-up round, I'm not sure that could work, but I certainly think that's interesting feedback to go into the evaluation. Let's look at what went wrong or didn't around this current round in terms of the underrepresentation from certain developing areas, and I happen to live in one rather than speaking from New York. But I think we need to understand because I think it's not necessarily a failure of the program, but it may have an issue to do with need. But let's do the

proper evaluation. Let's get the suggestions and then let's look at it. Throw it to the GNSO in terms of policy for the next round, because policy has got to come bottom-up. It's not coming from us on the board.

RAY PLZAK: Thank you, Mike. I believe one was next. Go ahead.

JAMIE BAXTER: Hi, my name is Jamie Baxter, and I'm with the community applicant for dotGAY. As Dr. Crocker has so eloquently and so passionately pointed out, today is a very special day for the ICANN community and the Internet community at large. I think it's fair to say that the fruits of Jon Postel's vision and labor have produced substantial contributions to society.

Today's also a special and important day for the gay community. Today millions go purple for spirit day in a stand against bullying and to show their support for lesbian, gay, bisexual, transgender, intersex, and allied youth around the world. Observed annually since 2010, individual schools, organizations, corporations, and public figures wear purple which symbolizes spirit on the rainbow flag. For those wearing purple today, the entire team of dotGAY would like to thank you for being visible and for your meaningful and powerful support.

The comment that I offer today is in support of those who have used their voices within the multistakeholder process here at ICANN to stand up against what looks and feels wrong in the Community Priority Evaluation process. Taking a stand against CPE inconsistencies to

ensure that vulnerable groups and suspect classes are not further burdened, harmed, or exploited in the name of the DNS is not only appreciated by those who have struggled to have their voices amplified inside the new gTLD program but who have the most at stake if ICANN doesn't get it right.

Just as I thank those who participate in spirit day today, and who participate every day of their lives to create a safer environment free of bullying toward LGBTQIA people, I would like to thank those in the ICANN community who have elevated their concerns regarding the CPE evaluations to the ICANN board and specifically the GAC for their advice to the board today asking to examine the feasibility of an appeals process for community applicants. We encourage the ICANN board to review the CPE process very carefully and to strongly consider the advice that has been provided. Getting it right is not only important, it's also in the public interest.

[Applause]

RAY PLZAK: Cherine, did you want to comment?

CHERINE CHALABY: Thank you very much for your comment. And --

MIKE SILBER: Sorry, Ray, can I respond?

RAY PLZAK: Cherine asked for the mic first, and then I'll go to you, Mike. Cherine.

CHERINE CHALABY: Okay, Mike, you can respond after I make a couple of comments, if you want. First, we understand your disappointment regarding the CPE application, and let me assure you that the panel decision is by no means a statement on the existence or relevance of the gay community. That's absolutely not the case. The panel basically evaluated that particular CPE application on its merit against certain criteria and certain requirements and felt that that application did not meet those requirements. Now, as you know there are other applications similar to the .GAY one, and now this doesn't stop this application. This application can go on further, not as a CPE application. I know it's -- it's an issue and it's a disappointment, but there are also other accountability mechanism open to that applicant to take. So once again, we do understand the disappointment, we do feel it, but it is by no means a reflection or a statement against the existence or the relevance of the .GAY community. Thank you.

RAY PLZAK: Mike.

MIKE SILBER: Thank you, Ray. I think it's a very useful interaction to have in terms of the Community Priority Evaluations. In particular, because I think the CPE panel not only did a very good job but documented their decisions really well. And I understand it's the media, but I've been seeing some reports indicating or representing the CPE panel report as not finding a

gay community or in some way negative in terms of their finding around the gay community. And I just want to make it clear that the application received full marks in terms of the existence of the community and the representation of the community. It was in some other areas that the application fell down. And I think it's an important issue to take on. Because the panel was willing to document their process and their decision so well, I think it's really important that if the community feels aggrieved by the decision that they take it and they bring it back to us in terms of a reconsideration and we have a look at it really carefully and make sure that we're happy with it. And the second thing is, if it cannot be fixed because there was an issue in the criteria that the CPE evaluation was considering. Then it's unfortunate that we may not be able to do it in this round. So there are two issues. The first is the evaluation which may have been flawed. We can look at it, and we have processes around that. The second is that the criteria may have been flawed. Now, that's not something that we're going to start changing the -- the fan belt while we're driving, but that's very useful input for the process going forward in further rounds to say we may need to tweak Community Priority Evaluation, if it's retained, to avoid possible missteps going forward.

RAY PLZAK:

Thank you, Mike. Brad.

BRAD WHITE:

Ray, we've got a video question from Harold Arcos with Internet Venezuela from the video hub in Caracas, Venezuela.

HAROLD ARCOS:

Good afternoon. We come from Internautas Venezuela. This is a user users association. We would like to ask the board where you expect to change the license and system for Internet standards. We are -- we have the conditions that apply for copyright to have the -- we're not talking about direct downloads from the page. We are talking about the license.

At the same time we wanted to ask the board, what is their expectation regarding the decisions that can be made at organizations such as the ITU. There was a decision three days ago -- there were statements made by the Secretary of Commerce three days ago, so what is your expectation in relation to this?

And I would also like to ask the board, what is your opinion about the improvement of the multistakeholder model. The model where we speak about engagement and where users that are -- exist all over the planet have a reduced voice. Thank you from Caracas, Venezuela.

RAY PLZAK:

Thank you. That was about two or three questions in there, I think. Fadi or Steve, do you want to take it up?

FADI CHEHADE:

This was a question -- well, thank you very, very much, first, for the question from Caracas. We welcome you. We are very happy you are online and engaged with us here in Los Angeles.

This was a part of the discussion on new gTLDs, and your question was broader than that. I will make an exception since you are far away and just give you some answers to the points you made.

First of all, you asked about our view on the ITU's activities. I think we are watching with great care the upcoming ITU meeting in Busan, South Korea. Our teams are fully engaged.

We're working with the Internet society, with the Regional Internet Registries, and other organizations actively involved in the Busan conference to make sure that we are aligned and our roles are clearly understood in that community.

So we're looking forward to a successful ITU meeting that would further benefit the world and provide value within their own commitment and remit.

Secondly, you asked quickly about the comments about Secretary Penny Pritzker. I think the secretary was perfectly clear on this podium I'm sitting on now that the U.S. government has confidence in this community, in our community, and believes that the approaches we're taking towards the transition are good ones and that they're committed to the transition of the stewardship they've held for many years. I think that's very good news. And it, frankly, validates the work we have done as a community over these years.

And I think you had a third part to your question at the end --

[timer sounds]

-- that I don't remember now. So I apologize. I'll look back at the script. And, if it's something we can do and connect with you, we will send you the answer. My apologies.

RAY PLZAK: Thank you, Fadi. Microphone two.

JORDYN BUCHANAN: Thanks. Jordyn Buchanan with Google. First, I'd like to start off by thanking ICANN starting with the NGPC. We at the community, I think, expressed concerns to you in London and after about the way that names on the name collision list would be treated with respect to rights protection mechanisms. I appreciate the fact the NGPC listened to that feedback from the community, instructed the staff to engage with the dialogue. I think that engagement by the staff has been incredibly productive and helpful. And Karen's presentation earlier in the week seems like we're very much aligned now between the community and the staff. Appreciate the opportunity that the board gave for the staff to do that as well as for the staff's engagement to get to a good solution. Thank you very much for making the process work. Having said that, I have a little complaint about something else.

[Laughter]

A couple of people -- Steve delBianco talked earlier about plurals and the process of string confusion. He said that this issue is largely -- we missed the boat for this round. I think that's largely true. But I do want to express ongoing sort of bafflement and disappointment about how the review process for the instances where we've had inconsistencies

for the same strings are being handled. It does seem like there's a further review for some cases. But that review is only being provided to the applicant who lost the objection. If you filed an objection and there were different results, you're not able to go back and say, hey, wait. Maybe that really was confusing in all three cases instead of just one or two. And that just seems wrong from the perspective of, if we think we're trying to protect consumers, we ought to give the chance to prove that these might be confusing and give the consumers a second bite at the apple, not just applicants a second bite at the apple for proving that it's not confusing.

[timer sounds]

RAY PLZAK:

Thank you. Microphone one. Edmon. Thank you. Does anybody want to? I thought that -- so we're fine, correct? Okay.

Edmon.

EDMON CHUNG:

Edmon Chung from dot Asia but speaking as an individual.

Universal acceptance is important, but that's not what I'm talking about.

I want to follow up on what Werner was mentioning and also Bruce and Mike talked about the community priority evaluation, the community TLD. Yes, of course, I agree with that.

The issue is on the -- when there's a contention. When there's contention -- but that's really where the -- when the rubber hits the

road, right? Because, as a community application, if you fail the community priority evaluation, you, essentially, as probably a not-for-profit organization, it's very tough to get into the auction process, right? So that process itself is very much biased so, as we can see right now. Because why I say that is much -- a key component of which is that how a community is defined. One of the missing pieces seems to be that the community priority evaluation panel doesn't appear to have domain knowledge or expertise in that community that they're evaluating. So that is one of the key problems.

I take, for example, dot kids as an example. And it's about those points. You know, if the evaluator thinks that dot kids actually means young goats, I mean, that goes -- there goes a couple points. If they think parents -- if they think parents shouldn't be part of the kid's community, there goes another two points. So that's one of the biggest problems. So, yes, we should bring this back into the review process. But the process right now, the implementation of the process is failing now. And the community's telling you about this. So this is not right. This is wrong. And it's not in public interest. Thank you.

[timer sounds]

[Applause]

RAY PLZAK:

Thank you, Edmon.

Any comments from the board? No? Okay.

Your comments are noted, Edmon. Before we -- I said your comments are noted.

Before we go on, I'm going to issue a last call. If you're not in line now, hurry up and get there. And then, before we move on, Paul, you've already had two bites at the apple. So Werner would go in front of you. But, before he goes, we have a remote participant. Brad.

PAUL FOODY: Just a comment on --

RAY PLZAK: Excuse me. I have got a remote participant.

PAUL FOODY: Sorry?

RAY PLZAK: I have a remote participant.

PAUL FOODY: Sorry.

BRAD WHITE: Thanks, Ray. Question from Brunella Longo with Open Data Assurance in London.

Following up the speakers from the business constituency, I think the gTLDs program needs to strengthen trust and stimulate participation of

large corporations in big brands. There are aspects of basic criteria. Consistency in operational efficiency that must be addressed vigorously before the next round. In this, great role should be played by trade associations, see dot bank, and multinationals. Small businesses do not have the resources.

RAY PLZAK: Any comments? None. Okay. So -- I'm sorry, Fadi.

FADI CHEHADE: Simply to say the commenter from London is right. And ICANN, under the leadership of Sally Costerton, has added a full-time engagement vice president for business. And his name is Chris Mondini. If you don't know him, find him. He's right there.

And Chris is working very hard to engage, in fact, with business trade associations so that we can help small businesses that cannot always be here and engage directly in the process. But, please, rest assured that we're reaching out. And we look forward to more business associations reaching out to us.

RAY PLZAK: Thanks, Fadi. Werner. He's already had twice. You've only had once.

WERNER STAUB: I was going to make another point about the issues with the plurals and confusing similarity. One of the rules of these problems was the lack of distinctions we made between exclusive use TLDs that they're similar to

the problems of brands and third-party use TLDs where confusion is much more difficult, much more dangerous. If we have a current case of Unicom and unicorn, they're both exclusive use. So they don't really bother each other. There is no danger. However, in other cases where the TLD could not be remembered by the customers of the party who registered the TLD, because you -- was it dot hotel or hotels? No. This is not an exclusive use TLD. It's somebody else. And then it's much more difficult to keep them apart. This distinction was not made. Specifically, there was actually at some point a mistake by the very ICANN board that issued a statement comparing car.com and cars.com to TLDs. It's a very different problem. The only thing that could have been said for this -- there was another example, for instance, sport.com and sports.com, if there's any analogy, it could have been said that both of them got nowhere because people would confuse them. But still, nobody got hurt. It's just their problem. In the TLD other people get hurt.

RAY PLZAK:

Thank you. Any comments from the board?

Paul?

PAUL FOODY:

Yeah, hi. Talking about the problems of writing something that you've only heard. The transcription of what I said last time was very poor this time. I appreciate you guys have got an incredibly difficult job to do. But, you know, that is an example of it.

Particularly my point with regard to your name, Ray, is that in the transcript it's spelled P-L-Z-A-K and on the screen behind you it's spelled P-L-A-Z-A-K. So it's a minor thing.

But, when you're talking about wine or VIN, being French, that's the sort of idea. Plus, if we can object to wine or VIN on the basis of sound alike, what about van as in the van you drive around? What about whine, the TLD that I might register that's spelled with an H? You know, like -- how about some consistency? Thank you.

[Applause]

RAY PLZAK: With regard to my name, Paul, my family has been in the United States for over 100 years. If you had seen the myriad number of spellings of my last name, I really don't care.

PAUL FOODY: Okay. Foody. I'm in the same boat. Cheers.

RAY PLZAK: That closes the line. So Cheryl -- excuse me. No, excuse me. Got one more. Okay.

REMOTE INTERVENTION: (saying name) I'm the project manager at the European Broadcasting Union, the EBU, in charge of community-based dot radio top-level domain application.

The community-based dot radio application prevailed in ICANN's community priority evaluation. The three other dot radio TLD applicants have recently issued a joint reconsideration request.

The EBU dot radio TLD is strongly supported by all the world's important international institutions and governance bodies of the radio community.

By contrast, the other dot radio applicants completely lack support in the radio community. In fact, they even refuse to assume any community-specific responsibility. Two of the three complaining dot radio applicants also applied for a large portfolio of new gTLDs. All three of them have been longstanding contracted parties of ICANN or otherwise been funded through activities depending on ICANN. Over the years they've had considerable privileged influence in the development of the terms of new gTLD contention resolution. Communities had no comparable way to be heard in ICANN.

The GAC issued the following advice yesterday in its communique. Quote, "The concept of public interest should be seen as encompassing the larger interest of the different communities affected by Internet governance processes and not be limited to the interests and objectives of any group or set of stakeholders. The ICANN stakeholders experts and decision-makers should take this seriously."

RAY PLZAK:

Thank you. Any comments? Chris?

CHRIS DISSPAIN: Thank you, Ray. Without commenting on the GAC's position, I just -- ICANN has a series of processes. And those processes need to be followed. It strikes me that if, in this case, the application for dot radio had failed, they would be asking -- they would be using the processes that the other applicants are using. So, frankly, I find it -- it simply should be you follow the process. I apologize that that means that these things will be slowed down. But the processes are there and they need to be followed. Thanks.

[Applause]

RAY PLZAK: Thank you. Steve, I'll toss it back to you.

STEVE CROCKER: Thank you very much, Ray. Thank you, everybody. As was announced yesterday, Olga Madruga-Forti has had to resign from the board leaving a vacancy. Cheryl Langdon-Orr has been chair of the NomCom committee. And I call on her to report the deliberations on filling the vacancy.

CHERYL LANGDON-ORR: Thank you, Mr. Chairman. Cheryl Langdon-Orr, current chair of the Nominating Committee, which is for the 2014 period.

I have a statement to read. "The 2014 Nominating Committee has, in response to the very recent confirmation of the resignation from seat two on the ICANN board appointed Professor Wolfgang Kleinwachter, a current NomCom appointee, to the board at seat eight, whose term was

to end after this Los Angeles meeting to take up the now vacant seat on the ICANN board until the AGM of 2015."

We have a detailed rationale which will be published shortly and I won't read now. But I do want to take a moment to read to the record the closing of that rationale, which is as follows.

"The NomCom considered that Professor Kleinwachter is an ideal choice, both because of his board experience and his academic excellence in the field of communications and Internet governance."
Congratulations, Wolfgang.

[Applause]

STEVE CROCKER:

We had prepared a tribute to Wolfgang along with others on his departure. The program will be an hour and 10 minutes shorter.

[Laughter]

We're all greatly pleased and delighted that Wolfgang will continue with us.

We now move into a break. Keep it short. Come on back. Ideally, it's a 10-minute break. And we're proceeding well on schedule. And let me congratulate the Nominating Committee. And thank you, Cheryl, for speedy work.

[BREAK]

NANCY LUPIANO: Ladies and gentlemen, if you would be kind enough to take your seats, we'd like to start the second portion. Please, once again, if you would like to take your seats, we would appreciate it so we can begin our program. Thank you.

Once again, ladies and gentlemen, we have a great tight schedule here. We really would appreciate it if you can find your seats so we can get started. Thank you.

Once again, ladies and gentlemen, we have a long program in front of us. We really would appreciate it if you can take your seats.

Afternoon is quickly becoming evening. Please take your seats. Thank you.

Ladies and gentlemen, once again, it gives me great pleasure to introduce board chair, ICANN, Dr. Stephen Crocker.

STEVE CROCKER: Thank you. Thank you.

We're going to start up again. We're going to start up again very quickly, actually.

We're going to continue with the public forum, but before we do, I'd like to introduce Professor Aziz Hilali, who will tell us about Marrakech, Morocco, the location for ICANN 52.

Aziz is a professor at the University of Telecommunications in Morocco. He's chair of AFRALO and president of the Mediterranean Federation of

the Internet Associations, and is also vice chair of the Internet Society of Morocco.

So please welcome Professor Hilali.

[Applause]

AZIZ HILALI:

Thank you, Steve.

I am delighted and honored to be here with you today to present the location of our next meeting.

If I may, I will read my speech in French, so please take your headphones.

Dear colleagues, ladies and gentlemen, I would like to express our -- to share the pride or how proud our organization feels because we have been entrusted to be the hosts of ICANN 52 in the historical city of Marrakech in Morocco.

I would also like to welcome you all -- to give you a warm welcome, and I would also like to thank you for this opportunity to appreciate the board and the board members that have supported us on this endeavor.

And also, I would like to thank all the members of the excellent meetings team at ICANN whose work we really appreciate. It is, indeed, a very important job they have before, during, and after every ICANN meeting.

We feel even more pleased about being the hosts because the host organization is going to be an African organization, and this will mean that other at-large organizations and structures will be able to host meetings in their countries.

Our ALS is an association of organizations in the Mediterranean and other areas that focus on fostering economic and social progress in North Africa, and we do this by means of democratizing access to the Internet, promoting this situation and this possibility among the broad -- a broad audience and in the Mediterranean.

This is the focus of our ambition, to make the Internet a universal tool to strengthen the north/south dialogue and also the dialogue with the European Union and our neighboring countries in the Mediterranean basin.

I do want to say that the multinational aspect of our organization is fully in line with the plural -- or plurality of ICANN. This strategic feature means that we are an engine, that we promote and encourage governments in the region. Governments in the region, civil society organizations, private sector organizations will be able to participate in this meeting. Our focus and our wish is that the Marrakech meeting will actively engage all stakeholders, not only in the African continent but also from the Mediterranean basin.

This ambition and this challenge, as you may know, implies the participation of decision-makers in the policy realm, so I want to thank the Telecommunications Association of Marrakech. I want to thank the general director of that association who expressed his full support and the full support of the Moroccan government to the meeting in Marrakech.

Everything has been taken into consideration to make this meeting a success. Therefore, I am convinced that our meeting will mean a very

important benefit so that our regional objectives are better understood and better appreciated by decision-makers within ICANN.

I am proud to say that ICANN is a magnet of good practices to reach strategic objectives of the governments in the region.

Dear colleagues, ladies and gentlemen, Marrakech is considered the pearl or the southern pearl. It is the fourth largest city in the region. It's a beautiful city. It is charming -- a charming city, breathtakingly beautiful. It focuses on -- or it's a really welcoming city. It is UNESCO's heritage site. It has been so since 1985. And it's the most well-known location or destination in the region. More than 2 million tourists visit this location every year.

It's population today is -- or has reached 2 million inhabitants. We are a tourist destination with a very rich cultural heritage, so no doubt Marrakech is a city in Morocco that makes us think about something exotic and charming at the time.

Indeed, Marrakech ranks among the luxury capitals worldwide and it's one of the most important destinations worldwide.

We do hope you like our city. I do hope you extend your stay beyond the ICANN meeting and enjoy the hospitality of our people, enjoy our restaurants, hotels, and many other popular locations. Thank you very much for your attention.

[Applause]

AZIZ HILALI: And I would like to share a video with you. My apologies for the quality, but the video features the venue for the meeting for the next meeting. Thank you.

[VIDEO PLAYING]

[Applause]

STEVE CROCKER: Structurally, it's peculiar to try to get everybody excited about the next ICANN meeting when we're all exhausted at the end of a week of this one, and most of us would probably think "The last thing in the world I want to think about right at this moment is the next ICANN meeting," but I have to say, the prospect of going to Morocco is, at least for me, quite exciting and quite energizing.

So thank you very much and very much looking forward to it.

All right. We proceed with a -- the next part and last part of our public forum. The subject is "any other subjects of community interest."

Bill Graham will be the board facilitator for this session.

Bill?

BILL GRAHAM: Thank you, Steve.

So, yeah, this is the topic, the opportunity to talk about just about anything you'd like, except I'd really like to request that you hold back on further comments on the accountability or stewardship transition or new gTLD issues, since we've already had sessions on those.

I'd also like to encourage remote participants to join us for this session. We'll be tracking to see if there are any comments coming in there, so I may cut into the line at various times during this -- during this session.

And with that, I declare the microphones open. Microphone 1, please.

EVAN LEIBOVITCH:

Thanks, Bill. Evan Leibovitch. I spoke before as part of my role in ALAC. Right now I'm speaking on behalf of myself.

Earlier in the week, I participated with Westlake in the GNSO review, in the 360, which is a very nice process. I had the pleasure of being part of the previous ALAC review, and I'm told another one is coming after the GNSO one.

So I mean a reasonably good job is being done at looking at all the particular component parts of ICANN, but then I take a look around and I see working groups and here's cross-community working groups and here's friction with how the GAC advice is taken and here's how problems -- you know, issues with how ALAC advice is taken and so on, and I'm wondering about how this all meshes together.

These make policy, these advise after the fact, and so on.

So I guess what I'm going to ask is: What's the timeline for the next ICANN review?

There's GNSO reviews. There's ALAC reviews. When's the next ICANN review that looks at how everything meshes together in one piece? How the problems with the communications between the component parts?

STEVE CROCKER:

There being no better place for that question, I guess it comes back to me.

It's actually a question which we've -- some of us have thought about a little bit.

We do have, of course, the accountability and the Affirmation of Commitments reviews, with the particular one, the accountability and transparency review.

It is not exactly a match with what you've asked, but it is -- it covers a good fraction of it. On general principles, besides accountability and transparency, one can also ask about efficiency, effectiveness, and completeness and so forth.

There is, of course -- and I know that you know this from -- in framing the question, there is no specific review that asked that question, but it is, nonetheless, a fair question to ask at any point, at every point, and to accumulate -- accumulate isn't right -- to speak about whatever aspect of how all of ICANN works and hangs together at any point. That's not the precise answer of "We're going to appoint six experts and we're going to start this on Tuesday morning" kind of answer but I think it's probably the proper answer to your question.

EVAN LEIBOVITCH: The 360 process you put in place works really well. I'm just suggesting maybe expanding it a bit broader to not only talk to the individual components but how they fit together.

STEVE CROCKER: Thank you.

BILL GRAHAM: Thank you for that.
Microphone number two, please.

MARILYN CADE: Thank you. My name is Marilyn Cade. I am one of the members of the Cross-Community Working Group on Internet governance. We met yesterday. We had great turnout from existing members and from many others in the community who are very interested in this topic.

The origin of the Cross-Community Working Group on Internet Governance was a bottom-up call for action from the ALAC and the NCSG initially, then joined by the rest of the community.

I am seriously concerned about something that happened in relation to that meeting and into the later meeting, 2015 and Internet governance, and I would like to ask for a response. And I probably would say the response needs to come from the CEO.

In the meeting in the morning, there was no update from ICANN on the activities that they're engaged in in what is now called the NETmundial activities.

Although some of us shared our own views and information that we had gained from private conversations with (indiscernible) cgi.br, that was not really an informative update.

Later in the afternoon session, although the description of the event indicated that we would be talking about NETmundial in the second half of the event, it was a presentation by the Brazilian government that was very responsive and a presentation by a university that was a bit harder to understand its relationship. But there was no description from ICANN about the activities of the ICANN staff, the ICANN CEO, or the ICANN budget in relation to what is going on in this particular area. There was a very interesting meeting on August the 28th in Geneva which many of us watched the Webcast of, and we certainly understood this to be something, perhaps, of a joint relationship.

I think it would be helpful for the community if the CEO could give us a quick update.

Thank you.

BILL GRAHAM:

Thank you.

Fadi.

FADI CHEHADE:

Thank you, Marilyn, very much. First of all, just delighted to continue to see the Cross-Community Working Group engaged on Internet governance. I think our community should continue to be engaged in the global Internet governance activities. And if the CCWG is the way

the community wishes to develop its ideas so that it can participate in various fora around the world and make sure that the views of the ICANN community are part of the global Internet governance agenda, I think that's fantastic.

So that's a good thing.

Now, we have been discussing with the Brazilian multistakeholder community how they wish to continue past the Sao Paulo meeting. They're engaged in that dialogue with the community, and we're looking forward to hear from them as to the next steps because this is clearly really largely going to have to come from them.

And I think -- We have a....

Okay.

(baby crying).

FADI CHEHADE:

My goodness.

[Applause]

It's all personal. That's wonderful. Okay.

So just to finish quickly.

And I think the commitment we have at ICANN and the commitment CGI has, as I don't need to tell you because CGI is really a reference point for many of us, is that everything that needs to be done in this area, Marilyn, has to be bottom-up and multistakeholder. That will

have to be done. Otherwise, we will not live by the very principles that NETmundial has brought to the fore.

So we will work with the CGI board and folks, and as we see how they will progress, I'm sure they will communicate with us, but we are cooperating with them and working with them to find the best solution.

And finally regarding the World Economic Forum, I think I just want to clarify that the World Economic Forum is one of the many organizations around the world that wishes to be part of this dialogue and of this debate, and to the extent they wish to work within the NETmundial initiative in a bottom-up, multistakeholder way, I think they're welcome. If they wish to have dialogue within their own community on these issues, that's their prerogative, and we will welcome that because it's good. It brings another community into the debate.

So this is all being sorted, and I think in the weeks ahead as CGI and other community members clarify this, we'll come back to the whole community with clarity on that.

Thank you.

BILL GRAHAM:

Thank you, Fadi. Judging by the enthusiasm to stand in the queue for this, I think I'll close the queue temporarily, since I think we're going to fill up most of the available time with this. If possible, I'll open it up again later on.

Microphone number one, please.

NIGEL ROBERTS:

My name is not Marilyn Cade. I'm Nigel Roberts from Guernsey.

Board members, members of the community, ladies and gentlemen, in 2011-2012, I attempted here in this forum to raise the visibility of ICANN to recognize, given its unique field of human communication, a positive obligation to protect and promote fundamental rights such as those set out in the European Convention of the EU charter. And as some of you are aware, I was met with what I considered to be a contemptuous and derisive reply from the then CEO, Rod Beckstrom. The Council of Europe and the GAC now appear to be taking the lead that I hoped the ICANN leadership would take. To say I welcome what the GAC and the Council of Europe are doing is an understatement. I wholeheartedly applaud the initiative. So I call on the Board not to sit back but to look at itself and how it can promote and protect fundamental rights in a world that is as uncertain as ever, and I'd welcome your reaction on how, going forward, you might achieve this goal.

BILL GRAHAM:

Erika, please.

ERIKA MANN:

Nigel, I think you are right, it's an important issue, and the Board is fully aware of this, but it needs careful consideration because the implementations, the implications for the ICANN ecosystem needs to be understand, legal and all the other terms very well.

So I promise to prepare a first paper on the item, looking, in particular, in understanding our ecosystem, understanding the implications,

looking into the legal environment, and the paper will go first to the legal department and then to the Board, and then depending on how we will debate it, it will be available to all of you, hopefully.

NIGEL ROBERTS: Thank you.

BILL GRAHAM: Wolfgang also wants to respond, please.

WOLFGANG KLEINWAECHTER: I just want to add we had a very constructive conversation with the Noncommercial Stakeholder Group about various options what could be done by making clear ICANN is not a human rights standard setting organization but in its decision, have to take into account what are the implications which could affect the exercise of human rights. And this will be a good field for enhancing the cooperation among the various bodies within ICANN, including the Governmental Advisory Committee.

Thank you.

BILL GRAHAM: Thank you. I understand we have a question or a comment from one of the hubs now, please.

BRAD WHITE: Correct, Bill. We've got a question from Murray McKercher from the ISOC video hub in Toronto.

REMOTE HUB:

Thank you. My name is Murray McKercher, and I'm a member of the At-Large community under the North American Regional At-Large Organization, NARALO. I'm speaking to you from a personal perspective.

I would like to thank ICANN for supporting this important and successful Internet-based outreach to the world beyond the borders of the United States, and beyond the formal working groups who are tirelessly working on policy.

I would urge the Board to continue to support the voices and solicit feedback from the individual users of the Internet.

ICANN is in the process of debating the rules and procedures for global governance of the Internet.

I would like to underscore the importance of good management, good administration. And by good, I mean good faith.

I'd like to turn our minds back over 200 years to the words spoken by Benjamin Franklin to the Federation Convention of 1787 on matters pertaining to the Constitution of the United States. I quote, "I agree to this Constitution with all its faults, if they are such, because I think a general government necessary for us, and there is no form of Government but what may be a blessing to the people if well administered, and I believe farther that this is likely to be well administered for a course of years, and can only end in despotism, as other forms have done before it, when the people shall become so corrupted as to need despotic government, being incapable of any other.

Finally, I suggest what would Jon Postel say.

Thank you.

BILL GRAHAM:

Thank you for that.

Microphone on this side, please.

KIRAN MALANCHARUVIL:

Hi, Kiran Malancharuvil from MarkMonitor.

We note as did the GAC in their communique, that there are a number of large WHOIS revamping initiatives going on right now in the community, and a number of them require answers to some very complex and detailed legal questions. For example, what do the privacy laws in the countries say about WHOIS information, what do the laws say about WHOIS information when you're engaging in commercial activity on the Internet.

We think, MarkMonitor and our clients believe that now is the time for an independent or an internal centralized legal review on all of these issues.

Too often in the working groups we end up fighting with each other, as lawyers and nonlawyers alike, about what we believe that the law says, and this is unproductive. It's not a good use of our time.

And so we would like ICANN to, once they provide the roadmap to the GAC, to look at and identify the centralized legal issues that are presented by these kind of concurrent parallel working groups and to

address them in a centralized way for the community to discuss at that point.

Thank you.

BILL GRAHAM: Thank you. Anyone wish to respond? No? Going to the number one mic, please.

DUO LIU: Okay. Good afternoon, everyone. Yeah, I'm Duo Liu from the China Academy of Technical Research of MIIT. Following I will speak in Chinese so please have your headset.

This is my first meeting to ICANN. In this ICANN, I get to learn a lot about what ICANN does so following I would like to take this opportunity to share my view on the Internet governance.

First when it comes to Internet governance, I think it's a very important part of global governance. That's why Internet governance mechanisms should try to take advantage of all the global management mechanisms and try to collaborate with other mechanisms as well.

Under the international law framework, we need to collect the strength from different country's mechanisms to set up a more transparent system. ICANN is a governance platform. We are trying to fairly allocate all the resources and (indiscernible) important issue in the Internet.

However, in ICANN's Internet governance, it's not the only thing. We need to broaden our views. We need to share all the resources and try to find a way to resolve the issues together so we can become an engine to provide the Internet governance in the world.

Of course, so far all the multistakeholders have to put in their contribution. In these meetings, I have also seen the fruit of their efforts. However, to encourage the developing country to take part in the Internet governance and while trying to support the diversity, I think there's more work to be done. Not only we can improve our infrastructure and also better the allocation of the resource, I think we need more stakeholders to try harder to build their own capability Internet governance. And we have to lower the threshold to the developing countries to take part in so all their voices can be heard.

[Timer sounds.]

China as a developing country and also as a country with the most Internet users, the participation in the Internet governance is not quite enough by China. So eventually, Chinese communities is going to aggressively try to take part in the international Internet governance, so we can cooperate with other countries to take part in Internet governance.

Finally, what I want to say is NETmundial and NETmundial initiatives are a good start. They provide a platform for all the stakeholders to talk about Internet governance. So Chinese communities also welcome such effort. So I myself will be very interested to take part in this kind of actions and activities, and I will try my best.

So we also have signed an MOU with ICANN to try to improve the quality of Chinese translation, and we also tried to provide channels for the Chinese community to give feedback. So I hope that we would be able to share the information with other communities so we can improve the Internet governance in the world.

BILL GRAHAM: Thank you. Kuo-Wei, please.

KUO-WEI WU: First, I want to thank China to be so passionate about this activity. I think ICANN will always welcome the effort made by China and also welcome the Chinese users to take part in these activities. So there's a couple things I would like to touch on. I think Internet governance is a very broad topic. And I believe in terms of Internet governance, for any country, not only China, if any country is interested in this topic, I think ICANN will always open their arms and embrace them.

So first I want to thank you so much for being willing to take part in this with us.

BILL GRAHAM: Thank you, Kuo-Wei.

Fadi, please.

FADI CHEHADE: Ms. Liu, thank you very, very much for your intervention. I want to thank you publicly for the incredible work your organization, CATR, has

been doing with ICANN in China. You have become a true partner. And you're helping us translate -- not just translate, localize a lot of the knowledge about ICANN in China. And that partnership is already bearing many fruit in China. So thank you very much for that.

And I thank you also for the comments you made as my colleague Kuo-Wei said because China's participation in this process is highly helpful, not just to ICANN but also to the people in China.

What you're doing, what Minister Lu Wei is doing, your support for the NETmundial principles publically now is really appreciated here. And I hope this is the beginning of a new season we have with you and with all the Chinese constituencies that have been very engaged with us. So thank you very much.

DUO LIU: Thank you.

BILL GRAHAM: Thank you, Fadi.

Microphone on this side, please.

MICHELE NEYLON: Thank you. Michele Neylon again speaking in my personal capacity. And just wanted to pick up on the matter of WHOIS activities. As was noted in several of the sessions throughout this week and, again, in the GAC communique, there are a lot of activities related to WHOIS ongoing at present.

As most of you know, I was member of the EWG, as other members here in the audience. We spent about 18 months going through a very long detailed process to review all things related to WHOIS. The EWG's report came out. It is still kind of in flux, as it were. And, yet, there are other activities that would almost duplicate or crossover into the same space as the work of other activities. There is a lot of them that seem to be going on concurrently maybe because some started a very long time ago. I'm not 100% clear where every single one of them came from.

And the thing I would ask you to look at very carefully and consider is maybe putting a pause on these things and just stepping back and seeing are they overlapping, is there duplication, is it a situation that something that might be implemented as part of one work track now would have to be replaced by something completely different in two, maybe three years' time?

With respect to changes in WHOIS and the relationship -- operational aspects of it, that is not a zero-cost exercise. It has an impact on both registries, registrars, registrants, and the entire channel -- the entire ecosystem as it were. So any changes that are made need to be changed carefully, slowly, and not done and redone two or three times in short succession.

With respect to the comments from Kiran, for once I almost agree with you. I won't quite agree with her because that would be far too controversial.

The legal aspects of WHOIS policy cannot be ignored.

[Timer sounds.]

I do welcome that ICANN has opened up a call for volunteers for an implementation advisory group. So I'm sure we are going to have to come up with another acronym for that one.

And it would be wonderful to see members of the GAC, either themselves or maybe their DPAs or other consumer protection authorities getting involved in that and bringing those different views to this so we can have proper views of national governments as opposed to this kind of he said/she said and nobody agrees on type scenario that we're currently facing. Thank you.

BILL GRAHAM:

Thank you for those comments.

Any response? I think we'll just take those as comments. Thank you very much.

Brad, I think you have a comment or question?

REMOTE INTERVENTION:

We do, from Harold Arcos of Internet Venezuela in Curacaos, at the video hub there. It is now about 7:48. And I believe this will be in Spanish.

HAROLD ARCOS:

My name is Harold Arcos from the association of Internet Users. This association group is in Latin America, particularly present in Brazil, Colombia, Ecuador, and in this case Venezuela.

And we would like to thank the opportunity to participate. And this time we would like to repeat and recall the question that President Fadi was mentioning.

We would like to know the opinion of the panel regarding the proposal to improve the multistakeholder model considering that the users around the world are a majority when compared to some other constituency. However, our voice is that of a minority represented at the board of directors. So what is your opinion? What is your proposal? What is the proposal of the board in this respect?

And, once again, we would like to thank the participation of these users in Latin America through Internautas Venezuela chapter. Thank you very much from Curacaos, Venezuela.

BILL GRAHAM: Gonzalo, please.

GONZALO NAVARRO: I will speak in Spanish because the question was made in Spanish. Thank you very much for your comments.

GONZALO NAVARRO: I will speak in Spanish because the question was made in Spanish. Thank you very much for your comments. And they are really quite useful. I would like to tell you -- I don't know whether the translation was okay in English, but I think that your question is much more significant in Spanish.

ICANN has internal processes regarding how the decisions that you are seeing are made. The ICANN board is part of a series of institutions that participates in the decision-making process, considering the participation of end users at the board. What you say, what you're pointing out, I take note of that, and I will convey this to the constituency or the parties that are part of this process within ICANN. Thank you very much.

BILL GRAHAM: Thank you, Gonzalo. Sebastien, please.

SEBASTIEN BACHOLLET: Thank you, Venezuela, for your question. I think it's very important to know how end users may be better represented at the organization. So I think you're speaking about At-Large, ALAC, and the board. Once again, thank you very much for your question.

BILL GRAHAM: Thank you very much. So back to the queue with the microphone on that side, please.

ERIC BRUNNER-WILLIAMS: Thank you. Eric Brunner-Williams speaking for myself. When I first participated in the joint application applicant support activity, there were two registrars, one not terribly functional, and no registries operational in a region, we call that Africa but really this isn't about Africa. This is about developing economies. There are now eight registrars in Africa and still no registries, other than the CCs, of course,

operational in Africa. I rise to suggest that it's not too soon to do a postmortem of what went wrong with the joint applicant support activity to think to ask what we did, what our constraints were, what constraints were in retrospect unnecessary, and what we could or couldn't do with the money we didn't have and what could or can be done in the future, assuming that there actually is some money to support that activity. And that's all I really have to say. Thank you very much.

BILL GRAHAM: Thank you. Mike Silber, please.

MALCOLM HUTTY: Thank you, Malcolm Hutto speaking on my own behalf.

MIKE SILBER: Sorry, Malcolm. I was recognized by the Chair fortunately.

MALCOLM HUTTY: I'm sorry.

MIKE SILBER: Not a problem at all. I just wanted to recognize and appreciate Eric's comments. I think it's also worth noting that at the moment we do have a functional registry in Africa. The number of registrars has grown. But there's still a lot of work to be done. And I think that it's very important that we don't lose focus on those issues. We also don't forget that people have managed to be successful and that we can learn from their

lessons. It's not just about what went wrong but also what some people are doing right, and they are getting it right, in many cases. My apologies, Malcolm, for interrupting you.

BILL GRAHAM: Thank you. Mr. Hutty, please.

MALCOLM HUTTY: Thank you. Sorry for jumping the gun. Malcolm Hutty, as I said, on my own behalf. I would like to address myself to the proposal for change in the bylaws as to how the board will consider GAC advice. A proposal that I understand the board is not minded to move later this afternoon. I believe that's correct.

I had previously expected to speak here urging you not to pass that proposal, so I'd like to take this opportunity to thank the board to listening to the community and the advice that it gave in the open comment period on this issue. I believe this shows that the board is responsive to the community when it speaks with a clear and united voice.

Having said that, I would also like to take this opportunity to address myself to those GAC members that would like to see action and reform in this area. I hope they do not perceive the response that the community gave to this proposal as in any way disrespectful of the concerns that they raised or desire to see action in respect to the way that GAC advice is taken.

For myself I thought that this particular proposal at this time would prejudice the accountability discussion that was coming up and unbalance it and that it would be better to take that issue, together with the concerns of other parts of the community, in -- as one at that time. Looking at the public comments, I believe that that view is shared by many parts of the community.

I hope that the GAC members that wish to see reform in this area do not sit back and wait to see the conclusion of the accountability process and then ask for further amendments to reflect their concerns after it is concluded. Instead, I would urge you to take part in the open cross community process so that we can work together to ensure that your concerns and those in the rest of the community are addressed as part of a coherent whole. I believe that you'll find many parts of the community are looking forward to working with you constructively and together. Thank you.

[Applause]

STEVE CROCKER:

I want to say thank you for your comments. They are in line with what has come in in the public comment process and it's obviously going to get full attention.

WERNER STAUB:

My name is Werner Staub. I have a comment that is both about security and the subject of universal access. It is a subject directly have a lucky overlap, and this lucky overlap could be combined with the efforts that ICANN has been undertaking in the context of some

contributions it made, for instance, to the IETF where actually ICANN itself helped develop a couple of standards. Or maybe helped people help develop standards. In this specific case, as we have more new TLDs, more TLDs in general, and more complex TLDs, the public suffix listings which we recently have been discussing has become a subject. And there has been an IETF working group called debound to look into this. This working group apparently hasn't come to fruition, at least not for the time being, but it would certainly be a worthwhile exercise. And it might actually deserve some attention from ICANN. In particular, it might be used more strongly for the purpose of security by enabling TLDs to specify, in a computer readable fashion, the type of security policies that apply to the entire TLD. For instance, a high security TLD could specify by way of such a resource that DNSSEC is compulsory for all the delays in the TLD, and this should not be just visible to humans. The most important thing is that machines should be able to see that any domain that does not have DNSSEC in that specific TLD is a roque. And I think ICANN could come up with some help to get that done.

[Applause]

BILL GRAHAM:

Suzanne, please.

SUZANNE WOOLF:

Sure. Thank you, Bill. I just want to say, Werner, that's actually a good point about having ICANN paying attention and being involved in the technology side of projects and issues like universal acceptance, and as a participant in both ICANN and the IETF I can say there's actually a fair

number of people working to make that happen more often and more naturally than maybe it has. And I think that's a very good point and frankly a good effort.

BILL GRAHAM: Thank you. The microphone on this side, please. Tony. Go ahead.

TONY HARRIS: This is Tony Harris. I'm speaking in my capacity as executive director of the Argentina Internet Association. Just a brief change of topic. The topic is IPv6. My day job is implementing Internet exchanges in Argentina. We do maybe three or four new ones every year. And the first thing we do is send our new members running to LACNIC to get their AS -- their autonomous system number and IP addresses. And, of course, it occurred to me the other day very soon when we do this they will be offered only IPv6 addresses, and they are not prepared to provide services with IPv6. We're talking about, in the case of our network of IXPs just one country, that's close to 200 companies that we have involved at this time.

My impression is that globally IPv6 really hasn't taken off all that strongly, and that the time has come to stop providing seminars and updates and, you know, telling people what a great ideas this is and to really get down and, you know, get in the trenches and get this going.

So basically we are committed in our part of the world to a project now to hold hands with these small and medium companies, enabling them to implement IPv6 and then certifying them. I think that we -- we really need to push a little harder, and I thought I'd mention this. It seems to

have something to do with ICANN. It's depletion of IP addresses and security and stability. I thought it might be interesting. Thank you.

BILL GRAHAM: Thank you, Tony. Kuo-Wei, please.

KUO-WEI WU: Thank you for your comment. And I think IPv6, basically we need to continue to promote and, you know, and inform the people to implement, particularly the people in here, the TLD and registry and registrar. I think that IPv6 actually is coming. I just participated at APNIC 38 in Brisbane and actually in APNIC meeting they have IPv6 measurement from many different, you know, methodology to measurement about IPv6 development. I'd like to share you the information. From last year to this year actually IPv6 traffic has growed double. Growed double. Right now the IPv6 traffic globally is around 5%. And 5% is a lot. Compared with last year, about 2.7%. So I think that this is very healthy growing right now. And I would believe you will see the -- the IPv6 growing will be, you know, much better in the next year. The reason I saw is many of the ISP or the mobile operator, they are particularly use -- you know, coming into the IPv6 deployments. So, you know, I'm not going to use the face on IPv6 development or growth. I (indiscernible) to see this is coming, and I think we -- we will -- we will, you know, strongly recommend that TLD registry and registrar please, you know, make the IPv6 ready because then it will be help the IPv6 traffic continue growing in a healthy way. So thank you very much for your information.

BILL GRAHAM:

And Ray Plzak would like to respond as well, please.

RAY PLZAK:

Thanks, Bill. What Kuo-Wei has said is all true. However, as a more fundamental issue, and that's one of the fact that in certain parts of the world, developing countries, IPv6 is not exactly the easiest thing to do because it's hard to come by the equipment, it's all brand new, we have a problem in terms of capacity.

For big growth of IPv6 is in the developing -- is in a developed world.

And so more has to be done. If you want to have registries to be available in Africa, then they need to have IPv6 connectivity. So to paraphrase another person in regards to what ICANN should do, I would think that ICANN could step up with a little bit more dollars in terms of promoting IPv6, taking the message to the right places, and get people to help move it along.

BILL GRAHAM:

Good. Thank you, Ray. I have to remind you that I had closed the queue some time ago as far as -- because we're very short on time. I believe there are only three people who were in that original queue. So I would like to close the queue after those three, please. I do apologize for being short on time.

This mic, please. Kristina.

BRAD WHITE:

Bill, if I could interrupt one second. The timing is such that we opened it up for those three over there. And we kicked them out and redid some timing at the back end. I conveyed that to Suzanne who I guess couldn't get you the message. But they're there with our knowledge.

KRISTINA ROSETTE:

Kristina Rosette in my personal capacity. I also have a question about the proposed bylaw change. The overview document that was provided with it contained a statement that read as follows: "Though a bylaws change is required to give full effect to this formalized process, the ICANN board previously indicated that the higher voting threshold would be applied in the event ICANN determined to act inconsistently with GAC advice prior to the posting for and consideration of public comments on the required bylaws revisions."

So my question is this: Now the board has decided to defer at this time further action on the proposed bylaws amendment, and given the statement in the overview that they intended to apply the higher standard while the public comment period was pending, if circumstances warranted, what standard will apply going forward?

STEVE CROCKER:

I'll respond to that. We've had a standing requirement that, if we are faced with the GAC advice, that we're inclined to not accept, that we would engage in meaningful and serious consultations with the GAC. That's the language that's in the -- as close as I can remember, that's the language that's in the bylaws.

We had a small number of instances where we've been in that situation. We've done exactly that. The -- we've said from time to time that we take advice from the GAC. We take advice from everybody, actually, quite seriously. We're not inclined to be casual when we're in a situation where there's a difference of opinion.

So we tend to look for as much agreement as we can. And often that's successful rather than unsuccessful. If we get to a situation where there's an inescapable difference, then we try to reach as strong a consensus as we can within the board.

I don't think it's helpful to try to parse it any more finely than that. So I'll just leave it there.

KRISTINA ROSETTE: All right. Thank you.

BILL GRAHAM: Thank you, Steve. Elliot?

ELLIOT NOSS: Elliot Noss, Tucows. This is the only opportunity I get to address the GAC. Heather, I apologize in advance. This is your last meeting. I feel terrible having to make these comments.

There were a number of comments in the GAC advice this time about significant additional changes and protections in quotes dealing with more stringent requirements around WHOIS and additional registrant

validation or verification processes. I would like to make aware -- make you all aware of a couple things.

First, as it relates to WHOIS. What we have today with WHOIS is a situation where there are numerous complaints that have nothing to do with any crimes certainly and often are made for frivolous or personal reasons. Takedown competitors acquire domain names. WHOIS complaints and the way they're dealt with through the compliance process have become essentially a denial of service attack on registrants.

Second, with the existing registrant validations that have taken -- that have come into place with the 2013 RAA, what we have seen to date are now over a million Web sites go dark because of those. What we have not seen is any demonstrable benefits to the community broadly from those efforts. What we've had -- we've heard many comments about consumer protection. We have a million consumers around the world, residents of, obviously, all GAC member countries who have been demonstrably harmed by the existing processes.

What I would really encourage and urge is that, before we try and turn WHOIS and owning a domain name into a driver's license for the Internet or a nexus of control, that what we instead or what we all would like to do is reduce the incidence of fraud and crime, that there be a good faith effort between registrars, LEA, and the GAC directly to work on those problems and not just some feel-good measures. Thank you.

[Applause]

BILL GRAHAM: Thank you.

Next mic, please.

DESIREE MILOSHEVIC: Thank you. My name is Desiree Miloshevic.

BILL GRAHAM: Heather might want to say something.

HEATHER DRYDEN: Thank you.

BILL GRAHAM: I'm sorry. Heather wants to reply, Elliot.

HEATHER DRYDEN: Well, I'm happy to reply to Elliot.

And, as far as the advice that we've given in our latest communique, it really reflects this difficulty that we're encountering in the GAC and as governments where, on the one hand, we know that a number of applications are now converted into operators. Contracts have been signed. Top-level domains are going live.

And, at the same time, we're finding that the implementation aspects associated with the safeguard advice that we gave for the program, for example, is very important to us. And, even though governments will naturally gravitate toward high-level kind of advice and can be leery of

getting into the implementation side of things and there has been an expectation that the board would be able to interpret the advice and then act upon it, the mindset is very much concerned about compliance and abuses and all of the things that can occur. Because it's such a large program, different kinds of top-level domains and consumer protection considerations are really front of mind for governments.

So it's really wanting to do what we can from the perspective of being a government and being in the situation of still having concerns and being hesitant about what some of the impacts will be.

But still we know that the program is already being delivered in a very meaningful way. So, having said all that, I think you're absolutely right to point to those operators of having their experience, their knowledge of being an operator, of needing to be at the table and to be able to talk about the real implications for their operations. And I think that's absolutely right and that it can't just be governments, you know, throwing their advice over the wall and, you know, hoping that it has some sort of positive impact. So your points are well-taken. Thank you.

ELLIOT NOSS: Thanks for that.

HEATHER DRYDEN: Thank you.

BILL GRAHAM: Good. Thank you.

I believe we have another video intervention.

BRAD WHITE:

We do. We have a comment from Rodney Taylor from Barbados ICT Professionals Association in Barbados.

REMOTE INTERVENTION:

Thank you very much. I know the time is short. I bring you greetings from the Barbados hub where we have a number of university students who have been tracking the process all day. We just wanted to acknowledge that there's a need for greater capacity building within the region. I, myself, participated within the GAC last year at ICANN 48. And I'm happy to see that there are a number of -- that the number of participants from the Caribbean region is increasing. We also think that, in addition to increasing the number, there's a need to increase the capacity to contribute meaningfully from the region, and also to -- there's a need to build awareness within the region so that we can participate more fully.

I met Fadi also in Jamaica last year when he signed an MoU with the Caribbean Telecommunications Union. And I also want to say that the ICANN representative for the region is Albert Daniels. He has been doing a good job in terms of building awareness. While it may not necessarily be ICANN's responsibility, we think that it will lay more meaningfully to the process as awareness is more -- as the level of awareness is more -- is raised within the region. The fact that there have been no gTLDs, no gTLD applications from the Caribbean also

speaks to the lack of awareness and capacity of the economic opportunities available on the Internet economy.

I would also lastly like to suggest that perhaps hosting one of your meetings within the Caribbean region would go a long way in helping to raise awareness of what the issues are. Even, in fact, from this remote hub we got a great deal of enthusiasm from our young students here at university. Thank you very much.

BILL GRAHAM:

Good. Thank you. Back to the cue now. Desiree, please.

DESIREE MILOSHEVIC:

Take two. So my name is Desiree Miloshevic. I'm -- I think I'm aware of, shall I say, a few stakes.

Speaking in my personal capacity, this is merely to echo the concerns that I've been hearing about, when speaking to community that is outside ICANN that doesn't have necessarily enough of capacity or time to follow all the issues.

And usually the question comes up how much the ICANN is doing and is it doing enough or is it doing too much? And then the subject of new gTLDs is brought up. And there's the issue of the auction money coming from gTLDs and how that money is going to be spent in the public interest.

I know we started discussing this in Johannesburg already a year ago. But I think it is a duty of the board to actually put that topic again for

the discussion for the community and provide more transparency, accountability with regards to this subject. Thank you.

BILL GRAHAM: Steve?

STEVE CROCKER: I'd just like to respond briefly. I said all along we're going to proceed very carefully, very deliberately. Akram and Xavier and their teams have done a first-class job of putting the information on publicly available the amount of money that's been received and the expenses that are accrued against it. That money is carefully segregated out to be handled. While we make later decisions, the investments will be handled in a very sober and careful and appropriate way.

We will run a full public consultation process. We're not ready to do that yet. We will be making announcements when we have that organized. I've been gathering initial ideas. We've made zero, zero decisions about it. And, frankly, I'm not in a hurry to do it. And one of the things is that we don't yet see -- it's roughly \$14 million. But there's more to come. And that money will accumulate over the next few months as the rest of the strings are resolved one way or the other.

So that's where we are. There's -- there isn't any more information really to have. And it is -- we're on the threshold in a sense, but we're not there yet to run an open process and to do that. If you have ideas about how to run the process, send them in. And we'll -- but we're carefully and deliberately getting organized.

BRUCE TONKIN: Can I respond as well, Bill?

BILL GRAHAM: Of course. Bruce, please.

BRUCE TONKIN: Just a couple other aspects of that as well. We've recently sort of seen a trend towards the community forming cross-community working groups and actually bottom-up, you know, coming up with processes. This is an example that could be amenable to a cross-community working group process, particularly to work on principles. First comment.

Second comment is that these funds are actually part of the new gTLD program, which is subject to review. So another consideration can be that, as part of the review of the program, we expect that people will look at what went well and what didn't go well. The fact that there's funds available as part of that program might feed into the use of those funds for some future round of the gTLD. So a lot of these things are linked.

BILL GRAHAM: Good. Thank you. The microphone on this side, please.

JOE McKNIGHT: Joe McKnight, Communications Daily. I have a question, but I'd first like to thank ICANN for its commitment to the system of multistakeholderism. They asked me to be on a panel yesterday, which,

in my experience with ICANN, was a first time a southern American had been extended that invitation. So thanks again.

My question is: Let's assume that the ICG and the CCWG and all of their working groups get their proposals together. They submit them to NTIA June 30th.

What's the contingency plan if Congress tries or decides to try to shut down the transition?

BILL GRAHAM: Fadi, please? No response.

FADI CHEHADE: At all.

Well, thank you. I think you were saying earlier that people from the southern United States are welcome now because of multistakeholder approaches. Well --

JOE MCKNIGHT: That's what I tried to say.

FADI CHEHADE: Wonderful.

Well, welcome to the process. I think we have always welcomed them and happy to have you with us.

Look, obviously we'll wait to see what Congress will do.

We have no say in that process. Having said that, we will proceed on good faith with what the administration asks us to do.

We will deliver our proposal when it's ready, when it contains all the pieces the community believes will meet the requirements of NTIA, and frankly, the requirements of the communities affected by this.

If Congress decides to find a way to stop this process, they will have to deal with the administration. We do not have a particular role with that.

On that point, I will simply tell you that the presence of Secretary Pritzker here should send a pretty strong signal where the administration stands on this. Not only because it's the secretary herself, but also the fact that we've never had a secretary show up at an ICANN meeting.

And finally, what she said, which I thought was groundbreaking. I mean, she was very clear, as someone in the cabinet of the President of the United States, what this administration will do and what is its stand on this.

So I do think we have the support of the president on this plan and we look forward to getting smoothly through this, again in a timely fashion but more importantly in a fashion that satisfies this community and the NTIA. Thank you. And welcome to our community.

BILL GRAHAM:

Thank you. The microphone on this side, please.

ROGER JELLIFFE:

Thank you. I'm Roger Jelliffe. I am an emeritus professor of medicine at USC School of Medicine and a consultant in infectious diseases at Children's Hospital in Los Angeles.

I've been a somewhat peripheral member of the American Medical Informatics Association and the International Medical Informatics Association and I believe I'm still a fellow of the American College of Medical Informatics.

I got an email from them yesterday stating their concern about the .HEALTH domain and what measures are being taken to protect the integrity and the confidentiality of the patient data that will inevitably become part of that domain, and they're concerned, and because of that, I guess I'm concerned, and I'm wondering what you can do to help reassure me on that count. For example, what is there that's analogous to HIPAA, things of that type.

BILL GRAHAM:

Steve, please.

BRUCE TONKIN:

Yeah. Let me perhaps separate the data that might be provided in the registration of the domain name from the data that might be associated with a particular Web site within -- that uses those domain names.

So there's definitely privacy laws that relate to how patient data is used by any Web site that is used for medical purposes. ICANN's narrow mandate, though, is specifically to the identifier that's used for the domain name and we're only concerned with the collection of that data.

Now, if a patient decided to register a .HEALTH name, I guess that would be incorporated in that, but our mandate doesn't go into the use of a Web site and whatever patient data might be collected by that Web site. That's not in ICANN's mandate.

ROGER JELLIFFE:

I don't think that's the issue. I think the issue is what will happen to the data from patients who have no interest in a domain name or anything like that but whose data will inevitably be used in the different projects and discussions that will take place within this domain.

And it's my definite impression that the medical informatics association and community is concerned and feels that they've been somewhat ignored, perhaps, by the ICANN which has proceeded, apparently, over some of their objections.

STEVE CROCKER:

Like Bruce, I would have given basically the same answer. Our mandate is -- and remit is on the domain names themselves and not on the contents of the Web sites. Web sites and the databases behind them and so forth are controlled and subject to the rules of natural law and various legal regimes that they operate in.

I'm not sure I see the connectivity in which the mere existence of a site that has a name, no matter what it is, necessarily implicates data that is acquired and managed under a stringent set of rules.

So I think there's -- it's worth digging in a little more to see what's real and what is imagined in this process.

That said, everybody -- everybody involved takes the notion of privacy in general and health records in particular -- privacy of health records in particular extremely seriously.

ROGER JELLIFFE: Yes, it is. And apparently this community feels that they haven't been well listened to.

BILL GRAHAM: I would suggest that at this point we take this off line and I'm sure we'd be happy to speak to you after this session is over, sir.

ROGER JELLIFFE: I have to leave. I'm sorry.

BILL GRAHAM: Okay. Thank you.

ROGER JELLIFFE: But thank you very much for listening to me and listening to my concerns and I'm happy to be recorded.

BILL GRAHAM: Thank you. And our final speaker, please.

[Applause]

KHALED FATTAL:

I'll wait until the --

This mic or this mic? Anyway, thank you.

All right. First of all, my name is Khaled Fattal, Multilingual Internet Group. I first would like to congratulate the ICANN community --

I'd like to congratulate the ICANN community on a tremendous effort and good -- in good faith on the IANA transition.

I think what we have witnessed in the last months has actually brought in great desire to see how we can take this further. Especially in the new chapter where we are in.

And I have to share something else with you. There are key components of the transition for moving from the oversight of the Internet, in this new age of the ecosystem that we are moving into as well, that even I, who have been talking about this for a number of years, have found myself saying, "Where is it?"

And the question I want to pose to you is the following: Can oversight transition from the U.S. Government to a multistakeholder model of any form be acceptable if it's not factoring in OFAC and the SDN, which are a component of U.S. laws.

As you recall, the new gTLDs in Guidebook 5 made this very, very clear that all applicants were screened against U.S. laws, OFAC, and SDN.

Fundamentally, the Snowden revelations kick-started the ball to lead us to the point of IANA transition, NETmundial, and where we are now with this tremendous engagement.

[Timer sounds]

KHALED FATTAL: So my comment to you now, with the two sirens we heard: Can a transition be effective? Will it gain the acceptance of the global community, will it gain the faith and the trust, if it's not addressing the jurisdictional issue of the oversight of the Internet?

To that, I would like to hear your comments and maybe make sure that this goes into the record of what we are trying to accomplish.

Thank you very much. The ball is over to you now. Thank you.

STEVE CROCKER: Thank you.

BILL GRAHAM: Thank you. And with that, the public forum comes to a close and I'll hand this back to our chairman, Dr. Crocker.

STEVE CROCKER: Thank you very much, Bill. Very well done. This brings to an end the public forum for today. We will move into the formal board meeting momentarily. Let me call for a 30-second stretch in lieu of a break and then we will sit back down and get to work.

[Break]

[END OF TRANSCRIPT]