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TORONTO – Policy Development at ICANN  
Sunday, October 14, 2012 – 11:00 to 11:45  
ICANN - Toronto, Canada

ROB HOGGARTH: Good morning everybody. Let me take 30 seconds just to make sure I'm touching the right buttons and know what I'm doing, thank you.

I'm setting my timer. Filiz has been very good about telling me that I have to finish on time, so once I've got this set we'll be fine. I'm not going to set the alarm; however, you all may not appreciate that part. Great, well thanks. Again my name is Rob Hoggarth. I'm a Senior Policy Director with the Policy Development Support Team at ICANN.

And what we're going to be doing today is really giving you a high level. Filiz noticed that I'll be talking a little bit about some of the sessions for this week, but I'm mainly going to focus on the overall sort of perspective of policy development in ICANN; give you an and overview of what of a number of the different supporting organizations and advisory committees do. Mainly because you're going to be subjected to a lot of information this week and I just want to, as Bertrand and Filiz have already done, sort of set the context for you; give you the overall sense and structure of things.

On any one of these slides, for those of you who don't know me, I could probably talk for an hour. So what I'm going to try to do is just focus on the highlights, but you're likely to have questions, observations about how things work or questions about how things may operate. And I will be around all week and I'll be here most of the day, coming in and out

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*Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.*

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of the room, so I'm very happy to meet you, answer your questions, give you more details over time.

So with that brief introduction, let's just touch a bit on the goals. The idea is to review the policy structures, to talk little bit about the community aspects, the different communities. And, as Filiz noted, just to give you a heads-up on some of the larger issues that are going to be discussed this week.

We're going to focus on the groups in the red box on the slide. This is the second version of what you saw earlier. I like this slide because what it does is it tends to immediately get people to react and go, "Oh my goodness!" And I think that's an important reaction to have on one level, and that is that this truly is a Multi-Stakeholder Model with many different participants, many different perspectives.

But when we're talking about policy development there are really three primary engines called the Supporting Organizations, and a number of other groups that contribute to providing advice, providing input, providing technical expertise and perspectives that also play a role in the process.

We like to break them down and explain them as Supporting Organizations who make the policy recommendations to the board and the Advisory Committees that provide the board with the advice and the information that can help the board make the appropriate final decisions.

And then when we talk about policy in general, it's really this series of concentric circles when you look at the ICANN community. Some folks



have taken issue with the numbers that I throw up here, but they're generally, I think, fairly representative.

If you look at the larger part of the circle, it's all Internet users. Ultimately what we're doing has an impact on all of them, but they aren't really active participants although there is the possibility for them to do that in the public comment process.

You start to drill down a little bit and you see within the overall industry, which is the domain name system, the people who monitor it or regulate it or otherwise pay attention to what's going on, you probably have an impacted community of about 5,000 people overall. They don't all come to ICANN meetings obviously, but there is that impact either on their jobs or the policies that they have to deal with.

Then you sort of drill it down a little bit more and you say, "How many people are really the working community?" You're talking about 1,500 to 2,000 people, those of you who come to ICANN meetings and will be coming in the future, those who follow things very closely, who Tweet about ICANN, who blog about ICANN, who otherwise write articles about ICANN.

And then you talk about a real core of volunteers, a group that we hope will grow and that you will be a part of. But it's really the folks who actually participate on the councils, who work on the staff, who participate on the board or otherwise, really play that fundamental role. And when you look at it, the number is really only about 300 to 500.

And so the real opportunity that you have, being here in person this week because I recognize that all of you aren't newcomers to ICANN but



you're newcomers to the ICANN meeting, is it's really an opportunity to interact with probably that 300 to 1,600. Where there's a real opportunity to make a difference, to have some influence, and to really contribute your perspective and expertise to the policy development process.

Now the workload can vary over time, but what we've seen over the last four or five years is a fairly significant, substantial amount of policy development activity. The graph that you see here is essentially the measure or metric I use with the public comment periods that ICANN opens up on various policy or other types of issues.

And you can see all this was in the timeframe of what Filiz described as the Generic Top-Level Domains, the new gTLDs. And so there's been a lot of activity and you see things peaked pretty much around 84 in 2010, but we're throwing out as a community, not just as ICANN staff, but as a community somewhere on the order of five or six public comment forums every month.

Now they tend to cluster around an ICANN meeting when the community's really sort of coming to a conclusion on some of its work. But there's a tremendous amount of activity that goes in to each one of those comment forums.

The work of a working group, a staff group, a community endeavor, so there's a lot of work that goes in to each one of those and what we also recognize is that to respond to that and to become involved in that also takes a tremendous amount of work. So now translate the 76/67/84 to the 300 to 1,600 people and you see that there are some tremendous opportunities and challenges in terms of managing all of that work.



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Now from an ICANN perspective, there are approximately 20 of us who are responsible for helping to make sure that those processes work. A number of people have described ICANN as "The Arena"; the arena for competing ideas and perspectives, for various different objectives.

And our job is to make sure that the processes facilitate the conversations and the debates that take place, that the various processes are followed, all with a goal toward making it as transparent as possible and giving as many opportunities for participation and engagement as possible.

Now we're spread out, as the slide shows, over seven countries, eight time zones. We speak a combined twelve to 13 languages; 4 UN languages. And we also, depending upon the issue or the subject matter, will bring in technical experts to assist the community or the staff in terms of developing or making recommendations about particular parts of policy.

Our general goals are very simple; they are to help, support, and manage, to give you the tools to be able to participate and really to be able to focus on the substance of issues rather than having to worry about, "Is the telephone connection working?" "Do I have somebody that can draft up the document?" The major intent is a collaborative process between staff and you, the community, to make sure that you have the tools and the capabilities to really focus on the issues that are important to you.

What I'm going to do now is touch on a number of the individual communities, just to give you a general overview of what they do. Recall the red box, and I'm going to go through those four areas. What



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I'd like, real quick, is a show of hands; anybody here identify themselves with the ccNSO community? Could you raise your hands? Thank you. Okay, thanks.

Then you all know that there is the opportunity, with 250 ccTLD managers out there, for a pretty big group to gather and talk about things. Right now, ICANN has about 133 of those 250 ccTLDs. The operations of the ccNSO are governed by a council with a chair and vice-chairs; there is staff support for that function as well.

And what the ccNSO membership looks like, in a broader sense, geographically you can see, in this slide, in terms of the geographic spread from the participants in that community.

What does this SO do? Primarily for the ccNSO, you see at the top of the list, is the exchange of information. The opportunity to share experiences, to learn about how other people might go through and manage their processes. And there's a very active effort during the week here at the ICANN public meeting for that interchange to take place. There are clearly the networking opportunities where during an ICANN meeting there are social events, dinners, receptions, and things like that.

And then, of course, a real important goal of the ccNSO is to represent the interests of that community before the board and the other interests in ICANN. So while the ccNSO does produce various statements, makes contributions to some of the broader concepts in ways that ICANN does business through the Strategic Operating Plan and things like that, it also is very actively involved in meeting with



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members of the board, other Supporting Organizations and Advisory committees.

One of the themes that you may see over the next couple of minutes as I talk about this is that, more and more, these individual sort of components of ICANN, the SOs and ACs, find themselves communicating much more broadly with each other, because a number of the issues, for example with the ccNSO community, the IDNs, have implications much more broadly than just that community. And so what we see many times, and much more often, is collaboration between these various components of the ICANN system.

Now near and dear to my heart, of course, is the policy component of the ccNSO. And with respect to policy development, the ccNSO has a very specific sort of structure. You'll see that for both the ccNSO and the GNSO, in the bylaws of ICANN there are very specific processes that need to be followed for a Supporting Organization to ultimately make a recommendation to the board.

And in the case of the ccNSO, that's Annex C of the bylaws. Right now, they're currently working on establishing...and probably one of the most important things they're focusing on establishing with respect to the IDNs is the overall policy for how IDNs will be made available, allocated, distributed, over the long term.

There has been a Fast Track policy that's helped get a number of new IDN ccTLDs out in to the root. I think the number is somewhere around 33 or 34 now. But that was just the Fast Tracks. So now the community is really looking at the much broader perspective of how that's done. There's also, and there's a lot of confusion I think within the ICANN



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community from time to time and we could have a two-hour debate on this at some point, but between what is specific policy then what is policy-related work.

I think you see a real great dynamic, both in the ccNSO and the GNSO that I'll talk about in a couple moments, to look more broadly at not just what's in the bylaws and what those processes are, but often the board will reach out and ask for broader questions about how the industry is working or how various systems or processes are expected to work. And that provides a broader context for the work of the ccNSO and some of the other ICANN communities.

For those of you who have raised your hands, you're probably familiar with participating in the ccNSO. But it's also helpful for others to be able to look in and get a perspective from time to time. ccNSO members are admitted through an application process. It's limited, as the slide indicates, to ccNSO managers. But one of the keys and helpful aspects, I think, about the ccNSO and other aspects of ICANN is there aren't any membership fees. It's a very open process for being able to become involved.

Now let's talk a quick bit about GNSO policy. GNSO is a little bit different and it really helps to describe things by noting the contrasts. From the ccNSO perspective, it's a fairly homogeneous community. I don't know how that translates and I apologize to the translators for speaking so fast, I know I should slow down a bit. From the ccNSO perspective it's a lot of commonality, but when you start to look at the GNSO you see perhaps the most diverse community within ICANN, Generic Top-Level Domains.



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And the way the GNSO is structured is not quite as simple as just having a council of like minded players like the ccNSO. But the challenge of the GNSO is to combine these various voices. There are four stakeholder groups that fit in to two communities within ICANN.

There are the contracted parties; those are the registries and registrars who have contracts with ICANN, agreements with ICANN, for their operations. And then you have the non-contracted community, that group that doesn't have contracts but is heavily invested and interested in what goes on.

Within, as I said, the contracted community you have a stakeholder group of registries. You have a stakeholder group of registrars. Now in the non-contracted community, that community is divided in to two stakeholder groups: commercial interests and non-commercial interests.

And the dynamism of the GNSO is that then within those stakeholder group structures there are individual groups that have specific interests in particular issues or because of how they are structured as a community. So in the non-commercial side you have the non-commercial users constituency, and you have the not-for-profit operational concerns constituency. The NCUC, much more individual players; the NPOC, more organizational players.

It's not a very fine line, but in terms of our broader way of looking at it just think about that for the moment. I think we have members of both those communities here and, if you could, those of you who are involved in the GNSO, can you raise your hands? Or think that you would be associated with the GNSO? Thank you.



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And then, as I noted, the other side of the house on the non-contracted side of the GNSO is the commercial stakeholder group players. Currently that community is broken up in to three different areas. You have the business constituency, sort of the businesses who run web sites or have interests in the DNS from that perspective.

You have the ISP community, the traffic managers and those who deliver communications and provide connectivity to people who are going to use the Internet. And then the intellectual property constituency, those people who are primarily lawyers who have a specific interest in intellectual property issues, trademark issues and the rest. How am I doing on time? Oh great, I've got plenty of time.

The structure of the GNSO, I sort of described generally, but as you see on the screen you have essentially two houses and that's how they're organized. But the important part of this slide is the GNSO council and recognizing that these four stakeholder groups all send representatives to the GNSO Policy Council. And within the GNSO, it's the Policy Council that's the primary engine that delivers the policy product that comes out of what work the GNSO does.

Now the GNSO council, you see that broad array of folks, if you're interested in attending...these 21 people from a variety of different areas and from the groups that I just described, will be meeting on Wednesday afternoon, I believe it is, this week. It may even be in this room or in the room right next door.

They have a very active and full agenda and they generally meet, when they're here at ICANN meetings, for three or four hours. A public meeting that everybody can see. Their monthly meetings are available

by teleconference, so there's a fair amount of visibility in to the work that they do. Their mailing lists are published, and that's true generally of just about all the groups, not just within the GNSO but within some of the other communities as well.

The GNSO has a little bit different policy process, and I'm not going to go through all the aspects of this ribbon. You recall the ccNSO sort of had a smart phone box and that was their process that then just breaks out in to individual components. The GNSO policy development process has a longer string of activities because, again, built in to the bylaws are many opportunities for public comment. If you think back to the graphic slide that I showed earlier, each one of those public comment forums has a plug-in somewhere in to this process.

One of the important concepts that I'll just touch on so that you're aware of it, within the GNSO is this concept of "Consensus Policies". I noted earlier that the GNSO is divided in to contract parties and non-contract parties.

Well essentially what the policy process does it looks at how those contracts are working and essentially there's a component called Consensus Policies that allows the community to make changes to the contracts that the contracted parties have with respect to Generic Top-Level Domains with ICANN.

This is a pretty incredible concept when you think about it. Essentially you have parties who contracted with ICANN who have agreed to a process that allows those contracts to be modified by the community. Now one of the aspects of that is that these contracted parties are comfortable with that because they are also a part of the process. But it



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makes for some interesting dynamics. And again, this is a concept we could talk about for a considerable period of time but I think that's the appropriate level for you.

Again, similar to the ccNSO, there are many opportunities to participate in the GNSO. Tomorrow, if you chose to, you could participate in a public comment forum. There's no barrier to entry, and this is true of any ICANN public comment forum. And we have the manager of that process and the leader of that process right here. But essentially all of those are open to anyone who has an interest or wants to comment.

There are, I would say, more than 100 mailing lists within the GNSO. It's a tremendous amount of information but essentially all of the activities of all the working groups, all the drafting teams and everyone else...and that's the 20 minute mark. All of the aspects of the work that they do are published on email archives that you can go back and look at and follow and see the string of every comment that anyone ever made about any subject.

So it's very exciting, and for some people who are new to the process, very intimidating when you realize that in participating essentially everything that you contribute to the process is there for someone to look at and that we're constantly challenged by how we present that information and how useful that information is. And I think there were some comments earlier today about how there will be some exciting announcements about how we're improving that process tomorrow.

The other important aspect that I want to touch on in this slide is the opportunity to participate in working groups. ICANN is very open. The challenge, I think, that all of you have and that many people have is that



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there's so much information it's hard to figure out where to plug in. But when you do want to plug in there are these working groups, that again there's really no barrier to entry. If you're interested in a topic, if you're interested in a subject and you see an announcement is made you can join that working group.

People have different strategies for why they join working groups. If you're relatively new you join a working group because you're on the list. You can see what's going on. You can learn a little bit about the culture. If you're an expert on an issue then you may want to contribute for a specific point, for a specific purpose.

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