

STEVE CROCKER:

Welcome, everybody. We're now well behind schedule. The bad news is that the board has more meetings after this, so we're still bound by -- I guess we're not that far behind. We will be on time for the GAC.

Anyway, let me ask you to stop all this useful discussions that you're having and sit down and we'll get started. We tried to schedule the low-temperature, uninteresting discussion for late in the day so that we could all take a nap. That's my attempt at humor.

Anyway, I'm Steve Crocker, chair of the board. Let me welcome you on behalf of the board. We have board members sitting across the front row, a few scattered about. Mike Silber and Katim Touray and Gonzalo Navarro trying to hide. Sebastien probably trying to hide even further back.

(Speaker is off microphone.)

No, there's more seats up there.

This is set of as a -- in principle, a two-way exchange with the NCSG.

The board is much more interested in listening and in listening to concrete, specific, pointed thoughts. Don't hold anything back.

We've -- wire trying to transform these interactions into less formality and more content. We did a little of exchange of possible topics, some from -- that we developed and some that you guys developed and I'll just run through the full set and then turn things over to Robin to manage the entire process here, and so it will be your show.

Suggested topics from the registrar stakeholder group: Constituency relations -- so this is a typo and I apologize. I could even have thought about it. But I'm getting a little slow.

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From noncommercial stakeholder group, constituency relationships with the NCSG, the need for some coherent thinking and process about ICANN relations with developing country governments and stakeholders, JAS and plans to use the TLD string auction proceeds, the community's role in the CEO search.

Topics that we suggested: What qualities do you think we ought to be seeking in a new CEO, ethics guidelines, what are your top three concerns and proposals to address them. What are your top three issues for the noncommercial stakeholder group for ICANN to address in policy development work. And what are the top three messages -- there's a theme here, right? What are the top three messages the noncommercial stakeholder group believes ICANN should be conveying with respect to new gTLDs.

On my right, Bill Graham and Bruce Tonkin, appointees from the GNSO to the ICANN board. Rod Beckstrom, CEO.

Rod has asked that when we have the discussion about the CEO search, that he be excused. I'm not sure whether or not he wants to avoid putting any kind of inhibitions on us or just not be assaulted by whatever we're saying.

So I've asked that we move that topic to the end, if you want to talk about it. If you don't want to talk about it, that's fine.

So with that, Robin, the floor and the whole show is yours.

ROBIN GROSS: Okay. Can you hear me okay?

STEVE CROCKER: And we're asked to talk slowly for the translators.

ROBIN GROSS: Thank you. My name is Robin Gross. I am the chair of the noncommercial stakeholder group, and we have been asked to come up

with a list of some of the issues that our members wanted to talk about this week, and we came up with three. One being constituency relations based on a request by NPOC, another was ICANN and developing country relationships, another was on the JAS workgroup, and the work that they've been doing. And the last was on the community role in the new search for a CEO.

So I think we're not going to necessarily take these in any particular order, but let's start with the JAS issue because I know we've got a lot of members who have been -- who have spent a lot of time in that working group and done an awful lot on that issue. In fact, NCUC and several members of the NPOC constituency just submitted a formal statement together endorsing all the recommendations in the JAS working group final report and recommended, in particular, immediate adoption of three specific recommendations.

In view of the support that the JAS report has among the community, including the GAC and the ALAC, and in light of the time line for new gTLDs, what does the board intend to do on this issue and how can NCSG help the board reach a fair and workable implementation on JAS?

So I know you want to hear from us, but we want to hear from you.

[Laughter]

So we need to hear from each other.

STEVE CROCKER:

Well, fair enough. We had a very substantial session with the JAS -- with a presentation by the JAS working group, and as part of that, we went into some depth on exactly all of these issues, and I -- although I often try to hang back and let others -- I made a point of stepping up first and putting what I thought were some important first-order concerns on the table because if we could get past that, we had a good shot, and if we couldn't, then we were in difficulty.

And I thought the responses were very good.

We will have -- the board has scheduled some time for discussion internally. We will have some more time to discuss JAS. We're committed to being able to say something more concrete by the end of the week than we can say now, and that is exactly as far as we can go.

But there is absolutely no question that the message has been heard. Absolutely no question that we realize that there's a considerable amount of pressure and desire to do something appropriate and then the challenge is, the devil's in the details as they say.

Let me ask if there's any others on the ICANN board that want to expand on that or -- I see wisdom prevails. Thank you very much. Uh-oh. Sebastien.

[Laughter]

SEBASTIEN BACHOLLET:

Yeah. I think I want to repeat one thing I said to ALAC, because part of this community also participates very heavily in the working group, and your representative in this working group made a very, very good presentation yesterday morning. They answered a lot of questions from the community and also from the board, and as Steve said, we -- the board needs now to take all that input to try to find which way to go.

But I think the present situation, it's important and interesting because you get very, very good feedback of the work done, and I am sure that my colleague of the board who participate to this meeting yesterday morning were very impressed by the outputs, and it will be taken into account one way or another.

I hope that it will be as soon as possible. That means that we will be able to say something, like Steve say, at the end of this week. I'm not sure that we will act on Friday, it will be short, but I promise you that as one of the board members, I will do my best to have a very quick decision on what to do in the future. Thank you.

STEVE CROCKER: I think it's up to you to guide us to the next topic.

ROBIN GROSS: Were there any members of the NCSG that wanted to speak to this topic? I know we had a lot of participants. Yes. Debbie.

DEBRA HUGHES: Good afternoon. I'm proud to represent the nonprofit organizational concerns constituency and one of our members, Mr. Alain Berranger, was very active in the JAS working group. He jumped right in as soon as his organization joined the NCSG, and I know he's probably listening, but I'm sure he would really urge the board to support this initiative and what they've done. And as a nonprofit organization we just wanted to say thank you very much for this opportunity to participate in the process.

STEVE CROCKER: Let me thank you, Debbie, and recognize that the nonprofit organizational constituency is the newest constituency in the noncommercial stakeholder group in the non-contracted parties house of the GNSO. I've been practicing.

[Laughter]

STEVE CROCKER: I feel like I'm back practicing for oral exams in graduate school.

Anyway, thank you -- thank you very much for the energy and I know it was -- it's been an arduous process. We're aware of controversies that remain and exist but want to welcome you and feel very good that you guys are now organized, up and running, and expect to see continued vigor.

DEBRA HUGHES: And to this point also, the organizations wanted you all to know that we want to be resources to ICANN. We're nonprofit organizations. We know nonprofit-related issues. We recognize that ICANN is as well, and so our members asked me to make sure that you all were aware that please use the nonprofit constituency as resource.

STEVE CROCKER: You know, it occurs to me that ICANN is a nonprofit. Can we join your constituency?

[Laughter]

DEBRA HUGHES: Absolutely. Robin?

ROBIN GROSS: Great. We've got a question on the line from NCSG/GNSO Councilor Rafik Dammak, who is participating remotely. Rafik? Are you there?

RAFIK DAMMAK: Yes. Can you hear me?

ROBIN GROSS: We can hear you. Go ahead.

RAFIK DAMMAK: Okay. I'm a little bit worried when I hear that maybe the board will take a decision not this Friday but maybe in this weekend, because we have a really short time before the beginning of the new gTLD program, and also I'm a little bit worried when I see that this task implementation plan only shows challenges.

ICANN has a big opportunity here in Dakar to make a big decision to be included for the new gTLD program. We have people who volunteered

for almost now around two years for this JAS working group to make this recommendation.

I want really to urge the board members to take this opportunity to show that ICANN is really moving to be really international, to understand the needs of reaching outside of the western world, and to make this -- to act as much as they can on the recommendation from the JAS working group. Thank you.

STEVE CROCKER: Thank you.

ROBIN GROSS: Thanks, Rafik.

Was there anyone else who wanted to speak about the JAS motion?

No?

Okay. Well, let's go on to one of the other topics that we have before us.

How -- ICANN and developing country relationships. This was an issue that the NCSG brought forward, and this is how we've framed it. That this is a broader topic than just outreach, which is ongoing at ICANN, including within the GNSO.

There continues to be misunderstandings and inaccurate perceptions outside of ICANN of ICANN, its missions and its activities, including IPv6 and DNSSEC deployment and IDNs, developments at the IGF and ITU, and the recent IBSA proposal provide a broader context to measure how ICANN is viewed by developing countries, individual users, particularly in non-western countries, and governments.

So the NCSG was wondering: What does the board intend to do to improve understanding of ICANN and ensure more robust and deeper relationships, especially in developing countries? And what has the board's global relationships committee done? Thank you.

STEVE CROCKER:

So two aspects there.

The -- the form of the question has got some assumptions and conclusions, if you will, built in there, and, you know, I think it's fair for us to ask for more specifics there.

What are the misunderstandings? What are the -- those issues? So that's one-half of it.

And the other half, when you ask, you know, what has ICANN done, I really need to turn that over to Rod and have him focus on what -- he has the staff that has been doing this.

Do you want to take that, Rod, or do you want to push back and ask for more of the specifics first?

ROD BECKSTROM:

Yeah. No, I'm happy to, whether now or -- or later. You want me to do it right now?

STEVE CROCKER:

Go ahead.

ROD BECKSTROM:

Sure. Okay.

Clearly one of the things we do are meetings like this. I mean, there's many different aspects, obviously, to ICANN's engagement with developing countries, and in terms of -- and whether those are the regular activities of the election of board members, with the constraints that come through the GNSO on the geographical distribution that everyone is familiar with by region, to organizing and pulling off events in wonderful places like Senegal that allow our members to see other parts of the world, to supporting things like the JAS working group from a staff standpoint and being ready to execute on that and working to

make sure that we're prepared to implement what members in this room and other people have worked so hard on.

At the end of the day that has to be turned into a real program to have a real impact for developing countries, among others. And I'm not assuming the exact form of the outcome of that yet, because some people feel it should be needy applicants anywhere, and I think that your -- the report suggested from developing countries, which I'm certainly sympathetic to.

One of the other things is obviously hiring highly talented people in the region, such as Rodrigo de la Parra in Latin America, who is an excellent resource, and others, and making sure that we engage in the international fora and events in developing countries such as we just did at IGF Nairobi.

And there was, in fact, a connection with IGF Nairobi back to ICANN that many people may not realize, but that was at the time that we did the event in Nairobi, there were -- there was considerable community pressure to move that meeting away from Nairobi because of security concerns, and there were very, very strong pressures on staff, and in particular me as CEO, not to move ahead with that event in Nairobi.

But we did. We took the measures necessary to pull off a secure event, despite a changed environment, in that wonderful country. And the parties at the time said very clearly that it was a success of the ICANN event that helped lay the groundwork as well for the IGF meeting taking place in Nairobi the next year.

So those are things that are often not seen and subtle, but which require a significant amount of effort by the organization.

And the other thing I will say is that we have -- for example, I've been very engaged personally in working with key Internet leaders in China, in bringing China more actively into the ICANN family, whether from encouraging them to come to the microphone a couple of years ago, which we did, to the joint effort that we did on the synchronized TLDs, which was an enormous effort, with fantastic contributions by the

board and the board working group in particular and by staff and the community. But that was absolutely critical for our relationship with China, which is arguably one of a number of very important developing countries.

They're all important, but in any system there are certain parties that are larger than others. Having a billion citizens.

So that's been a very conscious strategy on my part to focus energies on successfully enhancing our relationships with China, and I think that we've made very good progress, but we have more work, always, to do around the world. That's a bit of a summary.

ROBIN GROSS:

Thank you. We've got a follow-up question from Rafik on the line, so Rafik, you want to go ahead?

RAFIK DAMMAK:

Yes. Thank you, Robin.

Thanks to Rod for the answer, but I'm not sure that they answered what we asked.

I can understand there are some actions and activities, but if I just take some examples, I think, for example -- for the communication plan for the new gTLD program, there is still not much that we need. Having -- as I try to follow, I saw really only a few events that Rod attended to speak about the new gTLD program, and I made to him some comment that attending, like for example, in Qatar or Dubai doesn't mean that you cover the Middle East and North Africa, and I'm not even talking about what's happening in Africa, just attending maybe two events.

In addition to that, if you want to have -- to outreach to people in developing countries, ICANN should work to have more staff in the regional office to help the regional manager. I don't think that a vice president for Africa or for Latin America or for Asia-Pacific matches those needs. You need more staff to help the existing people in the

regional office who are doing a lot of jobs. So help them with more staff.

So that's what I want to say, but just to remember -- for the question we asked about the global relationship committee, I don't think that we got an answer about that. Thank you.

ROD BECKSTROM:

Robin, may I respond? Thank you.

Thank you, Rafik, and I'm going to do my best to respond here.

I think you raised some good points.

I'm not sure I understood all of them, simply because there's a bit of echo on the line here, but I think I got the gist of them.

And let me just provide some additional information.

In Dubai, we actually participated in GITEX, which is one of the world's largest technology conferences, with more than 100,000 people present, and had multiple appearances at that event with me speaking several times, Jeff Moss speaking several times, and there were clearly participants in that event and specifically the new gTLD event in countries from across the Middle East, and a number from northern Africa and other geographies.

So that was one of our goals in this new gTLD communications program has been to hit major events and venues where we can get leverage on the message. So GITEX was clearly one of those and it was very broadly attended from the region, and -- of northern Africa, as well as across the Middle East. Also, on that same trip, we went through Lebanon and met with government -- multiple government leaders, the ISOC chapter organized a terrific event. We went to Turkey to Ankara, and met with leadership there. The communications minister and others. And so actually -- and even in the event in Qatar, it was open to some other parties and got coverage.

So I think actually we've done our best. I mean, we've got a limited staff, as you pointed out, and I think that critically, the organization has got to make a more significant investment in the future in the size of the field organization.

The expectation upon ICANN to have a very extensive set of relationships, not unlike other large global institutions, including IGOs and others, doesn't fit with the size of the staff and scaling we have in global partnerships today, and I've communicated this numerous times to the board. I've done it numerous times at the microphone. I'm saying it again right here.

We're off almost by an order of magnitude, if you look at the expectations and if you look at the staffing in other organizations such as the ITU that parties often bring up that alone has I think 15 people in Africa in three different offices. And without having a judge -- you know, judgment on exactly how their activities are organized, let's just say ICANN has one person in Africa and we are -- we will be looking to hire a second, and we have a very limited number of people in most geographies.

But getting back to it, the roadshow has been successful. Clearly there have been communications in quite a number of countries. Even in Africa, we've already been in Cape Town, Nairobi, and of course here in Senegal, as well as seeing a lot of parties that were at GITEX. But always more to do and plenty of room for improvement. Thank you, Rafik.

And before I drop, I also just want to make a remark on the earlier topic.

I want to personally deeply congratulate Debbie Hughes and the group for forming the NPOC, the nonprofit organizations' constituency, and I think that change is always difficult even in a loosely coupled, decentralized community like ICANN, but I think a change is important and innovation is important, and I really hope that everyone in the NCSG will do what they can to help that constituency be successful, and to help give birth to others.

I though there's different views on that topic. I personally, you know, have a view that I think that having small constituencies organized around tight interest groups can bring a richness of perspectives in the same way that it does in the commercial stakeholders group in the non-contracted parties house.

So I just want to commend you, Debbie, for your good efforts and I know it's -- it's always hard to innovate and I also know there's a range of opinions out there, but I personally appreciate your efforts and I hope that everyone here can do what they can to help support your new constituency. Thank you.

ROBIN GROSS:

Thank you.

We have a follow-up question coming in remotely from Bill Drake on the reaching-out-to-developing-countries issue. Bill asks: In the U.N. and elsewhere, developing country governments continually expressing unhappiness and calling for U.N. oversight and control of ICANN. This remains a big issue outside of ICANN. But inside, there doesn't seem to be much engagement on it. And there are people who deal with this and are concerned about it.

So the question is: Who is thinking about this and how can the community help them to think about this?

ROD BECKSTROM:

You know, at the end of the day -- I think Dennis Jennings had some really good comments this morning. We had a lovely board alumni breakfast, and one of the things that Dennis shared with the board and alumnis, where there were many excellent ideas on what ICANN could do, is Dennis said at the end of the day, as a board, you've got to choose your one or two strategic priorities for change and really put your resources behind it.

Clearly, Bill, many people in this organization, whether in the staff, the community, on the board are very engaged in discussing these topics,

whether it is at IGFs or whether it is at OECD discussions or at the EG8 this year. There's conversations about how we continue to strengthen and enhance the multistakeholder model.

At the same time, the resources are defined by the current business model of ICANN which is paid for primarily by registries and registrars from the gTLD space. And, of course, it is not in their interest to see that revenue -- that source of funding grow for the organization. And as a result, there's a fixed pot of resources, and we have to choose how strategically we wish to invest that.

Those investments are driven by you, the community, every year in the strategic planning process that, in fact, is taking place this week. So I think that to the extent you feel there should be a change in the strategic investments and priorities, please propose that. And I know that's only part of the strategy, but I'm saying it gets back to if you want to look at ICANN and these issues of developing countries, it does come down at some point to how many resources you have in the field to spend time with these people, both directly and through the community.

ROBIN GROSS:

Thomas?

Can we get a microphone over here, please? Thank you so much.

THOMAS NARTEN:

Yeah, thanks. I want to go back to Bill's original kind of comment. And, Bill, if you can hear me: What exactly are you asking for? I feel like there is a question behind the question. Do you want ICANN to be doing something more than it's doing? Do you feel like we are just not explaining ourselves well enough? What is it do you think that ICANN should be doing that it's not doing in this regard?

ROBIN GROSS: I don't know that that was necessarily the question. I think the question is: Who is it at ICANN that is engaged on this particular issue, and what can we do as noncommercial users to help that person understand these issues and discuss these issues with the broader community.

STEVE CROCKER: I can suggest one thing, and I see Peter's hand is up.

Again, the form of the question included an assertion that we're not doing enough, that people are unhappy out there, but not enough detail to understand what it is they're actually talking about. And so I think when you really need something that we can bite into and understand, not trying to be resistant, but it is one thing to get all worked up about it, and another thing to have some idea of what problem we are actually trying to solve.

I saw Peter's hand up.

PETER DENGATE THRUSH: Thank you, Steve.

The technical answer, where in ICANN is this being looked at it, is in the Board Global Relationships Committee set up to oversee the policy and the work that's being done by the regional staff in these areas.

STEVE CROCKER: And I'll note that that was your fine piece of work to set that up and you chaired it ably.

ROBIN GROSS: Were there any other comments on this particular issue? All right.

Well, let's talk about -- I'm sorry, did I see a hand? Yes, please. Gonzalo. Can we have a microphone over here, please?

GONZALO NAVARRO: Thank you. Peter, in that regard, we're working on a document on the BRC to try to address -- or to work as a starting point on those issues. So I think that we will -- so far it is a work in progress.

STEVE CROCKER: And I should note that Gonzalo Navarro is your successor, Peter, as the chair of the Board Global Relations Committee.

ROD BECKSTROM: If I can build on that as well. You know, I think it's also -- one of the great things about the community is that, you know, everyone has different observations, and we get to look at these phenomenon from thousands of different perspectives. I think it is important sometimes to step back and note some of the progress that's being made.

I want to refer to something very concretely yesterday morning that I think most of us witnessed, that for me at least was a first, and that was to see the President of a developing country addressing us and engaging deeply and specifically in ICANN policy and programmatic issues, whether it was the JAS issues or the new gTLD program and others, we had the President of a developing country engaging with our community, ICANN, on ICANN issues deeply.

And I think that that is an important milestone to note. Maybe it happened some other time. But certainly in the time I've been here, it is the most in-depth I can recall. And I think it shows that maybe we are making some progress. I think there's different views out there and there's different levels of engagement at ICANN. But at least for me, it was one very positive experience.

And I think actually the awareness of ICANN is growing in the world in part because of the progress of the Internet; and, secondly, even when some countries -- developing countries may have different perspectives in our policies and take positions, it is actually validating the organization and the role of the organization.

So I think it's a complex picture out there, but I think we're making some progress. But I want to thank everyone here because if you look at what many people feel was a pretty good IGF this year, it really was a community effort and not just the ICANN community but the whole multistakeholder community, what some of us refer to as the ISTAR community and the great level of collaboration on messaging, communication that we also saw in the IANA contract.

So I think the pictures complex with respect to developing countries and at least, I think, that yesterday morning may have been one sign of an example of some positive developments.

ROBIN GROSS: Were there any other thoughts on this issue?

Yes, over here.

JUDITH VAZQUEZ: I'm Judith Vazquez. I'm the first southeast Asian member of the board of directors of ICANN. I'm the first female Asian on the board of ICANN.

We're moving. We are moving. And in Asia-Pacific, you must understand in a developing nation, you must understand that government needs to be engaged for you to reach grassroots. And until such time we engage with GAC constructively, you will not be able to reach grassroots of developing nations as quickly as you would like to.

ROBIN GROSS: Thank you. Was there any other comments on this issue?

Yes, mic here.

MIKE SILBER: For a bottom-up multistakeholder model organization where people get very upset when the board does things from a top-down perspective, I

find it quite unbelievable when we're being asked what we're doing top down instead of people saying what they want to have done bottom up.

ROBIN GROSS: We've got another follow-up question here. Would the Global Relations Committee consider having outside experts provide input?

STEVE CROCKER: Gonzalo, you can't escape here.

GONZALO NAVARRO: Is this working? Thank you. I think that we are in a really premature state of the document. Surely we cannot foresee to exclude any kind of help. This is important, and surely this document will be published for comment once it's going to be ready. But we're not considering to have external hope at this moment. I don't know if that answers the question.

ROBIN GROSS: Okay. I think we need to move on from this topic. And one of the issues that the board has asked for some input from us is what are the substantive policy issues that we want to work on that we would like to see brought forward and some work done here at ICANN. I'm hoping some members of the NCSG can -- Mary, sounds like you have got something to say on this?

In the back.

MARY WONG: Thanks, Robin. It is not that I have something to say, but, first of all, I would like to thank the board for engaging with us and for sending us topics and questions. It's been very useful.

Due to the brief -- the brevity of time, we've not been able to fully flesh out all of the issues because we do have a diversity of membership. But

I believe that for our top three at least some of the ones under consideration will obviously be a review of the UDRP, number one -- not in any particular order, I should add. Another could possibly be dealing with the requests by law enforcement, for example, to deal with issues in relation to the RAA. And in that vein, probably the overall review process and substantive amendments that could be coming up to the RAA in time. And, thirdly, on my list here anyway, there obviously has been a lot of discussion in the community over many years about WHOIS issues. The GNSO is doing a number of studies. There is a WHOIS review team under the AoC. So we believe that continues to be an issue that's important and certainly in respect of things like privacy protections of great importance to our members. So those would be my three.

ROBIN GROSS:

Ray? We have a microphone in this area up here. Thank you.

RAY PLZAK:

Thank you. I'm going to slide off topic here a little bit. The first topic that was on the list that had to deal with constituency relationships or something like that, we're running out of time because the board is going to have to depart to go to the session with the GAC. And I would like us to take some time to discuss that issue.

So I would prefer to move off of this topic and move on to that topic because I think it's something that we need to hear.

ROBIN GROSS:

Okay. This was a request by the NPOC to discuss constituency relations, and in particular the recent election that the NCSG had. It was our very first election as the NCSG, and we had several hundred participants, and we have elected four councilors and me as the new chair. And then we were kind of surprised because there was a letter sent to the board asking to void the election, and we were pretty surprised by that.

So what members of the noncommercial stakeholder group executive committee did is sent a letter in response trying to explain and lay out what happened with the election, where the differences lie. I think it's important to realize that Section 2.4 of the NCSG charter, which was recently passed with input from the board, NPOC and NCUC, so all the members of NCSG have agreed to this particular charter. And, again, Section 2.4 of this charter is pretty explicit if there are any disputes between constituencies within the NCSG, that the NCSG executive committee is the place to first bring those disputes and try to resolve those disputes. And if that fails, the proper response is to go to the ombudsman because that's what an ombudsman is there for.

We have -- I know the NCUC leadership has reached out to NPOC earlier in this week to ask for a meeting so we can sit down face to face and talk about these things. And we will be meeting with them tomorrow. Again, I personally believe that sort of the best way to resolve differences is not to send letters but really just sit down and talk face to face and just try to really get to the heart of the issues and work through disagreements, because I suspect we have far more in common than we are actually opposed. And we need -- we all need to sit down in a room and just speak to each other, specifically on this issue. And, unfortunately, we did not have time to do this in our NCSG meeting today. We only had an hour. And we have got a number of important policy motions that will be voted on by council this week.

So we will be meeting tomorrow to specifically address this issue. And, hopefully, we can work through that and, going forward, really be more of an united front within the NCSG and try to engage cooperatively and with each other.

Does anyone else have anything they wanted to say on this topic? Yes, back here in the back. Can we get a microphone?

MICHAEL CARSON:

Hi, Mr. Chairman. Thank you for allowing me to speak. I'm Michael Carson, representative of the YMCA of the USA. I'm also part of the NPOC and part of the executive committee for the NPOC. We have

tried -- to answer his question, we have tried -- a number of individuals have tried in the process get these issues worked out and not have to bring a letter to the board.

However, there were numerous articles that were written about the NPOC and about members of the NPOC as well as the ICANN process. So as a member of the NPOC who represent the YMCA and there are other members who are waiting for their organization to be legitimized as a non-profit by members of the NCSG, I think that's why the letter came to the board, is because we found the actions of members within the NCSG committee -- executive committee and others through listserv postings and again articles written in the APC that were not favorable to our organizations.

So we have discussed this matter with Ms. Gross, and we are willing to sit down and speak with her. But we did not receive an invitation to address this matter until it was brought forth at the end of the meeting. So those are our comments. Thank you.

ROBIN GROSS:

Actually, you weren't on the e-mail list. It was sent to Debbie earlier this week, the e-mail that was sent to request the face-to-face, so that's probably why you didn't know about that request.

Did anybody have anything they wanted to say on this issue? Okay, Debbie.

DEBRA HUGHES:

Hi, thank you. So the e-mail was sent from Konstantinos who is the chair of the NCUC to me, and I am a board-elected councilor.

The first day of the GNSO Council convened I introduced Mr. Carson to everyone. And any member of the NCSG could have approached Mr. Carson and asked for such a meeting. The request did not come from Ms. Gross, nor did an official request come from anyone from NCSG membership to try to resolve this issue. So I just wanted to clarify that point.

We do look forward to having our more than 34 members approved. These are non-profit organizations in every of ICANN's regions. These are non-profit organizations that are vetted first by our members to make sure they apply with every of the requirements put forth in the charter. And we do that before they become members of the NPOC, and then we forward them on in a chart format and in various formats to try to get them approved.

Without belaboring the point, what we are asking at this point is please approve our members. They are valid non-profit organizations that love ICANN and are interested in finding out more. We're doing more and more research. We have at least 14 members that are pending, and they are waiting and seeing to find out if ICANN is a place where they want to engage because, you know, there is a lot of places where people can engage and interact governance. We want them engaged here.

We ask that we can work past these issues. Frankly, we are concerned that the tone of NCSG is not welcoming enough to these organizations. And we understand process and we respect process. And the process provided unfortunately in the charter doesn't seem that it is going to fairly allow an adequate remedy for these organizations in this issue unfortunately.

And, so, we would ask Ms. Gross -- we're glad that you agreed at the end of the NCSG meeting that we just had a few moments ago to try to sit down and chat. We would have loved if you would have approached Michael when he showed up on Saturday and we regret that you didn't do so. But we stand ready. We've stood ready to chat with you all and to try to work through these important issues. Thank you.

ROBIN GROSS:

Great, thank you.

And, again, I apologize if there was any miscommunication if you feel the e-mail should have gone to somebody else.

Again, we have a process in place that we've all agreed to, the executive committee of the NCSG. And so I think that is a first step that that is where we go to resolve differences and disputes. And I look forward to engaging with you all and working more with you all on this going forward.

We had a comment from Avri back here.

AVRI DORIA:

Thank you. Avri Doria, exchair of NCSG. I wanted to take exception to one part of the remark which was that nobody spoke to them and nobody worked with them to try and deal with their issues.

While I was only an outgoing chair, I certainly thought I had a very fine conversation with Michael about how to move forward and how to resolve the issues.

In terms of the NCSG executive committee, while I did not -- I was a passive acceptor of new applicants, I do want to put out that for many of those who weren't accepted, there was a request out, an outreach to those members to try and get some communication with them in a process of due process with those members. That was never concluded. And the thing that I would like to point out is that I spent a year as chair begging the NPOC to please get their applications in so we could process them. So I do want to take a little bit of exception with the history as it's being relayed by the NPOC. Thank you.

STEVE CROCKER:

So, Avri and Robin and Debbie and everyone, let me thank you. Everyone, I think we've -- the main effect of what we have here is a recap of controversy that has been pending.

There are two or three things that I think that are very important here. One is as you heard before, we welcome the arrival of the new constituency and we will be very happy about that.

I think we all regret that there is any controversy here and hope that it can be worked out in a sensible and amicable fashion. We do have respect for our processes; and at the same time, it is not a good sign when there are parties that feel very aggrieved.

That said, we have mechanisms for dealing with some of this. The board has received a request to get involved. We've taken some advice on that, and I believe that I'm about to be given a formal note to send back recommending that this be put in the hands of the ombudsman.

Let me say very strongly that that should not at all stop other discussions. That is not an excuse for sailing, okay, then we can't have any other kind of discussion. So any constructive, helpful, forward progress that you all can make, I think, would be very welcome. And meanwhile, I wish everybody good luck in this process.

Thank you.

ROBIN GROSS: Anyone else have something to say on this topic? Okay. Well, let's move on to the next topic. CEO search.

STEVE CROCKER: So as I think I mentioned before, Rod has asked that he be relieved of having to sit through this part of the discussion.

So you all know that we are in the process of cranking up a search for a new CEO. We had a major session on it yesterday. We are engaging with interactions in every group. We have an all-star team within the board chaired by George Sadowsky to oversee the process, and we're here for inputs that you might have as specific as you want to be. And the floor is open.

ROBIN GROSS: The think the way the NCSG framed this issue was as follows: It was encouraging to see the board's CEO recruiting committee held a public significance here in Dakar and outlined its approach, timeline and

process. We will circulate the presentation slides to our members. For today's meeting, would the board like to elaborate on those criteria? How will the board ensure that the new CEO is not just sympathetic to but will work actively to protect noncommercial users and interests?

STEVE CROCKER:

So, George, I think this falls slightly outside of the scope. If I understand and was listening as carefully as I could, Robin, the form of that question is, okay, you go through the whole process, you hire somebody, and then how do you make sure that he does his job? I'm putting a little bit of torque on that, but I think that was the basic format.

That is the board's job. That is job number one for the board, and we have very substantial processes in place, a compensation committee and other kinds of review mechanisms. And we are a non-profit. We are inherently empathetic with non-profits. And there's no question about trying to protect and be supportive of non-profits and noncommercial and full range of public interest activities. I think that's the general thrust.

And the board is accountable. And we try to operate in a transparent and well-documented way. So the proof of the pudding will be in watch our actions and judge us by that.

ROBIN GROSS:

Can you say if there is, like, specific criteria that you are looking at, that you think would help to address the concern about making sure noncommercial users and interests are looked after?

STEVE CROCKER:

Well, we certainly want to get the criteria right in the search process. And that's only part of it. The only side of that is: What is the strategic view and posture? How do we allocate our resources? What do we say about our objectives as an organization? It is not just about the CEO. It is a question of what the whole organization is lined up to do. And for that, we need your inputs.

JUDITH VAZQUEZ:

With all due respect, Robin, I just want to clarify something. When we talk about what is the role of ICANN in taking care of the non-commercial user, it is ensuring the infrastructure of the Internet is stable and operating.

ICANN is doing its job. It is. The Internet is available 100% of the time when you have a telecom connection. We are there. So we need to understand what more -- and I'm from a developing nation, by the way.

What more is expected of us outside of the mandate that is in the bylaws of ICANN.

And I'll end it at that because it is something to think about.

STEVE CROCKER:

Let me thank you, Judith. That's a very apt point. We are caught in a version of a success disaster. There is a desire inherent around us for ICANN to be the solution for a large number of problems, not all of which are within our capability or really within our mandate. And so -- and we're in an area here where the lines are not very clear. We surely are empathetic, and we sure want to do some things.

And, yet, there is a limit on the resources, a limit on our mandate, a limit on our skill set to do all the things that various people might want us to do in this area.

So it's, I think, absolutely vital that ICANN not be viewed as the only organization and the only method of getting progress in some of these areas that are much more people-oriented and much less technology or intimately related to the names and identifiers that is the core of our mandate. And I don't say that as a sharp negative, but it is, you know, sort of the -- where the frontier is in terms of what we can do and how we organize ourselves.

That's a very vibrant dialogue. But the outcomes of that dialogue may well include that there are other better places, other organizations, and

ones to cooperate with. We have close relationships with The Internet Society. It has a much broader charter, for example. And that may be one of the organizations to bring in to this discussion. And there's others.

ROBIN GROSS:

Thanks. I just got a comment in from online that I would like to read from Alain Berranger. And he says, quote, the multistakeholder model of ICANN is essential, so civil society representation needs to be as strong as private sector and government. NCSG has about 140 not-for-profit NGO members, hence we need to do -- we need to bring more such organizations into ICANN. Growth of the NCSG members and constituencies is critical to the long-term viability of ICANN.

So, again, this isn't really a question. It is more of a comment that I was asked to read.

Did anyone have any comments on that?

STEVE CROCKER:

I think that's a very strong point and well taken, and I see a finger pointing at George, is that right? Oh, he's got the microphone even. Go ahead.

GEORGE SADOWSKY:

Well, I'm not going to comment on that statement because I think it is -- it's something I would agree with. I wanted to comment on your being pleased that we held a public session regarding the CEO ideal requirements, and I'd like to say that when I was chair of the NomCom, the transparency rule we used was we would make the process as transparent as possible. We would keep the data of the applicants as confidential as possible. And I hope that we'll be able to do something like that with this search committee, in other words, informing you of the progress that we're making, subject to those confidentiality restrictions.

You mentioned that you would -- that you were going to be sending the slide deck to your members. They can get it online as part of the session record of yesterday, and I would -- but what you should do is encourage them to send individual opinions to the search committee at a mailing list we have set up for the committee, CEO -- yes, thank you, ceosearch2012, all one string, no spaces, @icann.org.

We would prefer not to have questions, and we got questions such as, you know, do you believe the new CEO should be X.

Well, that's a leading question, and the opinion we seek is probably that it doesn't matter whether the CEO is X or we don't think the CEO should be X or we think he should -- he or she should be X.

We'd really like to have the opinions directly so that we can gauge the mood of the community, the concerns that the community may have. Thank you.

ROBIN GROSS:

Thank you. Wendy, did you have a comment? Are you in the queue?

WENDY SELTZER:

Just I wanted to return to the earlier question in this thread about the noncommercial interests defined more broadly. And I agree with Judith that it's critical to noncommercial users that they be able to connect to a stable Internet.

I would add on top of that that there are additional concerns that we've been advocating, including individuals' privacy rights in domain name registration, individuals and noncommercial users, security and stability of their own domain registrations against takedowns, and the ability of users, commercial and noncommercial, to continue to rely on the Internet and its distributed structure are all related pieces of that noncommercial interest.

So somebody who comes in with perspective from the individual entrepreneurship noncommercial interests would be valuable to our constituency.

STEVE CROCKER:

That's a very well made point, and let me also observe that it's a two-way street. That as the noncommercial stakeholder group builds up its membership, expands the individual constituencies, and perhaps brings in other constituencies, the force of those groups, you know, the whole stakeholder group, and the constituencies applies into ICANN in terms of making the points, but also applies outward in terms of spreading the messages, in terms of educating people. You mentioned topics which are close to my heart about protecting domain name registrations. There are certainly some issues which, when I was chair of Security and Stability Advisory Committee we saw cases where it was a lack of understanding of the consequences of not re-registering names that you didn't care about anymore and other kinds of things that typically would come up in nonprofit organizations.

These are things for which the power of the ICANN structure can be used very strongly in an outreach fashion, not just loading it onto the paid staff, which is a very expensive and limited resource, but using the grass-roots structure that we've developed.

So I recommend thinking about it in that way, and becoming very, very powerful in the process.

So we're done?

So I think we've -- well, I know we've reached the end of our time and I hope we've reached the end of our topics here.

So with that, let me thank everybody. Thank you, Robin. As I said at the outset, we've been very focused on trying to make these kinds of interactions substantive, get right to the heart of things. I don't think anybody leaves this room without believing that we've done that today.

And so thank you very much and we look forward to more.

ROBIN GROSS: And thank you to the board for taking this time to meet with us and hear our concerns and to hear from you. Thank you.

[Applause]

[End of audio]