
SINGAPORE – Public Forum
Thursday, March 27th 2014 – 13:30 to 18:00
ICANN – Singapore, Singapore

>> Ladies and gentlemen, would you be kind enough to take your seats?
We'd like to begin our public forum as soon as you are seated. Thank
you.

BRAD WHITE: Ladies and gentlemen, we'd like to begin the public forum for the ICANN
49 session, if we could.

I'd like to introduce ICANN board chair, Dr. Stephen Crocker.

Steve?

STEVE CROCKER: Thank you, Brad.

Welcome, everybody. This is the part of the program that I know many
of you have been waiting for all week when you get to talk to us, talk to
each other, talk to the community at large.

This session is intended to give you a direct line of communication, as I
said, to both the rest of the community and to the board of directors
without formality, without filters.

In addition to all of the formal processes that we have -- and we have a
lot of formal processes -- the public forum is all about understanding,

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communication, free exchange of ideas, and in just a few minutes, we'll welcome your questions and comments.

I'll start off by explaining what the session is, and just as important, what it's not.

It's the community's -- the public forum is the community's opportunity to make comments and ask questions, a chance to talk to us directly, as I've said. It's intended to encourage dialogue. It is not -- it is not -- a replacement or an add-on to public comments that ICANN seeks on issues and policies.

Please do continue using those channels to provide formal feedback on specific issues that are open for public comments. They're the only way that they will receive proper consideration from the appropriate committee, supporting organization, and staff members.

So with that, let me toss this back to you, Brad, for an overview of how the questions will be fielded.

Brad, as everyone knows, is our director of global media affairs.

BRAD WHITE:

Thanks, Steve.

What we're trying to do here today is balance a couple of concerns.

We want to facilitate -- the board wants to facilitate as many questions and comments from you as possible, but we also recognize that you want to hear the board. So we're trying to balance those two concerns.



You'll notice on the agenda later in the afternoon there's a couple of sessions, dedicated time sessions, for subjects that have not yet been determined. That's because the board very much wants the community to help them select what those subjects will be.

In Buenos Aires, we tried something for the first time that worked. The comments we got after the Buenos Aires public forum indicated that folks liked it, so we're going to do it again.

Basically, in a few minutes, these two microphones in the front, Steve will seek your input about what you want to talk about during those two time blocks. What might be a good session, a dedicated time session, to a given subject.

We're looking at headlines here. We're looking at one sentence. He just wants some ideas. That's going to take about 10 or 15 minutes and then we'll shut it down after that.

Remote participants can also join and ask questions by emailing us at forum@icann.org.

We'll read your questions.

Here are some --

Well, can we get up the points, Ted?

When speaking, speak clearly and slowly. This is primarily for our scribes. If you're going too fast, they're simply not able to keep up, so it's sort of a courtesy to everyone else.

Give us your name --



>> (off microphone.)

BRAD WHITE: Slowly. Occasionally, I need reminders.

Give us your name and who, if anyone, you're representing.

Also, we have standards of behavior. Awfully small font there. It tends to be rather legalistic.

Bottom line: Be respectful. I mean, we can get impassioned over some of these issues. Be respectful of other opinions, be short, concise, always be conscious that there are other people who want to speak.

Addressing what I began with was the balance between asking questions and facilitating as many people as possible in this room.

We've adopted what we call the rule of twos.

What that basically means is you've got two bites at the apple. So when you come to the microphone after a session -- after a subject has begun, you can ask a question or make a comment. You've got two minutes to do so. After you do that, the board has also got a timer on its response. They'll respond within two minutes as well.

Now, the facilitator of a given session can answer your question, perhaps call on one of his or her colleagues who might have better expertise in a given subject to respond to that question, or they might call on one of the staff leaders over here with greater expertise in a given subject to respond to the question.



Following that, you've got a chance for a follow-up. Again, two minutes. And again, the board will respond in two minutes.

Again, it's all part of the balancing act, trying to give you as much access as possible to the board.

That's the basic overview.

Steve, I'll turn it back to you.

STEVE CROCKER:

Thank you, Brad.

We have organized a first section of -- a first portion of the time that will be used to talk about Internet governance and IANA functions, so after this exercise which we're going to do right now where we do a community subject selection, we will then move to that, and then in the background we'll be collating the topics that you're about to give us and organize how we'll use the time for the rest of the afternoon.

So to repeat the instructions that Brad has shared with you, we need quick, short -- one sentence, please -- topic sentences.

Line up at the microphones and we'll roll through this.

And don't feel obliged to repeat your topic if somebody else has already suggested it. We get it the first time. There's not a lot of value in saying it over again. There's not really much value in saying it over again. There really isn't any value in saying it over again.

[Laughter]



STEVE CROCKER:

Okay. Let's begin.

How come nobody's at the microphones? Or maybe the lights are in my eyes and I don't see them.

A dependable person.

AMADEU ABRIL i ABRIL:

Okay. Sorry. I never know whether you're pointing to me or to the other microphone.

Amadeu Abril i Abril from CORE. The topic I propose is ICANN policymaking process. Who does what, who should be doing what.

STEVE CROCKER:

Thank you.

ELISA COOPER:

Elisa Cooper with the business constituency. New gTLD implements issues.

WERNER STAUB:

Werner Staub from CORE. Generic top-level domains and competition. I mean competition not in the DNS, but elsewhere.

MARTIN SUTTON:

Martin Sutton from the Brand Registry Group. I'd like an update at some stage on Spec 13, progress with the negotiations.



MICHELE NEYLON: Michele Neylon from the registrar stakeholder group. ICANN contracts and local law.

PAUL FOODY: Paul Foody speaking on my own behalf.
How many new gTLDs will we allow before it becomes a very bad thing.

NIGEL ROBERTS: Nigel Roberts. IANA transition.

ZHANG ZUAN: I am Zhang Zuan with CONAC, and I will suggest talk about name collision issues. Thanks very much.
Sorry. Name collision issues. Thanks.

STEVE CROCKER: Thank you.

LILLIAN FOSTERIS: Lillian Fosteris from FairWinds Partners. Also Specification 13.

MARILYN CADE: Marilyn Cade with the business constituency and I propose we talk about accountability mechanisms, in particular, in relation to ATRT2.



ANTHONY NIIGANII:

Anthony Niiganii. Mentee in a mentor program.

One of the things that I was thinking of, how to engage indigenous people around the world who are underrepresented within ICANN.

STEVE CROCKER:

Thank you.

Is that it?

I'm throwing a party at the end. We'll start the party early if that's what -- all right.

Well, thank you very much. I think we can probably keep track of those and put them in some order and allocate them to the facilitators.

So with that, let me move us immediately into the first block of time devoted to a particular subject, and the subject is actually a compound one: Internet governance on the one hand and stewardship of the IANA functions on the other hand.

Before we get into the Q&A and so forth, it will be helpful to do two things.

One is to have a brief description of what the IANA function actually is.

One of the things that we've become keenly aware of is the lack of detailed knowledge of -- that most of the community actually has about how the IANA function works.



The other thing that we will do which fits here is to have some brief two-minute-style reports from several of the advisory committee and supporting organization leaders.

I believe that we have Patrik Faltstrom from SSAC, Jonathan Robinson from GNSO, Byron Holland from ccNSO, Olivier Crepin-Leblond from ALAC, and Adiel Akplogan from NRO, so that's what's coming. And then we'll start the queue. Excuse me.

Kuo-Wei Wu, to my right, will handle the IANA functions stewardship questions and I'll handle the Internet governance questions, and so Kuo, let me ask you to start up with a description, in conjunction with Elise, on what IANA is actually all about.

KUO-WEI WU:

Okay. I think this is a good time for all non-Chinese speakers or non-Chinese -- you know, it's time to learn Chinese now. I will start to speak in Chinese.

In this ICANN 49 Singapore conference, when we are talking about the IANA, before that I would like to say that IANA over the past two years have been doing a lot of work.

They are -- so I would like to say over the past two years, IANA committee has automated all the functions. That means in the whole process we don't need a lot of review work. So this is very important.

Over the past two years -- at the end of last year, IANA committee has no longer operated at the very beginning of this year. We have to look



at this with two angles. (Speaking in a non-English language) -- last year, so you don't see the IANA committee from this year on.

In my interpretation, you know, my personal interpretations, one thing is IANA committee is very boring. You know, nobody wants to join me, you know.

[Laughter]

KUO-WEI WU:

Because it's a regular process. It's a very really regular process.

The second thing, I think, it's as much real, is IANA is -- you know, is -- is the people all are concerned. So we have to move the IANA function and report to the whole board. Okay?

So I would like to say IANA functions over the past two years, we have seen that IANA functions have been working smoothly.

So this is the status of the IANA committee.

Next, before you line up in front of the mic, I would like to ask IANA workers to tell you about the daily work of IANA as well as the communication with other groups and stakeholders, so that we have the basic understanding and we need -- we need -- so that we can dispel the misconceptions.

I think this might be useful and helpful while we are talking about the whole IANA function issue.

So Elise, you have only five minutes. Okay? I ask you to explain what is the office doing in the -- can you explain your communication with the different groups, including the NTIA?

So that is the basis, so that people can understand what you're always doing, so when we're talking about IANA, you know, the transition, it's much based on the fact, not based on the imagination.

Elise, you're --

ELISE GERICH:

Is the mic on? I'm going to turn around, because otherwise, I don't see you.

Now you see my back, but I don't know which is better.

So I'll give you a couple -- two minutes of what the IANA functions does.

We have three primary areas which you've heard a lot of this week: Names, numbers, and protocol parameters.

And basically, for names, we work with all the TLDs to manage the root zone, and there's a root zone management team which includes ICANN, NTIA, and VeriSign.

So the TLDs will submit changes to their root zone, to us, ICANN. We verify that it meets the criteria. Then we send that verification on to NTIA. NTIA verifies that we followed the process. And then they give the okay to VeriSign to create the root zone that will get distributed twice daily to the root servers.

So that's what we do that has to do with names.



Secondly, we do numbers. So the RIRs, the regional Internet registries, they come up with policies, global policies. Those global policies are derived from the local regional policies in the five regional Internet registries.

The IANA function adopts or works to those global policies that the regional Internet registries have created, and that's what we use when we distribute -- or used to distribute IPv4 addresses -- our pocketbook is empty -- the IPv6 addresses and the autonomous system numbers.

And then the bulk of our requests and transaction handling is for the protocol parameters.

So the protocol parameters are really the kind of secret code that machines talk to each other with on the Internet.

So if you were a developer or a software writer or someone like that, you would go into these registries and you would find out what you need to know so that the thing you're going to build, the device, the entity that you want to put on the network, the Internet, will be able to talk to other devices that are on the network.

We maintain those lists, those registries, that the IETF defines in their RFCs.

So those are our three basic functions, and that's what we do on behalf of the global community.

And as I mentioned before, NTIA has a role in the root zone management piece and they've had that role for a very long time, and then also, ICANN has a contract with NTIA which sets out some



guidelines on how we're supposed to behave with the community. And we have, on the IANA Web page, performance standards, reports on what changes were made to the root zone, and all the changes that have been made to the Internet Protocol parameters registries.

So if you ever want to look at what we're doing and what our performance standards are and how we've met them, go to iana.org/performance and you'll be able to click on the various reports that are out there.

And I think, Kuo-Wei Wu, that's all I have to say, unless there's something else you'd like me to add.

KUO-WEI WU: I would like to ask a question from, like, you know, when you communicate with the NTIA or communicate with the IETF or IAB, are those documents in public?

ELISE GERICH: When we communicate with the NTIA?

KUO-WEI WU: Yes, the report.

ELISE GERICH: The reports are published, yes. They are published on the iana.org Web site for anyone and everyone. In fact, that's an important point, especially the lists that we maintain, they are all open and public and basically free of charge. So you can see any of those registries. You can



find out which allocations of I.P. addresses went to which regional internet registry. You can see what the protocol parameters are for, say, DNS or BGP or any other Internet protocol. Just go online and they're there for your perusal. Thank you.

KUO-WEI WU:

Thank you, Elise. I think it is important for you to understand what is the regular operation in the IANA office and what is the communication between the IANA office to all the other different groups. And just like Elise is saying, all kinds of report is transparent and public and published in the public. So if you would like to see what is the meeting minutes or what is the report we communicate with the different groups, it is always published on the Web at iana.org. You are always welcome to see. Everything is transparent and also is clear.

Now, Steve, we can open for the mic.

STEVE CROCKER:

Thank you. I hope the description of the IANA function has been helpful. Continuing on the theme that is probably is not as well understood as it should be, we're looking for feedback on what you just heard and we will be -- staff will be trying to develop materials that make the function a lot more visible and a lot clearer. It is one of those things that's worked well in the background and so there hasn't been a sense of the need to highlight it quite this way. But, clearly, with the announcement from NTIA two weeks ago and all of the focus on it, this maybe now is a good time to do a little study of what actually does and probably more importantly what doesn't happen in the IANA function.



So with that, let me invite Patrik Faltstrom to come up and begin a sequence of learning briefly, of course, what's going on within each of the SOs and ACs.

PATRIK FALTSTROM:

Hello. Thank you very much. So what we have done in the Security and Stability Advisory Committee, you see on the screen here we have been investigating our charter, and we saw that we probably are responsible for actually fulfilling these tasks based on the -- our role in the ICANN community.

We created a work party, and we are currently looking at two different issues related to the globalization of the stewardship of the IANA function. The first one we are looking at are principles for the globalization, and the other one has to do with SSR considerations of the same topic.

We specifically look forward to move the principles -- the description of principles for the globalization, moving that forward. And we will have an update -- if we are not finished, update before we are at the London ICANN meeting. Thank you.

STEVE CROCKER:

Excellent. Thank you.

Jonathan, Jonathan Robinson? And after Jonathan, if Byron is available, we'll move to the ccNSO.

Jonathan Robinson on the GNSO.



JONATHAN ROBINSON:

Thank you, Steve. Thank you for the opportunity to come and join with you and talk with you about this. I find it a difficult structure to work with. It is a challenge, so it is easier to come and talk with you and with our colleagues from the table here.

On Monday, I talked about the GNSO composition structure and processes. And I flagged with you that the GNSO is in and of itself a multistakeholder body which works according to a bottom-up and consensus-driven and multistakeholder methodology.

The GNSO, as you well know, comprises diverse stakeholder groups and constituencies. And so it is somewhat simplistic that it can be represented by a single voice; but, nevertheless, we appreciate the opportunity to come and bring some of these points to your attention and need to make sure that we ensure that the different voices in the GNSO find their place into this process at the appropriate times and places.

Clearly, we've come into this meeting at a time of tremendous current activity without this overlay of the IANA transition. And we already had a full and preplanned agenda for Singapore. Notwithstanding that, we actually welcome the opportunity, the challenge that this represents and very much appreciate the trust shown in all of us by the NTIA. And from a combination of formal and personal discussions within the GNSO, the GNSO Council, the council together with the ccNSO Council, and other stakeholders in the community, I can detect and report on huge enthusiasm and even excitement for this work, Steve and colleagues. There is a willingness to cooperate and work together to work this out.



So I'm very pleased to be able to tell you that. And there's a recognition that this needs to have participation, of course, from not only within the community but also to find ways for those outside the community to be drawn in and participate.

Clearly, the project needs to be properly scoped, planned, and executed. And there's certainly a feeling and a understood position of urgency. But we have also the potential to be rushed, and we need to be careful of that. So whilst there's a need for speed, there is also a need for appropriate deliberation and not to rush this.

To that extent, there is a question mark over the deadline of the 27th or at least to be very clear what that deadline is for and a strong collective view that we need to break this problem down into component parts. And I think you'll undoubtedly hear more about that including, I suspect, from our colleagues within the ccNSO.

But, you know, this is, in a sense, a program with projects within it and it needs to be resourced effectively. We really appreciate the possibility of the facilitation and support and the role of ICANN in supporting that.

I guess I'm reminded of a sort of couple of truisms. One that my father always tells me: To plan the work and then work the plan. And one in my school textbooks, which I never understood, which said: More haste and less speed. To me as a school boy, they were exactly the same thing. But as an adult, I think I now understand the difference.

We met with the ccNSO Council, and I would say my perception was there was a strong sense of recognition of the opportunity to work together, especially on areas of direct common interest, such as naming



and TLD allocation. So we have the opportunity to scope out and segment the problem, define the key areas of common interest, and come together and initiate a cross-community working group that's open, transparent, and inclusive.

And really a fundamental premise of the work in the GNSO, which was a theme that emerged time and again, is that any work needs the foundation and a well-worked charter. And we believe this is the basis on which any successful work will go forward.

So, in summary, Steve and colleagues, there is a sense of enormous enthusiasm and motivation and of being equipped to take on the challenge but at an appropriate pace so we do not sprint out of the starting gates and find ourselves with unnecessary challenges in the future. Thank you very much.

STEVE CROCKER:

Thank you very much, Jonathan.

Byron? Is Byron here? Yep.

BYRON HOLLAND:

Good afternoon. First, I'd just like to welcome the comments from the GNSO and their willingness to work together with the ccNSO as well as other partners.

Over the last few days, the Country Code Name Supporting Organization council and membership have reviewed these historic developments. We recognize the transition of the U.S. government away from its historical role in the management of the DNS as an important moment



in the evolution of the Internet. It is a direct result of the progress of the institutions that have successfully managed the Internet to this point.

As the Internet grows and evolves so too do the institutions and processes that govern it need to grow and evolve. The ccNSO welcomes the opportunity to play a role in providing input as the Internet community seeks a positive solution to these developments. We would like to express our support for the four principles set out by the NTIA and its commitment to not transfer its role to another government or government entity.

Since Monday, we have engaged with numerous stakeholders in the ecosystem and have had much discussion about the path forward. Recognizing the need to engage all ccTLDs and not just those who are members of the ccNSO, we will work with our partners to ensure that they have meaningful opportunity for engagement. We've established a steering committee already and will work with regional ccTLD organizations and the ccNSO membership to begin this process.

Importantly, the ccNSO believes that it has identified the roles of the NTIA in terms of which they play and which any transition proposal would need to take into account. And these include the following six items: Authorizing changes to the authoritative root zone; overseeing ICANN's performance of the functions set out in the IANA contract; overseeing VeriSign's performance as the root zone manager; choosing the operator of the IANA functions and of the root zone manager; establishing the requirements and specifications under which the IANA functions and the root zone management functions must be performed;



and, finally, overseeing ICANN's obligation to develop and implement consensus policies through a bottom-up multistakeholder process and to be accountable to all stakeholders for the outcome of its decision-making. Thank you.

STEVE CROCKER:

Thank you, Byron.

I particularly appreciate your emphasis on reaching out to the ccTLD operators who are not part of the ccNSO yet. Thanks.

Olivier, on behalf of ALAC.

OLIVIER CREPIN-LEBLOND:

Thank you very much, Steve. So the ALAC has obviously also discussed these issues like everyone else. I've also managed to discuss the issues with my colleagues, SO/AC chairs, and also with the SG chairs in the GNSO. The community obviously has put together a statement. We operated in a bottom-up fashion as we always do. Of all the people who were here this morning, we had a person holding the pen propose a first statement and then this went through the process of fine-tuning, et cetera, et cetera.

I shall, therefore, read the statement for the record. Draft ALAC statement of the announcement regarding the transition of the stewardship of the IANA functions: The ALAC welcomes the announcement recently made by the National Telecommunications and Information Agency -- Authority, NTIA, and celebrates the designation of ICANN as the organization in charge of convening the global



stakeholders to develop a proposal to transition the stewardship over the IANA functions so far performed by the NTIA by designing a multistakeholder mechanism that allows said stewardship to be carried out by the broader Internet community.

We expect that the design process will be open and inclusive allowing the various communities within and outside of ICANN to be properly considered and taken into account by adequately incorporating and addressing their concerns and thoughts in the final outcome of this collaborative effort.

Based on discussions with the At-Large Community, the ALAC believes that the end user community has a vital role in the Internet governance ecosystem and must be part of any process going forward.

Furthermore, we call on ICANN leadership to ensure that any mechanism that replaces the stewardship over the IANA functions is based on -- and we have several bullet points underneath that -- first, enhancing the multistakeholder model; maintaining the security, stability, and resiliency of the Internet's DNS; meeting the needs and expectations of the global customers and partners of the IANA services; maintaining the openness of the Internet; providing full and effective accountability on the new stewardship responsibility to the broader stakeholder community by establishing an adequate set of checks and balances; and, finally, guaranteeing the common good and the public interest as principles to better serve end users.

We commit to contributing to the process so that any outcome is a result of a bottom-up, consensus-driven, and multistakeholder effort in which the interests of the end users are properly taken into account.



And that's the end of the statement. Thank you very much.

STEVE CROCKER: Thank you very much, Olivier.

And on behalf of the NRO, Adiel.

ADIEL AKPLOGAN: Okay. Thank you, Steve. Yeah, on behalf of the NRO and the ASO, I have a very short statement on this. The first thing is that we welcome the role that we are called to play as NRO and as RIRs individually in this process. We also welcome the fact that ICANN is facilitating this, and we really believe that this facilitation will go beyond the ICANN community.

We will engage with our respective community at the regional level and with our members as well to bring constructive and positive contribution to the process. We are looking forward, in fact, to see the new version of the timeline following all the consultation that happened here, all the input that are provided so we can properly feed in the outcome of our various consultations.

We want also to see in that process that there is a mechanism that is built in to allow continuous review of the input that will be fed in. It shouldn't be just one good input, but we have to have a way of reviewing this continuously.

On this, we are going back in our different regions and we will probably bring in more and more input from our members. Thank you.



STEVE CROCKER:

Thank you very much, Adiel.

We now move into the meat of the public forum process. Please queue up and start peppering us with your views on Internet governance and IANA stewardship transition issues.

I'm gratified by the immediate response.

Let's go. I think, Michele, you beat him by a few microseconds.

MICHELE NEYLON:

It is first come, first served. Michele Neylon speaking in my personal capacity. Just one thing I would say is whatever happens, the IANA function is down as a very technical function. It needs to be stable. It needs to be secure. ICANN can manage oversight, but ICANN probably shouldn't be looking at taking over anything beyond that.

I know there's a lot of discussion about what is and isn't up for play. The key thing is stability and security. It works now. We cannot allow it to even waiver for a second. When you're talking about root stuff, root zones, you're talking about the parameters, there's a lot of things that a lot of people may not fully appreciate because they just work. So the technical side of that has to be maintained as stable, secure as possible. That's all I'll say. Thank you.



KUO-WEI WU: First of all, thank you. Basically, the IANA regular operation will be intact. I think from the NTIA announcement, you will see basically we are talking about oversight, is not related to the daily operations.

MICHELE NEYLON: Thanks. Just coming back very, very quickly. Because from my understanding, it's the -- the technical aspect of it is the VeriSign contract which is tied to the NTIA. So if you take NTIA out, then there's complications there from my understanding, unless I'm missing something somewhere. Just make sure we retain the stability, that's all, which I understand is a top priority for everybody.

STEVE CROCKER: Quite obviously whatever the transition process is, all of those arrangements will have to be taken care of in one fashion or another. Definitely. Thank you.

Steve.

STEVE DeBIANCO: Steve DeBianco for the business constituency. We met this week and considered and drafted and approved a statement on the IANA transition and ICANN accountability. I will read it to be precise.

The ICANN BC underscores the importance of the announcement of the U.S. Commerce Department to transition IANA functions' contract to the global multistakeholder community.



The BC commits to engage in the ICANN bottom-up multistakeholder process to develop a consensus-based plan for the transition of IANA and appropriate accountability mechanisms.

We added that last phrase, "on ICANN accountability mechanisms," because the BC sees a need to replace the accountability that is now provided by NTIA's contract authority over IANA functions.

On the second topic, which is Internet governance, the BC has a question on the globalization of ICANN. Businesses need predictability, and we need ways to hold ICANN legally accountable. If ICANN plans to create another legal entity and presence in Geneva, would management commit to do an extensive analysis of legal and structural implications of that move and put that analysis out for public comment before making the decision?

KUO-WEI WU:

Yeah, I think basically I agree the point. And Internet governance, the particular globalization of ICANN, I think is a better way to answer by Steve or Fadi. I think we listen to all the community comments, you know, before we really do something on the globalization of ICANN or transition of IANA.

As you know, all the proposals we started from all the community input. So you are very welcome to give us information of what your comment is, what your idea is. Please.



STEVE CROCKER: Thank you. We should be clear that in the form of your question does have the conditional that if there is a -- an intention or plan to do that, no such plan is -- certainly no such decision has been made. I think we would do the maximum in terms of communicating and asking for comments. That would be a natural thing to do.

STEVE DeIBIANCO: Thank you.

ROELOF MEIJER: Thank you, sir. My name is Roelof Meijer, I'm the CEO for SIDN, the registry for dot nl. I would like to urge us all to stay very focused. Over the past few days I've heard in discussions in the ICANN Board, within the GAC, and even within the ccNSO and just here now the transition of the IANA, the transition of IANA functions, the globalization of ICANN, the globalization of IANA, and I think the NTIA has been very concise in its communication. It is about the NTIA role in the DNS. And that role is very focused. It has a very narrow scope but it has a big impact and it has a big impact because the NTIA holds a stick and it can potentially beat ICANN with it if it doesn't perform.

So the question that we have to answer is, what structure is going to hold that stick. And we shouldn't talk about changing -- I think we will be very tempted to improve things that we don't yet like. And I don't think we should do that because we will lose focus, we will lose track, and we will have disaster, and that is that this multistakeholder structure will not be able to deliver. And there are a lot of structures



waiting for us to fail. Because they will use it to prove that the multistakeholder model is not working.

STEVE CROCKER: Thank you very much. Yes, sir.

[Applause]

ANTHONY NIIGANII: Hi. Anthony Niigani, again, of the ICANN mentor program. Listening to the discussion about stewardship and Internet governance, it kind of reflects back onto what my communities face. You talk about the Internet as an ecosystem, and I think it would be a valuable exercise to go to the indigenous communities and look at the practices they have as stewards of the environment and the challenges that they face as well as being their own governance and governing nations within nations. And so it's just kind of a recommendation I like to make to the forum to consider that. Go visit or connect with the indigenous communities, particularly in North America, and review the challenges they face as being stewards of an ecosystem, if we're going to refer to the Internet as an ecosystem. And you may find some best practices and find some possible solutions and be able to see what may be coming at you in the foreseeable future. Thank you.

STEVE CROCKER: Thank you.



NIGEL ROBERTS:

Nigel Roberts, speaking personally as a long-time contributor to ICANN. I welcome the description of what the IANA currently does. But what actually the IANA currently does is run a registry, quite a small registry, and it's done this in its current form since about 1989 or 19 -- 1998 or 1999 or so. Prior to that most of this work was done by the Internet. What the IANA's function was prior to that was perhaps more of an allocation function. It actually decided what new TLDs, if there were any, went into the root and so on.

Now around 1999 or so a number of choke points started to appear. Prior to that you could make automatic changes to name servers in the root and you could make automatic changes to TLDs, administrative details. So in transition what I would actually ask is whether or not you might consider that a better view would be to look at the function of the IANA, as in a teleological approach. Look to achieve the purpose of what the IANA's purpose is therefore and not to just do a literal translation and can we not make this more efficient.

KUO-WEI WU:

I think I agree generally that is -- we need to focus on we're talking about the oversight. It is not the IANA office, so this is the first point. And regarding for this one, I think what we basically need, you know, to make sure again these other people are talking about is the Internet is secure and those resistant in operation. Steve, you want to add something about it?

STEVE CROCKER:

No. I think we'll leave it there. Thank you.



PAUL FOODY:

Hi, Paul Foody. The Internet started as an American defense project. It got taken up by the education society. It flourished from there to the point where in 1988 it was handed over to ICANN, at which point I understand that was when NTIA took on the oversight of the Internet. At no point during that 15 years, as I understand it, according to Ray Plzak, has the -- has the U.S. ever exercised its right to interfere with the running of the Internet, even during the Edward Snowden. So we're looking at an oversight authority that has behaved admirably. So why are we looking with so much haste to replace them in 18 months? You know, the U.S. have done a great job. The Internet is a tremendous success. The one threat to the Internet right now is the impact of new gTLDs. The impact of that is going to be a long time before we see its impact. So right now, rather than rushing in to replace a body that has done a fantastic job, let's step back and really put a much more realistic time frame into what it is we're wanting to do. Many thanks.

STEVE CROCKER:

Thank you.

PIERRE BONIS:

Hello, thank you. Pierre Bonis from AFNIC, the dot fr registry. First of all, thank you very much to have take the time to explain what is the IANA function because we could have been a little bit puzzled and that was very important that everyone sees the same thing and talk about the same thing. As Roelof Meijer said we are talking about the big stick which means we are talking about who IANA will be accountable to.



Who is able to say IANA has done its job or not. And I come back to a previous intervention. If we don't link the IANA accountability and the ICANN accountability, we -- we might have a discussion about only the IANA accountability which means that we might have a discussion leading us to find a solution where IANA is not part of ICANN.

IANA is currently part of ICANN which means that we have to discuss ICANN accountability at the same time as we discuss IANA accountability. That was the point I just wanted to make. And add something else about the timeline. I know that there's going to be a public consultation that is going to be live in a few days. That would be maybe a good idea to let the people enter some events in a timeline saying, I'm going to talk about this problem in my country on this date so that we'll be able to see that this debate is really global and not only within ICANN.

MIKE SILBER: Sir, can I ask a clarification question?

STEVE CROCKER: Go ahead.

MIKE SILBER: Sorry. I just wanted to understand. I think your point about accountability across the organization as well as the specific function is very well made. Are you suggesting that the two are related or conditional upon each other or what I prefer to say is that you can't have an accountable IANA function without at least some progress or a



path but not necessarily a completed project around the broader organization, and I'm just interested in what your thought is.

PIERRE BONIS: Thank you. This is more the second option which mean that if IANA is part of ICANN, talking about IANA accountability, must be linked in a way with the overall ICANN accountability. Not to its own communities only but to the rest of the world, I would say.

MIKE SILBER: But it's not conditional.

PIERRE BONIS: No.

ELISA COOPER: Hi, my name is Elisa Cooper from Thomson Reuters, and I'm speaking on my personal capacity. In my role at Thomson Reuters I work with many global corporations, and for those that are familiar with the NTIA transition of the IANA functions, they welcome it. I can tell you, however, that there are many companies that don't know anything about this or know very little. In either case all companies, generally speaking, do have a concern about the stability, the security, and the predictability of the DNS as we transition to an new ability to manage the IANA functions. That said, and my ask is this, that if we can assure communication that would be easily understood and digestible to business and really the larger community, not just those at ICANN who understand the ICANN lingo but everyone, I think that would go a



tremendous way in terms of alleviating a lot of the concern and potential confusion. Thank you.

[Applause]

STEVE CROCKER: Jonathan.

JONATHAN ZUCK: Yes, hello. Jonathan Zuck from the Association for Competitive Technology. Given the region of the world we are in and the affinity for tea I thought it might make sense to use it as a metaphor for the timeline that's happened. You know, a couple of weeks ago the NTIA put a kettle on the stove, and I think what we've had the opportunity for this week is to listen to the kettle screech because the water's come to a boil. And so maybe the next step is actually to sit down to tea.

We've had a lot of meetings where people have voiced their opinion, some have made suggestions about what this path might look like, et cetera. There's been a lot of dissension. I think fundamentally there's been a lot of assumptions made. Every one of these interventions has had built into it assumptions about what the future should look like or even assumptions about exactly what the status quo is, that's a little bit hazier, right? I mean, and in many ways this is largely a symbolic gesture on the part of the United States Government. And so we can't ignore the symbolic role the United States Government has played. And so I think, you know, if we operate on these assumptions, they will continue to derail any legitimate discussions. Obviously when you make a lot of assumptions, you know how the saying goes, lots of people act like -- so



in order to prevent that going forward, what I think we should really do is take one step backward, and I know we're in a mode now where there's a lot of tension surrounding top-down versus bottom-up and things like that.

So I would like to suggest as a member of the community that the Board recommend the creation of a drafting team to really begin to create a scope for an eventual working group that would tackle the problem, the challenge that's been put before us by the NTIA. I think the drafting group would help define the scope of it, would help define some of the scenarios that it should address and will also help to identify some of the issues around expanding the community beyond just the four walls we have here. So that's my -- my formal request is that the Board recommend that the community form a drafting team around a working group to begin to address the challenge NTIA has posed. Thank you.

STEVE CROCKER:

Thank you very much. Before we go to you, Elliot, we have some people who have been waiting online. Who's going to read that?

BRAD WHITE:

Steve, we've got a question from Faisal Hassan from ISOC Bangladesh Dhaka. What is ICANN doing to bring in more participation to the transition discussions? Many governments are still not represented at the GAC and it will be important to bring them to the table.



STEVE CROCKER: Thank you very much. Good question. And there is another one also pending?

BRAD WHITE: Yeah, there is. One second, let me get to it. One of our colleagues, Wolfgang Kleinwachter, member of the Board, retired professor of the University of Aarhus. The issue is complex but whatever the process will produce, do remember the six S principles, safe, secure, stable, subsidiary (phonetic), satisfactory, and simple. Keep it simple. People have to understand this and they need to place where they can in a worse case scenario a place to go. It is much better to have an evolutionary process embedded into our decentralized multistakeholder mechanism which is built on top of the processes people understand. To have safeguards and an accepted accountability system, you need a stable and recognized external review. We've already four review teams under the existing AoC. This could be used as a source of inspiration to discussion such an option as part of other AoCs which have been discussed this morning.

STEVE CROCKER: Thank you, Wolfgang.

ELLIOT NOSS: Elliot Noss from Tucows. With the final thread between the U.S. government, the nation state and ICANN being cut we are now truly moving to our first experiment or example with global governance, and I do dare say that phrase. I'd like to reference and paraphrase a Singaporean diplomat who -- Kishore Mahbubani who has written



eloquently on this point and talks of four inexorable trends. Environmental, we live in one world. Economic, we have one global economy now. Technological, we are all connected on a single technical platform. And I would like to add -- sorry, and common aspirations, we now all see the really burgeoning middle class and how we all can live. I'd like to add a fifth which is the Internet. I think that the gravity of what we're going to undergo here cannot be overstated. And at the same time we cannot lose sight of what we have to do between now and whenever a transition is.

Multistakeholder must continue to be even more effective. We must continue to add more and more excellent people to this community. We absolutely have to get greater integration, and I'm using that word in particular, from both governments and law enforcement. What we're going to engage in here will be something that is small in remit and scope. We've talked about that. But it will be huge in implication. I think we all have the energy to take that forward. Thanks.

[Applause]

STEVE CROCKER: Amadeu, this is the second time we're seeing you, I think.

AMADEU ABRIL i ABRIL: No. It's the first.

Well, you've seen me probably in the 46 --



STEVE CROCKER: I apologize. You --

AMADEU ABRIL i ABRIL: -- prior meetings.

STEVE CROCKER: Well...
[Laughter]

STEVE CROCKER: I apologize. You're right.

AMADEU ABRIL i ABRIL: Amadeu Abril i Abril. So as a dinosaur, the first thing I need to do is to thank NTIA for making me feel younger personally. Suddenly I am 18 years younger. We are talking again about setting up a new structure in Geneva, apparently, but only separately. We are talking about transitioning the role of the NTIA. Wow! We are really young, right? We are back to '96, '97, '98. We were here in Singapore with interaction from the white paper in '98.

Let me say that I am a little more skeptical than the majority here on the outcome of this. I mean, it will take longer and, you know, no government, no civil servant, no service, no administration will ever release any function, you know, unless they are forced to, somehow.

And that's logical. I'm not blaming anyone. That makes complete logic for any self-conscious service.



Regarding what we should do, we have the IANA functions, and here stability and security -- we've said that -- this is the first, second, third -- you know, everything we need to do.

And we are doing that, more or less. There may be different approaches on what, you know, efficiency or time response is or things like that but, you know, we are there.

Then we have the management and the role of NTIA in the management part when, you know, something has to be delegated or redelegated.

This is the simple part.

And then we have the oversight part, the part in which the NTIA has the power, with its IANA management function, to leverage on us and have things like the Memorandum of Understanding, the Joint Project Agreement or now the Affirmation of Commitments or whatever it's called, each one of them.

Here is where we need to focus now, not on the operations in IANA, on how replace that that and with what.

With inter-rationalization through governments? Through something else?

[Timer sounds]

AMADEU ABRIL i ABRIL: Through privatization?



Now I have a question for you, Steve, regarding this, just to -- it's a different question.

We had all the AC reports, but I haven't seen the GAC report today. It's coming later in this session or something else?

>>

(off microphone.)

AMADEU ABRIL i ABRIL: Sorry. I don't hear the answer.

STEVE CROCKER: I think the GAC is still hard at work at the moment.

AMADEU ABRIL i ABRIL: Okay. I thought there was something like a governmental strike on ICANN.

[Laughter]

RAFIK DAMMAK: Okay. So my name is Rafik Dammak, the chair of the noncommercial stakeholder group and speaking on their behalf to make the statement about the globalization of the IANA function.

So the noncommercial stakeholder group welcomes the 30th March 2014 statement from the U.S. Commerce Department and also its



intention to transition key Internet domain function to the global multistakeholder community.

We support this move because an Internet governance regime that gives one national government exclusive powers over a global resource is open to the criticism that it's politically biased. We believe this has promoted divisiveness and tendencies toward Internet fragmentation and we feel strongly that this change in governance is long overdue.

NCSG supports all five of the principles proposed by NTIA to guide the transition. We believe that the transition should support and enhance the multistakeholder model, maintain the security, stability and resiliency of the Internet DNS, meet the needs and the expectation of the global customers and partners of the IANA services, maintain the openness of the Internet, not replace NTIA's role with a government-led or intergovernmental organization.

It's very important to replace the current statement with carefully designed -- considered, well-designed alternatives. We note that the noncommercial stakeholders have been leaders in developing plans for the proposed transition. Submission to the NETmundial conference from two NCSG members, the Internet governance Project and Avri Doria have set out specific proposals for the transition.

Consistent with both of these stakeholder contributions, NCSG proposals additional principles to guide the transition. The transition should seriously consider enhancing the accountability of ICANN through structural separation of the DNS root zone management --

[Timer sounds]



RAFIK DAMMAK:

-- and IANA function from the -- from ICANN's policymaking functions.

The root zone management and IANA function which are currently performed by VeriSign and ICANN and their contracts with the U.S. governments are critical, technical, and operational. The policymaking activities of ICANN, on the other hand, are highly political -- highly political. NCSG believes that separating those two aspects of DNS governance into separate organizations is an idea that should be seriously considered in the transition.

Separating them could help ensure that those who have political and policy objectives must win support for their ideas in fair and open policy development process and cannot arbitrarily impose them upon Internet user and service provider by virtue of their control of the operational levels of the domain name system.

The existing ICANN contract attempts to keep the two separate. However, if ICANN simply absorbs the IANA and VeriSign function without any contractual obligation from the U.S. government, some see a danger that the two could become integrated and intermingled in unhealthy ways.

The Department of Commerce has asked ICANN to convene stakeholder
—

>>

Excuse me one moment.



Would you mind speaking a little bit slower? The interpreters are having a difficult time.

MIKE SILBER: Or can I make a better suggestion, which is, I'm sure this statement is on line somewhere. If you can just refer us to it, because I don't think it's intelligible to anybody at this pace.

RAFIK DAMMAK: Sorry. I'm -- sorry, Mike. As a nonnative speaker, I would like that you give me the respect that I cannot speak easily in English.

So the Department of Commerce has asked ICANN to convene stakeholders across the global Internet community to craft an appropriate transition plan. We hope that ICANN's management will convene a process, not control it. The transition will not work unless ICANN runs a truly open and deliberative process that allows all ideas to be considered and the best ideas to win. This means that stakeholders from outside ICANN process should be included in the transition. And thank you.

[Applause]

STEVE CROCKER: Thank you.

MEHMET AKCIN: Mehmet Akcin. Microsoft.



I'm -- I was actually going to read but I'm not going to read.

Three points I want to make.

Number one is, we applaud U.S. NTIA's announcement and we're very excited to see the multistakeholder model is finally coming in peace.

As Microsoft, we do support and we look forward to collaborate this multistakeholder moment, together with ICANN, IETF, Internet Society, and other stakeholders. Thank you.

[Applause]

WERNER STAUB: My name is Werner Staub.

STEVE CROCKER: Just a second.

MIKE SILBER: Sorry to interrupt you, Werner.

And just to respond to Rafik, I recognize that people are not native language speakers. We're trying to be fair to everybody with the two-minute clock, and that's why I just made the comment if you're going to read a lengthy statement, it may be far better to just give us a very brief summary of that lengthy statement. Instead of trying to read everything into the record, refer us to a hyperlink or hand in the statement to staff and they can append the full statement to the record.



But we're trying to get a feeling over here, not trying to follow a speed-reading exercise, and really I would encourage you: Give us the summary, give us the high level, and submit the full statement to staff to be included in the record.

STEVE CROCKER: Thank you.

[Applause]

WERNER STAUB: My name is Werner Staub, speaking in a personal capacity.

I heard before from another comment, the one that came in remotely, the word "subsidiarity" or "subsidiary." Basically, I understand that it is the sense of subsidiarity meaning that there should be a chain of accountability. Accountability is not just on one level; it has to be in a bottom-up process, coming up from the bottom to the top.

Now, we have a problem increasingly in the context of ICANN in the way that makes existing structures of governance and existing lines of accountability being sidestepped by the way ICANN works, in that recently we have seen more and more people thinking that ICANN contracted parties should be accountable to ICANN.

Well, that's upside down. They should be accountable to their communities.

And here we have another phenomenon that it becomes extremely difficult for communities to even kind of justify their role. They have to



almost apologize for being there and have to, you know, as happens now, go through scoring systems to see if they're really communities, and we have a totally unexpected effect of communities being told, "Look, you're not enough of a community. We prefer a total absence of accountability because we think you are not accountable enough. Then there should be no accountability instead of whatever you have been able to bring." That goes in the wrong direction.

It goes in the wrong direction because increasingly, ICANN is being saddled with the idea they should just handle the world. All the communities should not have their own accountability, but it should be done in ICANN. ICANN will crumble under the weight.

This means that accountability is not going to be effective, and ineffective accountability is no accountability.

[Timer sounds]

STEVE CROCKER: Thank you.

PAUL FOODY: Paul Foody. Very quickly, I mentioned that the Internet started off as a U.S. military exercise. Is the U.S. still -- is the U.S. military still reliant on IANA at all?

STEVE CROCKER: Ray.

[Laughter]



STEVE CROCKER: Let me phrase it again. Colonel Plzak.

[Laughter]

RAY PLZAK: I can speak --

PAUL FOODY: Yeah. I know this is a joke, but this is --

RAY PLZAK: This has nothing to do with my tenure as a member of the U.S. Army. It has everything to do with my tenure as the CEO of ARIN.

I can tell you exactly the way it works.

The DoD resides inside the ARIN region and the DoD goes to ARIN to get IP addresses, and ARIN, if it does not have enough addresses in its pool to make the allocation, will then go to the IANA and request the allocation within the construct of the policy for that particular allocation.

And so that's the way it works. The -- there's no going to the IANA with regards to the mil domain.

The -- with -- except that they change the servers for the mil domain, and any protocol parameter work they do, they do it inside the IETF.



So they are a customer of the IANA the way many people are customers of the IANA.

PAUL FOODY:

I mean, I asked the question because, you know, if -- if there's going to be pushback from the U.S., that's going to be an issue that's going to terrify everyone. You know, like --

RAY PLZAK:

No. I'm telling you the way it works now. I can't see why they would want to change it, but I don't speak for what the current policy of the Department of Defense is.

I can tell you the way the process works and the way it has worked for many, many years, and I can't see somebody wanting to change that process.

PAUL FOODY:

Thank you.

STEVE CROCKER:

Thank you.

MAARTEN BOTTERMAN:

Maarten Botterman, speaking for myself.

It's clear there's a challenge here and there's an opportunity here.



It's clear that IANA stewardship and multistakeholder and accountability are all connected in some ways.

Walking around this week, I've heard a lot of good grip of the news to happen here, and I'm not worried about getting it right. It's about getting the world to understand that what we propose is right.

It's not about getting as many people as possible within the multistakeholder pipeline. It's about coming up with those people in the multistakeholder pipeline that need to be there, open and transparent for those who think they might be needed there, and then ultimately make sure, in the excellent education outreach, that what we do makes sense and make that clear, just like we did with the gTLD program where a lot of emphasis was on education, on getting the word out.

So I really see a combination between coming up with an excellent solution inside where people feel included that need to be included and an excellent outreach to the outside where it's clear they are welcome at the table and they don't need to be and we'll tell them what they need to know.

[Applause]

STEVE CROCKER: Thank you.

KHALED FATTAL: Thank you, Steve. Khaled Fattal, Multilingual Internet Group.



NTIA transition. Just a few facts to lay out first.

First, I think this is a momentous time and we must not let it go to waste or squander it. Many of you have heard me repeatedly, when it was not popular, to raise this subject and where we had very little feedback on something positive that could be -- could be moved on.

We are now at a very pivotal time, and I think if we handle it well, we then have the opportunity to ensure the buy-in of the next multibillion Internet users around the world.

So fact number one: Half of the Internet users today of the world are in Asia. The next billion, and then the next billion after that, of Internet users will not come from the west, they will come from emerging markets and emerging economies.

I'm very pleased that my public letter on making -- serving the global public interest at the heart of this transition has already taken root and I saw that in one of the panels in the earlier few days.

Fundamentally, what I think we need to really focus on is: If we are able to focus on -- in ensuring transparency, democratic process, legitimacy in this transition, whether this is internal or external to ICANN, we then have the opportunity to ensure the buy-in of these multibillion Internet users, without which we will still remain a private exclusive club, and we don't want to be like that because at the heart of that, the multistakeholder model requires us to reach out to those communities to make --

[Timer sounds]



KHALED FATTAL: -- the governance of the Internet representative of them and a reflection of the stewardship that we're talking about effective.

Thank you.

STEVE CROCKER: Thank you. Bertrand?

BERTRAND DE LA CHAPELLE: Bertrand de la Chapelle, director, Internet & Jurisdiction Project.

I think the consultations that will take place will give ample opportunities to talk about the substance, so I will not address it here.

I just trust that ICANN will be conducting this consultation in a broad, inclusive manner, and in a neutral manner, irrespective of the stake that it has in the outcome, which is a very delicate position, and I trust that the organization will live up to this challenge.

The second thing, very quickly, I just wanted to quickly respond or continue on the comment that Mike made after Rafik's comment, to highlight one very important point.

Mike, you're absolutely right regarding the accuracy of the transcript and the need to have the long presentations be transmitted so that we don't rely just on the transcript but on the accurate document. But the second thing is that when a group has made a statement, has prepared a statement, if it is just sent to the board or the staff to be posted, most of the people in the room will not go -- I will not go and look at every



statement, and it is a very important moment for the statement to be shared and heard by the community. That's two different things.

MIKE SILBER: I agree completely. It's just when read at great speed --

[Applause]

MIKE SILBER: -- it's not always possible to understand the statement.

STEVE CROCKER: Let me also chime in.

Bertrand, I appreciate the point that you're making, but I think you also understand that in terms of comprehension, the point exactly that Mike just made that a statement read very quickly does not actually have the effect that you're talking about, and yet the point that you're making that if it's just put in the record and so forth, then it won't have the impact.

So I don't know that there's an optimal solution here, but let me -- but I know how knowledgeable and adroit you are -- I try to use French words here -- to thinking about these things, so let me invite you to improve your comment, if you will, add to your comment -- not now -- and think about a mechanism for accomplishing this in a useful way.

Thank you.

Sorry. Ray.



RAY PLZAK:

Mike made the suggestion that in addition to sending the detailed statement to the staff so it could be appended to the record, that the speaker get up and give a high-level explanation of it inside the two minutes. Instead of using the two minutes for a very quick, rapid reading of the statement, to get to the executive summary, if you will, of what the statement is so you call attention to it.

But he can also, at that point in time, direct people to get further information by reading the full statement on line.

So I think that that is the solution that Mike proposed and I think it's a very good one.

STEVE CROCKER:

Thank you. I want to take a question on line and I want to close the line and I think that will bring us to a smooth close.

Brad?

REMOTE INTERVENTION:

We have a question -- or rather a comment from Alejandro Pisanty.

The strategy panel on ICANN's role in the Internet governance ecosystem has put forward a report with a number of recommendations and principles that can be applied in the upcoming step of IANA evolution. For this session, I find it particularly necessary to recall reciprocity. All parties trying to shape the new NTIA substitute must expect a responsibility proportional to the influence they exert -- expect

to exert. Owning up to the implications of the result is the minimal measure that must be committed to. This was also a useful guideline in the 2003 reform process.

STEVE CROCKER:

Thank you very much, Alejandro.

Thank you.

Paul?

PAUL WILSON:

Hi, I'm Paul Wilson from APNIC. I would like to say first how glad I am to see this important ICANN meeting happen in the Asia-Pacific region. Thanks for coming.

A couple of comments, first about the consultation process. As Adiel said on behalf of the NRO before, we do need to recognize that there are stakeholder communities around ICANN that do not meet here but which must have the opportunity to reach their own conclusions on these important questions and have those conclusions brought into this process and to see the result that comes out. So it implies an iterative and responsive process by which each community can contribute and be part of the collective outcome.

I want to stress here that this need is especially present in the Asia-Pacific region given the huge diversity of geography, culture, economic status and language that we have here. So I do hope we see these features in the process that's got to be developed in the coming couple of weeks.



Secondly, the RIRs have previously called on more than once for the U.S. government to progress the transition that we've all been expecting since the early days of ICANN, in fact. It is not a transition of IANA to some other structure; but as we all know, I think, it is a transition of the stewardship of ICANN -- of IANA into this community.

For us, this is not new. But the Montevideo statement repeated the call recently and I think it actually made the reasons quite clear to those who were wondering why it may have become an important question these days.

The RIRs, like others here, are all greatly concerned with the stability and the security of IANA functions, and we're going to be certainly very careful to ensure that these aren't threatened in any way by changes which are coming up. It seems to me that's absolutely possible --

[Timer sounds.]

-- and that the transition is achievable. I hope that we're all dedicated to that outcome, not to create a perfect solution to all of the issues by that time, by September next year, but to take ICANN to the next stage of its legitimacy from where it can certainly go on evolving. Thank you.

STEVE CROCKER:

Thank you, Paul.

[Applause]

Khaled?



KHALED FATTAL:

Thank you, Steve. I will make it very brief, and I would like to add to my earlier statement because time was running short. Fundamentally, there cannot be any valid discussion or debate on transitioning without addressing some fundamental issues that are the heart of what we are dealing with. Some of it I've already addressed in the public forum and in writing with ICANN in the past, and that is a treasury OFAC SDN list.

It is an integral part of the new gTLDs. Applicants, users are subject to U.S. laws, and some of these laws are not technical. They are political. So if we want to make sure that the buy-in of the international community or the global community or the users, the multibillion users around the world, that this is a transparent process about transitioning stewardship, not control, we need to address OFAC SDN. Without addressing those issues squarely, we are really camouflaging the process. I leave you with that thought to ponder. Thank you.

STEVE CROCKER:

Thank you very much. And with that, we have brought this session to a close. We're going to take a 15-minute break. We're going to start up promptly at 3:15. Thank you very much.

[Break]

>>

Ladies and gentlemen, would you please return so we can complete the next portion of our public forum. Once again, if you would be so kind as



to come back into the room and we'll get started on the second portion of our public forum.

>>

Ladies and gentlemen, please one more time, would you all take your seats so we can begin the second portion of our ICANN public forum. Thank you.

BRAD WHITE:

Ladies and gentlemen, if we can get started, please. Our next meeting, ICANN 50, a historic meeting in and of itself simply by the nature that it is 50, will be in London. Our own Sally Costerton, who is the head of global stakeholder engagement, who lives in London, will now say a few words about that.

Sally?

SALLY COSTERTON:

Thank you, Brad. I am now going to practice my very best queen's English. So as Brad says, ICANN 50 in June is a very special meeting. We're celebrating our 50th anniversary, and I think I can speak for every ICANN community member that lives in the U.K. that we are very proud to be able to host this meeting and we're really looking forward to welcoming all of you to our city.

In fact, your community has been working hard on your behalf for several months to prepare ideas of activities that we will undertake at the ICANN meeting. We've done this in a very collaborative way, with a great deal of input from different parts of the different constituencies



and the stakeholder group of the teams and people that live in London.
And I would like to thank them very much for their contribution so far.

[Applause]

Thank you, yes. Thank you, Sebastien.

So for any of you that have never visited London, the first thing I wanted to share with you, that it is an extremely technology and Internet-friendly city. I would like to show you a very short video which has been put together by our partners in London, the dot London applicant, to show you a little bit about what that means for us.

Would you like to roll the video, please?

(Video playing.)

(Video ends.)

[Applause]

SALLY COSTERTON:

Thank you. And thank you to dot London.

A couple of other brief comments, some of you will know that London is one of the most multi-cultural cities in the world. We have just under 10 million people living in our city. And between them, they speak over 300 languages. Now, I shall tell you as we're coming to the end of the ICANN meeting and you perhaps might like a little light relief, that perhaps we now have 301. We have a new language, which I am told



according to the BBC, our valued broadcaster that many of you will be aware of you -- most of you, I'm sure -- the new language is called multicultural London English. This is a blend, a new language that is emerging from our -- in a bottom-up way, even maybe a multistakeholder way, certainly a multi-community way.

London is a melting pot of the many different communities that now call London their home.

And maybe we will see multicultural London English, or MLE for short, replacing cockney rhyming slang. For any of you who don't know what that is, take a look on the Web. I won't spend time on it today. But it is a kind of interesting little side issue of our historical culture.

We do, of course, in the U.K. talk a lot about the weather. In fact, there are many people who believe that it is our cultural DNA. It is the thing that ties us together. And almost never a day goes by we don't greet each other and the first comment we make is to comment on the weather.

This goes along with queuing, at which we are world class, and drinking tea which you will do a great deal of, I confidently predict, when you are in London.

Now, it does rain quite a lot in the U.K. I'm not going to lie. But fortunately for you, June when we will be in London is the most glorious month. Famous last words. It may rain the whole time through the ICANN meeting, but we're very used to working inside like we do in ICANN meetings because it rains so much. But in June, you will be able



to see Britain's finest global sporting activities: The tennis at Wimbledon, rowing at Henley, cricket at Lord's and so forth.

So I like to feel that this is not an accident that we are bringing you to our beautiful city at the month when perhaps it shows itself off to its best advantage.

Now, I recognize that ICANN meetings are very busy and you may wonder whether you will have any time to go and enjoy any of these things. But I do hope that you will enjoy perhaps some time before or after the meeting to spend a little time with us and to enjoy what we have to offer.

To close, I can say confidently that we are very honored to be hosting this meeting. We are very excited to be doing this, and we are really looking forward to welcoming our ICANN family to London in June. Thank you very much.

[Applause]

STEVE CROCKER:

Thank you, Sally. I'm going to spend the time between now and then practicing English.

[Laughter]

We have sorted through the list of topics, and the result is that there's a good collection of topics that are all concentrated around the gTLD program in various ways. And the other topics are somewhat scattered. So what we're going to do is instead of two 45-minute sessions on specific focal points, we're going to expand the next -- or this session to



cover an hour. It will be focused on gTLDs. Bill Graham will moderate. And then we will merge the rest of the time together into an open-ended all-subjects session.

So with that, let me turn things over to Bill and suggest that it's time to start crowding around the mic.

BILL GRAHAM: Thanks, Steve.

So here we go. Any comments on gTLD issues are very welcome. I see the line is not forming, so maybe we'll extend the last session and keep this one closed.

STEVE CROCKER: No, no. We had specific topics that were listed.

BILL GRAHAM: Now we're going. Okay. Elisa, please.

ELISA COOPER: Thank you. My name is Elisa Cooper. I'm speaking on behalf of the business constituency. And I want to talk about three different comments or three different topics and two of them we actually already discussed with you and Fadi. And I know that we're scheduled to have further discussions on those, but I wanted to bring it to the larger community just to make everyone aware.



The first issue related to new gTLDs which we are concerned with is the fact that there are some registries who are now offering preregistrations. And the problem or issue with this is that those preregistrations that are being made are not going through the claims notification process.

So a potential registrant is registering a preregistration at the registry, but they're not being notified by the clearinghouse that there might be a conflict. So this is not something that I think compliance can handle because this registry has not actually been delegated yet. That said perhaps we can build some best practices around this.

The second issue is also around rights protection mechanisms, and it has to do with the fact that there's some registries which are creating block lists meaning these domains are being held back from registration. While they typically contain dictionary terms, those dictionary terms are also trademarks for many companies. And so the issue is when though names eventually come off the block list, which is at the discretion of the registry, will they go through a sunrise period? Will the trademark owner have an opportunity to have a right at registration ahead of all others?

And then my final comment, or ask, is that we do not move on to the delegation of the new gTLDs in a next round of TLDs until we complete the consumer trust, choice, and competition review. Thank you.



BILL GRAHAM: Thanks, Elisa. I think actually at least the first two of those and possibly all deserve staff response. So I think I would like to ask Akram if he's able to address those. There he is. Thanks.

AKRAM ATALLAH: Thank you, Bill. Thank you, Elisa. As we discussed with the -- within the meeting, that we will meet with you, go over these issues and discuss them. There might be some limitations to what we can do on preregistrations. But as long as there is a -- somebody's not following the rules, we will make sure that we will make them comply. Thank you.

ELISA COOPER: Thank you.

BILL GRAHAM: Thanks.
Next, Mr. Foody, please.

PAUL FOODY: Paul Foody, thank you.
Back in Brussels, Harald Alvestrand said that a root of a million names would be a terrible thing. At the time he was answering questions at the public forum just like you guys are today. So I presumed then that he was responding on behalf of the entire board, particularly since it was something that I raised in Nairobi earlier that year in which he --



because it seemed in Seoul in 2009, he had been welcoming a root of a million names.

So given the fact that Harald Alvestrand said apparently on behalf of the board that a root of a million names would be a terrible thing, how many names do you think it's going to take before it becomes a bad thing?

BILL GRAHAM:

Good question.

Fadi, do you want -- to be frank, we haven't had a discussion of this at the board level.

STEVE CROCKER:

I'll take this. The idea of how big the root has to be -- or can be and still be safe was looked at many, many times. It's hard to get an absolute precise number. There's a whole issue of if you say N, what happens if you are one side or the other of that?

But there is a very, very sharp limit on the rate at which it is expanding. There's an agreement that was reached quite some time ago. I believe the rate is essentially 20 per week or 1,000 per year. Take 1,000 per year and ask how long will it take to reach a million, that's a thousand years.

PAUL FOODY: That's the limit of a thousand per year which applies only to the first round of applications. That can be changed at any time and on the spur or whim.

But the point being, as soon as we get a root of this many names, we're looking at the point where the dot com registry has been replaced, the dot anything registry has been replaced --

STEVE CROCKER: Right.

PAUL FOODY: -- with the TLD. And at that point, we go from getting a Web presence for dollars to millions of dollars. And given the Affirmation of Commitments talks about competition, given the lecture that we had from the economist back in Sydney about the fact that in order to maintain competition in the Internet, we need to make sure that we keep entry levels at a minimum, that entirely conflicts with the Affirmation of Commitments.

STEVE CROCKER: Yeah, I think the economics that you cite actually go the other way. For a very minimal amount of money, anybody can get a Web presence. And it takes considerably more amount of money to get a top-level domain. But all of this will come out in the study process for what the impact has been for the first round. And there's another Affirmation of Commitments study on consumer choice, competition, and trust and



plenty of time to look at this and anticipate what the next round will look like. Thank you.

PAUL FOODY: Thank you.

BILL GRAHAM: Ram, please, quickly.

RAM MOHAN: Thank you, I also wanted to draw the community's attention to SSAC's reports on root scaling and there are several recommendations in there, some of which have been implemented, others are either in the process of being implemented or are in front of ICANN for implementation. But I just want to be -- I think in the community we had to be really clear that we differentiate between the number of names versus the rate of change of addition of names, as Steve said. The important thing to focus on is the rate of change. Not just the total number.

BILL GRAHAM: All right. Steve, please.

STEVE DelBIANCO: Thanks. Steve DelBianco with the business constituency. And on Saturday's session between management and the GAC, Akram gave one of his refreshingly direct answers to GAC questions about singular and plural forms of the same TLD name. And Akram said, if a car and cars are viewed as similar and then another car and cars are viewed as not



similar, it makes us look silly. And the Board will soon consider a new review mechanism based on inconsistent expert decisions on string confusion like singulars and plurals. But that mechanism, as the Board has constructed it, is limited to only one tight little set of silliness, that is car and cars. It would not permit the review of another equally silly singular/plural decision that is inconsistent with common sense such as hotel and hotels. So the B.C. submitted an extensive comment on this on expanding the review mechanism, and we ask you to consider that suggestion lest we look silly at a time that the CEO reminds us the whole world is watching.

And one other comment is on the data protection and retention laws. We're conscious of the need to instruct and assist registrars at submitting their waivers, and we ask that ICANN management move quickly at granting the waivers. But meanwhile the B.C. is on record as saying do not suspend the enforcement of WHOIS compliance while we're assisting on the waivers. Thank you.

BILL GRAHAM:

Thank you. We have an online question now, Brad?

REMOTE INTERVENTION:

We do. Jean Guillon. "Registrants represent 99.9% of the parties impacted by the decisions of the Board in the ICANN new gTLD program. Which ICANN working group is the one representing these end users, the registrants?"



BILL GRAHAM:

I guess the answer is, we have several constituencies and stakeholder groups and it really depends on the particular slant the end user wants to take. It could be anywhere from the noncommercial or the commercial stakeholders group through to the ALAC through the At-Large structures. So there's a broad range of possibilities for somebody to become involved. Next, please.

ZHANG ZUAN:

Zhang Zuan speaking for CONAC, a registry for two Chinese new gTLDs, (saying names), respectively meaning dot government and government affairs. And dot public interest. While I would like to take the opportunity to comment on the name collision issue, we really appreciate the efforts ICANN put in the study of name collision. While we find it -- we finally fail to take a comprehensive approach in solving this issue. As some of the blocked SLDs actually do not constitute name collision. Take CONAC as an example. In our case, any single SLD on the block list will be resolved to CONAC's DNS name servers which are under CONAC's sole operation and management. This is fundamentally different from ICANN's official definition of name collision. And we have sufficient proof for CONAC's sole management of these blocked SLDs. In retrospect, in anticipation of the new GT program we launched a test bed for our two Chinese gTLDs in 2008. During the process, if users didn't use configured DNS with forwarding function but domestic ISPs, the query of -- the query of the test bed was directed to DNS root zone. That's why nearly 6,000 SLDs under the two TLDs come out as domain names of name collision.



Now, since CONAC has become ICANN official registry for Chinese TLDs we will procedurally shut down test bed and transit to root zone. And to conclude, in brief, the blocked SLDs on the (saying names) do not constitute name collision issue. We would strongly encourage ICANN and JAS to reconsider the actual situation of the two TLDs and to unlock the relevant SLDs so that we could launch our two TLDs at the earliest possible date. Thanks very much for attention.

[Applause]

BILL GRAHAM: I will ask Akram to respond, please.

AKRAM ATALLAH: Thank you for your question. We received your letter, and we will be posting it shortly. The Board has not made -- the NGPC has not made a decision yet on the collision's framework. Once that decision is made, if you want to have an exception to that, you can submit to us a request and we will discuss that with you based on your specific case. But right now there is -- you know, we cannot -- we don't have the framework to move forward yet. Thank you.

ZHANG ZUAN: Thanks for response. And since -- and thank you to your support for CONAC. Thank you, ICANN, for your support to CONAC.

BILL GRAHAM: Thank you. Next. Mr. Corwin.



PHILIP CORWIN:

Good afternoon. Philip Corwin speaking in my capacity as counsel to the domain name investors and developers of the Internet Commerce Association and briefly addressing two issues related to the new TLD program. The first is the ongoing discussion of the protections for acronyms of IGOs and INGOs at new TLDs. ICA is strongly in support of the resolution adopted unanimously by the GNSO council on this issue. We think it's important at a time when we're -- a multistakeholder model is being watched by the world for that resolution to be put into effect and also to address concerns about the role of governments in a post-NTIA environment. I would note that many short acronyms are extremely valuable domain names. They can be used in a totally non-infringing fashion and that it's extremely critical to my members that there being a meaningful appeals process which is both perceived and actually provides a fair treatment of both parties.

Turning to the second issue, it's too early to make a judgment but we have noticed from various analyses and reports that there is unfortunately some intentional cybersquatting going on at new TLDs. ICAs Code of Conduct since its inception has strongly condemned that. We're monitoring this situation. We're also monitoring the use of the URS and so far it does seem to be being used as a narrow supplement to the UDRP, and we certainly hope that ICANN staff is giving full attention to this issue because it's important to the perception of the program and setting up the environment for the discussion of UDRP reform which will start next year. Thank you very much.



BILL GRAHAM: Thank you. We'll have a brief presentation on the NGO/INGO names at the beginning of the next session.

AMADEU ABRIL i ABRIL: Good afternoon. Steve, if this is the first time you see me. I should introduce me. I'm Amadeu Abril i Abril from CORE.

[Laughter]

You're suffering from amnesia probably, selective amnesia. I have a request to the industry players, that is ourselves, a request to the staff and a request to the Board. The request to the industry players is that we should try to make these easier for the registrants and for the users in general. I work this full time, and if you, you know, force me to pass an exam on what's going on on new gTLDs this week, I would miserably fail. It's impossible to keep track of what's going on, which phase, what's the name of the phase, what's early or birth or (indiscernible) or sunrise means. It's becoming increasingly difficult. I think that on, you know, hiding behind business innovation, competition we are making this more difficult than it should. And we should be forced somehow to cooperate and clarify and simplify the life for the registrants.

Now, we're starting with providing perhaps a more useful information than we have on ICANN's side or the trademark clearinghouse or what's going on at this given moment. Tom Barrett is trying to do that privately, but I think that this is updating something should be centralized by ICANN so we can just help people.

Now, on the other side of the -- the request for the staff and the Board, I have a lot of sympathy for what the commercial stakeholders



representative said about, oh, you know, all these things are going on, about pre-registrations and this block list. It's frustrating as a registry that if you try to go to ICANN to find -- to have, for instance, an exception for a procedure that exists in the launch periods to register in a clear way with clear rules with appeal procedures, names with priority to trademarks --

[Timer sounds.]

Sorry -- it will not work. But if you block the list and do this behind the scenes, it will work with no problem. We should not encourage to cover things. We should encourage to do things as it is and the staff is very unhelpful in cooperating with the registries to do the things by the book and forcing us to do things in the very strange ways. The request for the Board is to please ask the staff to be more reasonable about things like equal access to registrars or the start of the strange practices that we are having hidden first come first serve pre-registrations before anybody knows about it.

BILL GRAHAM:

Thank you. Next, please.

KIRAN MALANCHARUVIL:

Hi, Kiran Malancharuvil with MarkMonitor, part of Thomson Reuters. The ICANN new gTLD program created a lot of opportunity for businesses and we recognize and appreciate that. However, it also created a lot of opportunity for chaos. And what we're seeing now is a number of the rights protection mechanisms that we so carefully crafted in preparation for the launches are completely out of



compliance. For example, sunrise notifications for first come first serve, sunrises have not been posted with the appropriate 30-day notice. The trademarks claims notifications, particularly in relation to pre-registration on a registrar level, are out of compliance. And these are affecting thousands of registrations.

And we -- so we urge ICANN compliance and ICANN staff to look at this issue globally, to look at the program, to take a step back from individual registration complaints, and to look at the program and see how these rights protection mechanisms are function as a whole and as a matter of urgency. We urge that after the flurry of activity to create these RPMs, let's not lose momentum now when it's important and comes to ensuring that what we've developed actually works. So we look forward to working with ICANN compliance. I know Maguy had promised us a meeting as well as Fadi. So we look forward to working with you in the coming months soon to ensure that the RPMs don't lose their efficacy. Thank you.

BILL GRAHAM:

Thank you. We have an online question now. I'd like to break to Brad, please.

REMOTE INTERVENTION:

Thanks, Bill. We have a comment from Erick Iriarte. "When is the legal report expected about dot amazon and how will the Board face the fact that only one side will win in this battle?"



BILL GRAHAM: Cherine, please. Cherine is the chair of the new gTLD committee of the Board.

CHERINE CHALABY: With regard to dot amazon, we give an update a couple of days ago at the GAC and what we said is, we have received external advice on the matter and we have now planning to send the external advice to the parties concerned and ask them to comment on it as soon as possible. That's all I could say. As soon as we get these responses, we will then convene a meeting with a view to making or taking a decision. Thank you.

BILL GRAHAM: Thanks, Cherine. Next, please.

VOLKER GREIMANN: Hello, my name is Volker Greimann. I'm speaking in my capacity as a GNSO councillor of the registrar stakeholder group. I wanted to talk about specification 13 of the Registry Agreement. Not from the content perspective but merely from the procedural perspective. If I recall correctly, the proposal by the brand registry group was posted for public comment by ICANN. Many registrars have seen potential for abuse of that specification, so they responded in the public comments. A new draft was published just before this meeting, incorporating many of our concerns and alleviating them, to our appreciation. However, the Brand Registry Group was not happy with some of the changes. So ICANN staff facilitated mediation towards a solution, which we have achieved. As far as I know, the Board has voted on the specification,



although I don't know the contents of this vote. My concerns are now not regarding the content of this but rather the policy implication -- sorry. The policy implications of the specification. Basically I think that it is needed that non-PDP GNSO policy confirmation processes should take precedence of negotiations between stakeholder groups in aspects of the policy or parts of the policy that are crucial to the ICANN process and this should be done to ensure that all policy is the result of a bottom-up multistakeholder process.

BILL GRAHAM:

Thank you, Volker. Cherine, do you want to answer this?

CHERINE CHALABY:

Yes, sure, definitely. While we -- we took a -- passed a resolution yesterday and the resolution absolutely deals with the bottom-up process and consistency with GNSO policy. Let me -- I'm going to use what Mike suggested, the resolution will be posted shortly on the ICANN Web site, has all the details in it, and you will see that. I'll summarize briefly what was in the resolution so that you see that we will -- we're following the multistakeholder model.

So we approved an addendum called specification 13, which you referred to, to the Registry Agreement. And that specification 13 applies only to the brand owners who have submitted applications for dot brand TLDs.

Now, recognizing the importance of the dot brand TLDs, which probably constitutes or may constitute about half of the gTLDs ultimately delegated into the root, into the -- delegated in this round. NGPC



approval provided important accommodation to take into account the specific accuracy of the dot brand owners. And here are three examples. One we are balancing and protecting the intellectual property rights of other trademark owners while recognizing the interest of the dot brand TLDs by deferring trademark sunrise requirement. The second example is, we are protecting consumers from potential fraud and confusion by committing not to transfer a dot brand TLD for a cooling off period of two years following the termination of the dot brand Registry Agreement. The third is, we have made special accommodation in recognition that the dot brand owner will grant domain names only to itself, its affiliates, or trademark licensees which would protect intellectual property rights in brands and help them protect consumers from confusion, deception, and counterfeit. I say all of this because all of this provision I discussed have been and will be effective immediately, right?

Now, here's the bit that is consistent with the bottom-up approach and seek a review by the GNSO. We said because of the unique dot brands - - nature of dot brands the NGPC resolved to allow dot brands to limit the number of registrars they use subject to review by the GNSO council. All right? And if this process of final approval delays the ability of dot brand owners to sign the Registry Agreement, ICANN staff will take the necessary step to consider request from dot brand owners to extending the nine-months period for signing the Registry Agreement.

So basically, there are two resolutions. One which passes specification 13 with all the provision required by the dot brands, and then there's another one about the -- limiting the number of registries but this will be subject to GNSO review.



VOLKER GREIMANN: If may come back to this just briefly. Thank you, Cherine, for the explanation. This is certainly a result that we can live with and most of my stakeholders can live with. However, I would like to see in the future more GNSO involvement in the determination towards this result and less negotiations between two stakeholder groups that might give an image of non-multistakeholder bottom-up process as in the way that we've been talking this week with -- with staff and with the Brand Registry Group. I'm very happy with the result, and I think the way that you've done -- that the Board has gone about this is very good. I'm just worried about the process. And I think the GNSO needs a process for faster resolutions or clarifications of policy-related questions just to give an input.

>> Thank you.

BILL GRAHAM: Thank you. Next, please.

PIERRE BONIS: Thank you. So Pierre Bonis, AFNIC. And this time I'm speaking in my capacity of back-end registry to dot Paris along with CORE. And I would like to talk a little bit about name collisions. I know our colleague from CNNIC has already asked questions about it. Just want to point out that this name collision program that is changing, we are -- we are waiting to have this -- the final result, puts the burden on the -- on the ICANN



customers. We are wanting to know if we are going to wait 120 days more after the delegation in the root. We are wanting to know if it's going to jeopardize the pioneer program of dot Paris, the launch of dot Paris maybe.

We are willing to know if we will have to find ourselves the operators that are using the domain names that are blocked and if we have ourselves to go to them and to tell them that they cannot do it. We think that this is unfair and that instead of applying rules only to its customers, ICANN should help us to find the people who are using these names and convince them that they cannot -- they can no longer do it. I mean, because if -- for -- to have a collision you need two vehicles, not only one. And by the way, the list that we received of blocked names are full of very important names, names that are crucial to the -- the image of the extension.

[Timer sounds.]

And they are also full of very funny names and I urge everyone to go and find the list because it's really funny and has nothing to do with security and stability. Thank you.

BILL GRAHAM: Thank you. Akram, please.

AKRAM ATALLAH: Thank you for your question. It's very important to participate in the comment period that is up now on the name collision framework, and once we collect all the comments, the board will be presented with the



outcome of the comments and will study and will make a decision on that.

I think that there are a lot of avenues to voice your opinion on the validity of the framework, the dates, the times that are being requested, but this is something that's really important that we do not cause any harm to the security and stability of the DNS by -- as we launch all of these new TLDs and we're taking -- maybe we're being too much on the safe side of things but that's preferable than to take any risk as we launch all of these TLDs. Thank you.

BILL GRAHAM:

Thanks, Akram.

Next, please.

JORDYN BUCHANAN:

Hello. Jordyn Buchanan with Google.

So we've heard a couple of speakers already today talk about issues they see and, in their opinion, disturbing business practices by various registry operators already with regards to the launch of their TLD.

As we've heard ICANN compliance staff talk this week about what ICANN compliance is doing, though, we hear a very different picture.

I looked at the statistics that ICANN compliance presented earlier this week, and 89% of the reports of the cases that they've handled in recent months have related to zone file access, to monthly reports, or to bulk data access.



And I say "bulk data access" with a little bit of amusement because in almost all instances, all of those data files are empty or have a single name, nic.tld, due to the name collision issue.

And I'm posing the question to the board of: What kind of compliance function do you want? Do you want compliance spending all of their time interacting with registry operators, asking for empty data files, or do you want compliance spending their time engaging with registry operators, looking at real business practices that may circumvent substantive parts of the registry agreement, the RPM requirements, and so on?

Compliance is hard, and especially compliance focused on areas where human judgment is required, as opposed to whether a file was uploaded or not, but this community would be much better off and this TLD program would be much better off if compliance spends relatively more of its time looking at these substantive business practices, as opposed to minor technical details.

I agree that compliance is -- in all cases, all of those events were in violation of the registry agreement. They're enforcing actual provisions of the registry agreement. They're just not the important ones. Please help recenter them on the important work that needs to be done in compliance. Thank you.

[Applause]

BILL GRAHAM:

Thank you.



MARTIN SUTTON:

Hello. My name is Martin Sutton from the Brand Registry Group.

First of all, thank you for the update, Cherine. That was very useful. That was what we were after, so thanks for clarifying.

If I may, I'll just read out a statement from the Brand Registry Group about the discussions that we've had this week in relation to that.

The Brand Registry Group is a trade association that represents dot brand registry interests. Its membership is made up of people and companies that are both new to this process and have been involved in this process for some time in other capacities.

We bring this up for an important reason.

ICANN is changing. Change comes from many different places and impacts many different relationships, whether it is a relationship between the U.S. government through the IANA contract and relationships between members of this community.

We are changing, but isn't that the beauty of the Internet and this space? We are not constricted by old business models and relationships when making these changes, while retaining an inclusive and open environment.

The Brand Registry Group and other representatives of the dot brand registries have spent the past year negotiating with ICANN and various stakeholder groups to create a dot brand registry agreement. What struck us through this process was the ability for several groups to find a middle ground and, in the end, work around the roadblocks that were thrown in our way.



We worked as a community, and despite our differing opinions, that's how it's supposed to work.

But we think that over the past several years, this can sometimes get lost through entrenched positions.

As we all move forward in this process, we will strive to remember that we are all in this together --

[Timer sounds]

MARTIN SUTTON:

If I may just finish, please.

-- but it is time for all stakeholder groups, staff, government, and others to put aside those old entrenched animosities and look at how we, despite our differences, can make this a stronger, open, secure, stable, and trusted Internet for the future.

Many have said that the world is watching, and this is true. Unless we all swallow our pride and work together, both ICANN officers and stakeholders, bottom-up and with honesty, we will fail at this endeavor. Let's show the world what we can do.

[Applause]

BILL GRAHAM:

Thank you. Cherine, please.



CHERINE CHALABY: Thank you, Martin. And just to say that we really look forward to seeing how the dot brand will transform the Internet domain space in the coming months and years, and we welcome their contribution to the new gTLD and ICANN community. Thank you.

BILL GRAHAM: Please. Next.

MEHMET AKCIN: Mehmet Akcin, Microsoft.

First of all, Akram, I want to say that I think by being extra careful, you are actually making our life a lot easier, so we appreciate that.

We have reviewed the JAS preliminary report and we appreciate the recommendations, particularly the part that is focusing on dot home, dot corp, and dot mail. We basically look forward to seeing the complete report and the framework that will be created regarding mitigation of the name collisions. Thank you.

BILL GRAHAM: Thank you for that. Let me remind the group here that we're going with this session until 4:30 rather than 4:15, so there's plenty more room in the lines.

MICHELE NEYLON: Michele Neylon speaking as chair of the registrar stakeholder group.



Throughout this week, there has been vibrant discussions in many fora with respect to the collision or the stress, the tension between ICANN's contracts with its contracted parties and local law.

Yesterday in the GNSO, earlier this week in the GNSO, and even again this morning, when there was a session on European strategy and things like that.

I don't want to belabor the point because I've made it previously. The key thing here is to find a way forward, and we, as registrars, we want to comply with the terms of our contract, but we want to be able to sign our contract.

For those of us who are -- who transitioned to the 2009 contract early, when we did -- when we had no obligation to do so, we now feel slightly -- well, how can I phrase this? It's as if we -- if I could turn back the clock, I probably wouldn't have signed, speaking personally.

Just to Steve DelBianco's point earlier, just so people are clear, the issues we have have nothing to do with WHOIS. Cyrus has stated in a recent letter, I believe it was to the GAC -- I'm sure he can clarify exactly to whom -- that the little WHOIS policy is meant to be reviewed, so if a time line on that was provided, it would be helpful.

Just with respect to contracts, the -- there are now no registrars on the 2001 contract. They're all either on the 2013 or the 2001. There have been discussions between myself and others and various members of ICANN staff throughout this week which hopefully have led -- been slightly productive, though quite heated at the best of times, and some -
- maybe a way forward would be to look -- consider suspending some



aspects of the contract on a temporary basis so that we could actually move forward --

[Timer sounds]

MICHELE NEYLON: -- and sign. Thank you.

BILL GRAHAM: Thank you. Akram, do you want to respond to this or not?

AKRAM ATALLAH: Thank you, Michele, for your question.

We are -- as you mentioned, we are working with you on different aspects to accelerate the waiver requests. We also have done some parallel work to get some more substantive opinions on the issues from the different jurisdictions within Europe. We will continue to work with you in the next few weeks to accelerate this, and I don't want to -- actually to commit to a waiver to suspend these requirements in the agreement at this time until we exhaust all other options in moving forward.

MICHELE NEYLON: Thank you, Akram. I would, however, just wish to remind you that for some of us, the clock is ticking. I cannot speak for all registrars on this specific issue, but for several of us face the real issue that our current contracts expire be- -- probably coinciding with the London meeting,



which essentially for me means that if I cannot resolve this by then, then London's my last meeting.

AKRAM ATALLAH: We will make sure it's not your last meeting, Michele. Thank you.

MICHELE NEYLON: Amadeu would disagree, and would love to not see me.

Thank you, Amadeu.

[Laughter]

BILL GRAHAM: Michele wins with the last word.

Mr. Foody, please.

PAUL FOODY: Hello. Yeah. We had the guy from the -- with the remote question asking who -- which constituency here represents end users, the existing domain registrants. You know, you guys were -- you know, you found it difficult to answer that. I'm not surprised, because when I first came, I was told that it was the GNSO and you only have to look at the number of new gTLD applications from members of the GNSO to see why it is that those guys can no longer claim to represent existing registrants without any sort of --

[Timer sounds]



PAUL FOODY: -- conflicts being involved.

Wow, that was a quick two minutes.

[Laughter]

PAUL FOODY: So the --

JONATHAN ZUCK: Yeah? It seemed long.

PAUL FOODY: Well, thank you very much.

[Laughter]

PAUL FOODY: Okay. I'm not going to be rude.

So the -- so the point is, we have raced into this, the new gTLD program. It's going to achieve nothing other than to destroy all the value that currently exists in the dot com registry and all the others.

We're going to replace it with a situation where one-word domains are going to be the norm.

For every -- every corporation is going to get their name, and every word in every language is going to be owned, and that's going to -- that's going to create problems with the ownership of language.



You only have to look back at what happened in London in 2012 with the problems that they had with guerilla marketing to see what sort of issues can arise when corporations can claim ownership of language.

You guys haven't addressed any of these issues. This thing is a total mess. Why? Because there's about \$100 trillion up for grabs and as long as it doesn't go further than this room, people here will get very, very rich.

I'm probably the only person here who doesn't have a conflict of interest. I do have TL- -- I do have existing dot coms, but I'm speaking on my behalf, on behalf of registrants.

If there's anyone else here who can say that, you know, I'd love to chat with them. Thank you.

[Applause]

BILL GRAHAM:

Thank you. Brad, would you please read the next on line?

REMOTE INTERVENTION:

I have a comment from Eberhard Blocher.

Does anyone plan to revamp the name collision policy which has turned out to be a big nuisance to new gTLD registries, registrars, and registrants? Basically, registrants simply don't understand the logic behind this and I also believe it is not logical but random.



BILL GRAHAM: Good. Thank you. Akram, please.

AKRAM ATALLAH: Thank you, Bill.

Collisions are not actually a nuisance. They are a possible -- they happen and they are real and they have -- potentially could have risk. It hasn't been demonstrated that they -- that there is risk, but there is a potential of having risk.

That's why we are very careful about launching the new gTLDs without mitigation plan, and the mitigation is to make sure that we avoid the risk, and if a risk happens, that we can mitigate it.

And these are all laid out in the framework that's -- that the JAS report has made, and this is not something that we created. It's an existing problem that we're trying to solve. Thank you.

BILL GRAHAM: Thank you. Next person in line, please.

LILLIAN FOSTERIS: Hi. Lillian Fosteris from FairWinds Partners. We are a corporate advisory firm. We advise brand and corporate applicants and we also applied for dot FairWinds and I have -- I'll read a statement from FairWinds.

Our comment is one of appreciation and a thank you to the ICANN board, specifically the new gTLD program committee, Akram, Cyrus



Namazi, ICANN staff, and other stakeholder groups within ICANN with whom brands worked to draft and complete Specification 13.

FairWinds would specifically like to thank the BRG for their efforts over the past year, and especially this past week, to work towards the approval of Specification 13.

Our clients who applied for over 90 individual dot brand gTLDs now look forward to taking their next steps in the contracting process. This effort, we believe, stands as a constructive and positive collaboration in the multistakeholder process and one we hope that can be replicated.

So thank you again for your efforts and we look forward to continue working with ICANN in the coming months.

[Applause]

STEVE CROCKER:

Thank you. It's actually a noteworthy point that the approval has -- is in place and that that enables the brands to move forward.

There's 600 dot brand applications. These will be a significant addition and add a whole different part of the landscape for the top-level domain picture.

So it's worth noting that we're at this point. It will take a few months before we start seeing the dot brands show up in the root and several more months, I imagine, before we see the -- the end of that sequence. Maybe many more months.



But it will be very, very interesting to see how that shapes the marketplace and what we learn from all of that.

LILLIAN FOSTERIS: Thank you. There are many brands that are very excited and eager to move forward, so thanks again.

BILL GRAHAM: Good. Thank you, Steve.

Jonathan?

JONATHAN ZUCK: Yes. Hi. Jonathan Zuck from the Association for Competitive Technology.

There's a lot of people that like to say that there's no such thing as coincidences, but I have to say it can only be regarded as a coincidence that I went to graduate school with Chris Mondini and I grew up next door to Elise Gerich, so to me that's an enormous coincidence.

What can't be regarded as a coincidence, though, is that -- it falls more under the heading of "Be careful what you wish for" -- I'm now co-chair on two working groups that have to do with metrics. And there's been an amazing amount of interest in them.

In fact, one of them, we had a meeting at 8:00 a.m. this morning in which we thought the co-chairs would just be talking to themselves but the room was pretty well full of people that were excited about the notion of introducing data into the PDP work group process.



I mean, you can always judge a successful work group meeting if there's no chance for Mikey to open Mind Map. So I mean that was a successful work group meeting and we were excited about that.

In the other working group, it's now an implementation group on the consumer trust, confidence, and competition implementation team for the review team that's going to be convened sometime in the not-too-distant future. A year, year and a half from now, probably.

One of the things that we've tried to keep track of is data that might be useful to that review team that might not be available to go back and get retroactively at the time of the review.

So consequently, we've made an interim recommendation to the board, that hopefully you've received, which requests for two particular types of data to be studied. One has to do with consumer trust in survey form, and the other that's come up quite a bit already in this meeting has to do with pricing in the new TLD program, the pricing practices, and so an economic study was also part of that recommendation.

So all I would like to do is say that I hope that you will consider this recommendation thoughtfully. I know there's a pretty big price tag associated with it.

But if the review team is convened and the data isn't available for them to make the review, that won't be a coincidence.

[Timer sounds]

BRUCE TONKIN:

Just a quick response, Jonathan.



Rest assured it's on our agenda for our meeting this afternoon.

BILL GRAHAM: Sebastien, please.

SEBASTIEN BACHOLLET: Yes. Thank you very much.

I think we may also ask everyone in the -- in our members or stakeholders, if they have data, if they gather data, to share with the others.

We can rely on ICANN to do something, but maybe there are others who have a very good idea who do already gather data. If they can share with your group, it will be a good improvement. And I think about a lot of people, but particularly there are ccTLDs doing things. It could be useful to have them involved and others, I guess. Thank you.

JONATHAN ZUCK: (Speaking in a non-English language.)

BILL GRAHAM: Thank you. I'm going to close the line now reminding people that the next session is an any-other-business type of session. So if you have a lot of issues to bring on this, you can do it at that point. Next, please.



RON ANDRUFF:

Thank you, Bill. Good afternoon, everyone. My name is Ron Andruff. I'm a member of the BC, and I'm speaking in my individual capacity here today.

When I saw Fadi's slides on Monday, I realized this is my 42nd ICANN meeting so I have been around the community for quite some time.

I want to speak today about the public interest commitment specifications, and it is really a call to the community itself. As the ICANN community is considering how to step out from under the U.S. government oversight to take on full stewardship responsibility of the Internet, a bottom-up multistakeholder developed model that ensures regulated and sensitive industry new gTLDs meet the public interest requirements of the GAC is being put out for public comment.

The ALAC public comment is now open and will remain open for approximately 19 days and we encourage all community members to have a look at that and bring their comments.

While the PIC program to address strings listed in the Beijing GAC communique provided a mechanism to enable TLD applicants to demonstrate a set of self-imposed rules intended to satisfy the GAC advice, many of the PIC specifications provide little or no actual public interest benefit.

The Policy Advisory Board proponents find the applicant responses to be completely unsatisfactory and against the public interest. To many, this is simply not a sufficient infrastructure on which to base trust and confidence in the new gTLDs, particularly those related to regulated or sensitive industries.



Through consultation and consensus, colleagues from across the broad cross-section of stakeholders including governments have identified critical concerns about the effectiveness of the PICs and we propose an enhancement to their implementation known as the PAB model, or the Policy Advisory Board model.

The purpose of this public comment period is to obtain feedback and collect broader community input into the further development of the model and to which gTLD strings may best apply.

[Timer sounds.]

This is an opportunity for all members of the ICANN community to contribute to ICANN's success as a trusted steward by providing comments through this open public comment period, and we welcome comments from all members of the community to improve this important ICANN initiative. Thank you very much.

BILL GRAHAM: Thanks for the reminder, Ron.

RON ANDRUFF: Thank you, Bill.

BILL GRAHAM: Next please, Werner.



WERNER STAUB:

Werner Staub. I have a small observation in support of what Steve DelBianco said about objections as illustrated by the singular/plural controversy. It is about accountability again and the fact that the word "accountability" was somehow missed when the terms of reference for the objections were developed, thinking that it was okay because we had already that in the basic documents of ICANN.

However, the panelists were not told about that. So when they looked at the objections, they looked at it as if it was just controversy between two parties trying to vie for customers. They did not look at the fact that it was about accountability of registries to end user via registrants, that this indirection makes a whole difference. It is not the same thing as I buy a product from a company, I'm a consumer, and I'm not confused about that word. It is about the registrants selecting a word and then the users having to second-guess the registrant about which word the registrant has selected. It is a totally different situation.

And the ICANN board itself added to this confusion by bringing a document explaining its decision not to rule out singles and plurals and putting second-level domains such as car.com and cars.com as examples. They have nothing to do. It is just one registrant of car.com and cars.com. But if it is a TLD, there are many registrants. The problem is compounded.

We have the same problem with other objections as well. Just so long as you don't have to reference that it is about accountability of the registry to the end user, it is impossible to understand what the panelists should decide, even for community priority which right now is exactly at stake.



[Timer sounds.]

BILL GRAHAM:

Good. Thank you.

Next, please. Edmon?

EDMON CHUNG:

Edmon Chung here.

I wanted to talk about the names collision issue. And I'm not trying to criticize any of the process or mitigation work right now. But I wanted to raise an issue to the board especially. There seems to be something that we forgot about. Whatever mitigation mechanism we put in place for this round to potentially impact the next round, the reason is because whatever process we put in place in terms of mitigation might basically be a good template for bad actors or potential bad actors between now and the second round to utilize and say -- you know, do certain things to make, for example, the next round TLD when they launch, their launch might be more difficult because certain leakages of names have now gone out on the Internet.

Or certain cases where especially you bring attention to like dot home, dot corp, dot mail, those situations between now and the next round, if there are certain activities that being done on the Internet, that could have impact on how it's being dealt with in the second round.

The reason why I think it is important is because the way we -- the way we implement the mitigation method, we need to really think about whether at that could be used again in the second round because -- for

consistency as well and making sure that it doesn't become potentially a template for bad actors to block out TLDs applied for in the second round and, you know, potentially startup issues for the second round.

I think this is one thing that I wanted to bring to the attention of the board and not -- I confirm that I think the JAS have not taken that into consideration. But as the board thinks about the mitigation mechanism, do think about how it impacts the second round.

BILL GRAHAM:

Good. Thank you for that.

[Timer sounds.]

Any comment? No.

Siva, please.

SIVASUBRAMANIAN MUTHUSAMY: My name is Sivasubramanian. I'm from Nameshop, India, a new gTLD applicant with a qualified string change request to dot Internet. I was also a qualified applicant support request. My application priority is 150.

ICANN has delegated over 170 (indiscernible) strings, but my application is still delayed. The requested string, dot Internet, is not a reserved string, not a prohibited string. In fact, internet.org has been bought by a very large U.S. social network. This goes on to further confirm that it is not a reserved string, not even on the second level.



My change request is not considered coinciding with applicant support initial decision, which was adverse. Please separate the two requests on the legal principles of severability and take up the change request. I have ample faith in the ICANN process and hope that ICANN will be fair and pay timely attention. My application has a significant purpose, and I have made meaningful public interest commitments for the good of the Internet. Thank you.

BILL GRAHAM:

Thank you.

Any -- No. Thank you very much. Stephanie, please.

STEPHANIE PERRIN:

Hi, my name is Stephanie Perrin, I'm with the NCUC, also with the EWG working on WHOIS.

My comment and question is with respect to the legal advice that you're getting to help the registrars deal with the accreditation agreement. Very glad to see that, not just because it will make Michele happy and thus quiet. But I'm wondering if you gave any consideration to seeking independent legal advice. There is a large stakeholder group that's not a party to that contract, and that would be the end users. And they have a rather different interest; namely, how would they enforce their data protection rights and their human rights?

So I'm not a lawyer, but I have sought a lot of legal advice over the years. And it seems to me, it would be very useful to go to a firm that specializes in taking the case of the end user for two reasons. Number



one, you have some kind of duty to look into the rights of the end user and, number two, you have an interest, I would say, in assessing the risk that we're running at the moment in not exercising or not fulfilling those rights.

So not sure whether you have an answer to that, but please consider it.

BILL GRAHAM: Thanks.

Akram, do you have a comment?

AKRAM ATALLAH: Yeah, thank you, Bill.

We are engaged with the local legal firms in the different districts in Europe to facilitate these questions and give us an opinion on this.

And we will take your advisement into consideration. Thank you.

STEPHANIE PERRIN: Thanks.

BILL GRAHAM: Good. And the last one for this session, Mr. Palage, please.

MICHAEL PALAGE: Thank you very much. Mike Palage.



In participating 15 years within the ICANN process, it is fair to say I have had some regrets. Perhaps one of the biggest regrets was as the chair of Working Group B back in 1999 not trademarking the term "sunrise" in connection with rights protection mechanisms, when I offered that process. The revenue I could have gained from that, I may not even be here.

But as the father of the sunrise, I kind of have a vested interest, if you will, a trustee, to make sure it is not gamed.

So I would echo some of the concerns that the business constituency articulated earlier about some potential irregularities regarding the reserved name list and how this may be frustrating the sunrise.

But I would submit that this is a he said/she said and the truth. There's two sides to every story. And the potential gaming is not just perhaps on the registry side but perhaps on behalf of third parties who have sought to seek trademark protection under suspect terms.

So I guess my request here is, Akram, you had stated earlier at the mic that you were going to engage in a dialogue with the BC. I would submit to you that those ex parte communications are probably not the best option. If we've learned one thing this week, that ICANN should be talking to the entire GNSO, not a subset or one particular constituency.

So if this is a problem, please engage the entire community and particularly those registries that may be impacted by some of this gaming.

The final point on the interest of openness and transparency, some of the gaming that is being seen as a consultant working for some of the



registries, I have access to the trademark clearinghouse data, or at least the flat file.

There are some marks that I would say are suspect, that give me pause. I think in the interest of openness and transparency, we should be able to have a dialogue about some of these marks --

[Timer sounds.]

-- which some registries are not able to because of contractual restrictions. So openness and transparency, the entire GNSO, that's how we solve the problem. Thank you.

BILL GRAHAM:

Good. Thank you. And thank you to everyone who came to the mic on this -- for this session on gTLDs.

I think we'll take a five-minute break and really try and keep that short and then move to the next session which is more or less an open mic. We'll start that with a presentation from Bruce on the IGO/INGO names issue. Thanks.

[Break]

>>

Good afternoon, again, ladies and gentlemen. Would you be kind enough to return to your seats so we can begin the next portion of this program. Once again, if you would take your seats, we will be able to begin the next portion of our program. Thank you.



SUZANNE WOOLF:

Okay. We can go ahead now and get started. Folks are ready?

Thanks very much, everybody. I'm Suzanne Woolf, and I have been asked to be the facilitator for this next session. Before we get started, I would like to ask Bruce Tonkin to read an update on a GNSO issue.

BRUCE TONKIN:

Yes, thank you, Suzanne.

If our hosts could assist by putting up slides, make sure they are on the screen somewhere.

This is the topic of international governmental organizations, IGOs, and international non-governmental organizations, INGOs, and the protection of their identifiers within the gTLD domain name system.

Next slide. This topic has actually been a live topic for some time. Probably goes back for more than two or three years. This is just to set the context of at least the last couple of years of activity. So in 2003, we had advice from the At-Large Advisory Committee representing Internet users and the Government Advisory Committee providing advice on the public policy aspects of this topic.

As a result of that advice, the board's New gTLD Program Committee, NGPC for short, adopted a resolution to provide temporary protection in the Registry Agreement while this issue was studied further.

If we go to the next slide, in parallel with the work that the board was doing in response to the advice from the ALAC and GAC, the GNSO also began work on this topic. And in late 2003, in November, the GNSO developed 20 or more than 20 policy recommendations on this topic.



And they've divided them into recommendations that relate to Red Cross names, recommendations that relate to the Olympic Commission names, recommendations for the international governmental organizations, IGO, and those relating to the international non-governmental organizations.

And they've looked at both the full name of the organizations in their advice or in their recommendations and also looked at acronyms of these names in their recommendations.

So then in February this year, the board, as you can appreciate -- there's so much input on this topic and differing views that the board noted that it required additional time to consider these recommendations. The board asked the New gTLD Program Committee to consider these recommendations in the context of GAC advice and also asked the New gTLD Program Committee to develop a proposal to address the combination of the GAC advice and the GNSO recommendations.

And as part of that work, they produced a draft proposal in March on the 20th. And really at that point, we began to hear a lot of the -- the board received a lot of feedback both in the meeting with the GNSO Council on Sunday and also amongst several of the GNSO stakeholder groups on Tuesday, really a bit lost as to where this draft proposal fits into the process and a bit lost as to whether the board was intending to follow the bylaws or where the board was going to go with this process.

So moving to the next slide, the aim here to come back to the community is really to provide some clarity on next steps and a process that hopefully can be understood.



Firstly, on the left, we have a series of GAC advice -- and that's in 2013 -- ALAC advice, we have the GNSO policy recommendations, and we have the public comment inputs we received on those recommendations. So all that's flowed into the board.

And as a next step, what the board may be able to do is out of the more than 20 recommendations, many of those recommendations do not appear to have any conflicts with the other advice we've received. So it may be possible for the board to accept those recommendations.

Then there's another set of recommendations that have the potential for conflicts. And for the board to really make a decision on whether or not it should go forward with the recommendations or in some modified version, the board would convene a meeting between the GAC, the IGOs, the INGOs and the GNSO. And really the purpose of that meeting would be for the board to gain a better understanding of the topic and the various positions because each of these groups has done a lot of work and has a lot of expertise, and the board really would like to understand the issue further.

And the board is also hopefully getting those groups together and getting better clarity on their views, that there may be opportunities to work together in good faith and come up with solutions.

As a result of that meeting, the board then has a couple of options. It could reject some recommendations. If it does that, as has been pointed out earlier this week, that would require a 2/3 majority of the board to reject the GNSO policy recommendation. And that kicks off a fairly detailed process in the bylaws where formal reasons would be given to the GNSO. The GNSO then has an opportunity to consider



those reasons and a opportunity to provide supplemental recommendations.

Alternatively, the board could decide to accept some of those recommendations in which case it would go to the GAC and identify which of those in the board's view is conflicting with GAC recommendations. And that kicks off a process in the bylaws for formally responding to the GAC and entering into a dialogue with the GAC.

There's quite a few steps there, but -- and this is very high-level representation. But the key here is that the board is not itself trying to create any new policies. The board's role here is to identify which of the recommendations can be accepted and which the recommendations that the board needs further information on, and then the board can decide whether or not to accept or reject those recommendations and follow the process that's in the bylaws.

One comment I might do at this point is perhaps just jump to Ray Plzak for a brief comment on the benefits, I guess, of convening a meeting amongst the parties to gain some understanding as it relates to some of the ASO processes.

RAY PLZAK:

Thanks, Bruce.

Very quickly, the Address Supporting Organization via the ASO MOU, that's where you will find the policy development process for the global policies that are developed by the five regional registries.



In the vernacular of the numbering community, a global policy are those policies that concern ICANN. All of the other policies that they have that are developed within the regions have to do with the stewardship that they have over the I.P. address blocks and autonomous system numbers.

And they have them regionally. They also have what they call globally coordinated policies where all five of them agree on something as far as how they're going to manage the resource between each other but has nothing to do with what the IANA does.

But in particular regard to what the IANA does, the policy that comes up through to the board has on it a few very stringent procedures. There is a definitive timeline by which the board has to act. The board has developed a procedure, early notification procedure, by which they are notified as soon as a policy is being considered in the regions.

While it's not stated as part of the policy, what also is done is early engagement with the GAC. Now, remember, we're only talking about IANA policy, policies for the IANA here.

But the real point is that if you compare the dialogue between the board and the address -- ASO, compare that policy process and compare the policy statements in the GNSO PDP, you'll see that the GNSO PDP, some of the statements that are a little bit loser, if you will, I don't know if that's the correct term or not -- I apologize if I'm offending anybody with that term -- than with what is in the ASO policy.

So it might be well worthwhile to look at that portion of the GNSO policy development process to see what can be done to remove some



of the ambiguities that are there because of the way the language is used.

Bruce?

BRUCE TONKIN: And that ends that point. Suzanne.

SUZANNE WOOLF: Thank you very much, Bruce. We will go ahead and open the mics. This has turned into kind of a general open mic segment, so whatever issues.

And while people are going to the mics, I understand we have an online question.

REMOTE INTERVENTION: We have a question from Monika Ermert in Germany.

Fadi Chehade showed ICANN's program on Monday and one point in it was whited out about data protection privacy, so if ICANN makes it a high-level topic of the ICANN working program, what is in that data privacy point?

SUZANNE WOOLF: I think we can ask Fadi for perhaps some clarification on that. Or Akram.

AKRAM ATALLAH: Thank you.



So this was actually the number of high-level tracks that the global domains division is working with the community on, and this track was identified as something that we need to be -- to start working on in the near future, so we wanted to highlight it.

As I answered earlier, I don't remember which meeting but we are working on implementation of the WHOIS review team recommendations.

We are working on the data waiver issues within the registry accreditation agreement.

We will be soon working on some recommendations from the WHOIS expert working -- the expert working group review team.

And those works are all in silos and we want to review this data issue overall and identify if we have any gaps in there, and then from there, decide how to engage with the GNSO on PDP development.

So it's just a review of all of the different areas and then deciding how we're going to move forward, if we need to. Thank you.

SUZANNE WOOLF:

Thank you very much, Akram.

First at the microphone.

I guess Jeff.



JEFF NEUMAN:

Thanks. Jeff Neuman with NeuStar but I'm making this comment in my own personal capacity and also as a participant in the PDP working group a long time ago that revised the PDP. I forget the full name.

My comment is -- the first comment is to thank the board for what you said about the INGO/IGO and how we're going to progress with that. I think that's exactly the right way to go. I think that that's the way it should have gone from the beginning, as opposed to that draft proposal that was sent to the GAC and cc'd the GNSO, so thank you very much. That's exactly the right -- that's what at least I wanted to see. I'm not sure everybody is happy with that, but I think that's the right outcome.

To respond to -- oh, and just on that diagram, I don't know if you can go back to it but it said that you were going to convene a meeting between the GAC, the INGO, the IGOs, and the GNSO. I'm assuming the board was also at that meeting as well, just to confirm that, as one question.

And then respond to Ray --

BRUCE TONKIN:

Yeah. That should say "the board is convening" so the board would be there, yes.

JEFF NEUMAN:

Okay. Well, I think it's an important distinction because I think there's a lot of good stuff in the GNSO report and I would love to see the board members read that report cover to cover, at least with respect to the one issue that there seems to be some disagreement on, because then

they will see that a lot of these issues have been considered by the GNSO.

To respond to Ray on some of the language in the PDP and the bylaws, I agree it could be tighter. I think it's pretty good language there. We tried to make it a little bit tighter, but for the record, ICANN's general counsel's office did not want it as tight as we necessarily wanted it.

So I completely agree with Ray. I think we do need to tighten it up. I would ask that ICANN staff and the board allow us to tighten that up. Thanks.

SUZANNE WOOLF:

Do you want to comment on that?

Ray, did you want to respond?

RAY PLZAK:

No. I was just going to say: Jeff, I will.

SUZANNE WOOLF:

Thank you. Sebastien?

SEBASTIEN BACHOLLET:

(Speaking in a non-English language.) -- invited to this debate, so it would be a pity. So I think ALAC should be invited to participate in this debate. Thank you very much.



SUZANNE WOOLF: Next, please.

GUNELA ASTBRINK: Hello, my name is Gunela Astbrink from ISOC Australia. I'm speaking on my own behalf.

On Monday, Singapore's Minister for Information and Communication, Mr. Yaacob Ibrahim, in his opening address spoke on Singapore's excellent Internet infrastructure and also about I.T. training programs for people with disability and senior citizens.

Very encouraging to hear that both infrastructure and the needs of end users are considered important here.

According to the World Health Organization, there are about 1 billion people globally with a disability, and 80% live in developing countries.

Now ICANN is starting to look at inclusive practices within ICANN for people with disabilities. On Monday, there was the first face-to-face meeting of the accessibility task force. The draft objectives and associated actions are: Building a culture of accessibility within ICANN; increasing Web accessibility; ensuring minimal barriers to participation and engagement with ICANN processes and practices.

There was strong support at the meeting. This task force comes out of At-Large. That support is growing across constituencies.

Let me share a couple of personal stories.

Ken Hanson is a long-standing participant in ICANN and has a severe hearing impairment. Having real-time text transcription such as we see



here on the screen is essential for Ken, but he finds that actively participating in other rooms can be difficult at times when that real-time transcription isn't available.

Another example is -- and I'm going to have trouble with the name -- Amadeu Abril i Abril many of you know has been with ICANN since before its first meeting. He has a vision loss. If he is going to respond to public comments, he usually needs to contact the author and request a Word version --

[Timer sounds]

GUNELA ASTBRINK:

-- because he can't effectively use the PDF documents on the ICANN Web site. Here are two examples of people from the business community who can benefit from the work of the accessibility task force. We look forward to building this culture of accessibility within ICANN. Thank you.

[Applause]

SUZANNE WOOLF:

Thank you very much. Next, please.

CHRIS CHAPLOW:

Thank you. Chris Chaplow from the business constituency.

Many members have expressed concern to me this week when they realized that the strategic plan is not going to be completed in time for the publishing of the draft budget and operating plan next month. Of



course that's a known. That's been a known known since the Durban meeting.

But what's possibly more problematic is that for the last few years, it's been either a known known or an unknown known, depending on who you are, that the draft sort of strat plan has not been fully taken into consideration in the draft budget, and that's a scheduling problem, trying to get the three parts to the budget cycle plus their respective comment periods fitted into the one-year cycle.

So the "ask" here is to support the idea of creating a small ad hoc finance staff/community group in the next few months, just to run for a couple of months, just to try and square that circle once and for all for years to come.

SUZANNE WOOLF: Thank you for that.

CHRIS CHAPLOW: And just a very quick alert, perhaps more of a personal concern, in case you haven't noticed, that there's only two -- and I say "two," not 22 or 122 -- there's only two RFPs been published on the ICANN Web site in the last 18 months. Thank you.

SUZANNE WOOLF: Thank you. Next, please.



CHUCK GOMES:

Thanks. Chuck Gomes from VeriSign speaking here as a member of the IGO/INGO PDP working group.

And I'm going to put all of the process issues aside. I do like Ray's suggestion that we -- if there's tightening up that needs to be done, we should do it, but the question I have is that I see -- I saw on the diagram that there is an option in the flowchart there for a board, GNSO, GAC, IGO meeting there to work through this issue.

What I don't understand is why the new gTLD program committee consulted individually with the IGOs and the GAC without consulting with the GNSO. That doesn't make any sense to me at all.

Now, we had a pretty thorough report so maybe you thought that was sufficient and you read it thoroughly. I have no idea.

But why is that being considered now? That didn't make any sense to me.

I'm glad it's considered now. It should have happened before. And I'd like to point out to you, which I think you know, the IGOs were full participants in the PDP working group. All of their views were thoroughly considered.

And then the group came to some conclusions that reached a level of consensus to make the recommendations we did and to avoid other recommendations.

So those are questions. I don't know if you can answer those or not. I think that's a flaw in what has happened.



SUZANNE WOOLF: Thank you for the question and I think Chris would like to address that.

CHRIS DISSPAIN: Thank you, Suzanne. Thank you, Chuck.

So I think this is partly a timing issue and a timing misunderstanding and maybe a need for a bit of detail.

When we went to the GAC and said -- and again, I want to stress I'm paraphrasing for a lot of this, but when we went to the GAC and said, "Look, what you've advised us to do in respect to the acronyms is probably not going to work and is unimplementable," the GAC asked us if we would, under their auspices, enter into discussions with the IGOs to see if we could find a way of implementing the GAC's advice in a way that was acceptable both to us, so that we didn't have to reject their advice, and acceptable to the IGOs.

At that time there wasn't a GNSO policy development process, or if there was, it had only just started. My recollection is that there wasn't.

The GNSO then launched its policy development process, and during that process I had a number of conversations with Thomas about how that was going and I am -- and almost all of our discussions with the IGOs were reported on publicly in the GAC meetings. We talked about we hadn't got very far, we had got very far, and so on.

All we were doing was seeing whether we could bring the IGOs to a position where we understood what it was that was the bottom -- was bottom-line acceptable to them.

That doesn't mean we're going to do it. It just means that we were trying to bring them to an understanding.

Now, I can't comment on the fact that they were involved in the GNSO PDP. I know they were and I don't know if it's the same people, et cetera, but I accept that they were involved.

I think that as soon as the -- as soon as we saw the results of the PDP, we then brought that in to the board, the board asked the NGPC to do some things, and I think the real problem here is that whereas we thought our letter to you was helpful as a starting point for a discussion leading to the flowchart that Bruce has set up, you didn't think --

[Timer sounds]

CHRIS DISSPAIN:

-- it was helpful, you thought it was a breach of the process and insulting.

So I think that's really where we are with this, and what we're talking about now is how do we go forwards, which is pretty much the way we intended to go forwards anyway.

But to answer your question really simply, we talked to the IGOs because we were asked to by the GAC. We weren't talking to them separately. We were talking to them under the auspices of the GAC. The GAC was fully aware at all times. And it was in -- specifically in respect to the GAC's advice, not in respect to your PDP.

CHUCK GOMES: Okay. Thanks, Chris.

And I'll be real brief, but my main point in coming up here and talking was, why wasn't there conversation, as is proposed for the future, with the GNSO on this issue earlier?

CHRIS DISSPAIN: Well, because you had -- because -- because you hadn't finished your PDP, so we --

CHUCK GOMES: No, no, no, no, no.

CHRIS DISSPAIN: Maybe I misunderstood you then, Chuck.

CHUCK GOMES: We're talking different timings. We had already -- you developed a proposal for a possible compromise after we had submitted our recommendations.

CHRIS DISSPAIN: No. Not true.

CHUCK GOMES: Oh, then you only informed us about it just --

CHRIS DISSPAIN: We -- no.

CHUCK GOMES: -- a week ago?

CHRIS DISSPAIN: We developed a proposal about -- we have been developing that proposal and it didn't -- it did not take shape into a -- into something that I was even comfortable giving out to anybody until a meeting in Geneva three weeks ago at the CSTD when I had the opportunity to meet with them, and the moment we got it into a shape where we thought we were comfortable with it, we sent it out to you.

SUZANNE WOOLF: If I -- if I may, I'm sorry, Chuck, but it sounds like this is -- this is very much a live issue and --

>> (off microphone.)

SUZANNE WOOLF: Yes. Thank you for bringing it here and it can move forward off line.
I also understand we have an online question.

REMOTE INTERVENTION: We have a comment from J. Berryhill.



An earlier comment had suggested that registries are engaged in some sort of trademark abuse in connection with various registry name reservation models. Concerns about trademark abuse by registries is already addressed by the post-delegation dispute resolution policy.

The existence of the PDDRP presumes that a registry may be found to have engaged in trademark abuse despite the various protection mechanisms in place and further presumes that ICANN compliance is not the appropriate vehicle to address these situations.

I would urge those interests who believe registries to be engaged in trademark abuse to take that matter into their capable hands via the PDDRP rather than to helplessly place responsibility for policing their private rights into the hands of others.

SUZANNE WOOLF:

Thank you for that comment.

And next, please, at the microphone.

AMADEU ABRIL i ABRIL:

One of the few things that I have no difficulty with is pronouncing my name. Amadeu Abril i Abril.

I wanted to address the point that I asked to be dealt with at the very beginning of the session regarding how we make policy and who makes policy within ICANN.

So we all know the theory and we all know all the circumstance we have, we all know how this works, and we are now discussing here in



this week a lot about, you know, GNSO role and how PDPs work, et cetera.

I just wanted to address some of the inefficiencies. And we have different (indiscernible) history.

At the very beginning we were over-obsessed with consensus. Then probably the problem was that the board tended -- a board on which I was sitting, so I'm blaming myself as well -- had a tendency to take too many decisions that belonged to the GNSO.

The current situation, 15 years later, is logically in the organization we have a much bigger staff. We have a board that was designed not to be efficient but to be representative of the community, and that's a feature and a failure at the same time. And we have a GNSO that not always is fast enough to work.

So the tendency for the staff is to believe that they are in charge of doing the things, and the problem is that this is not the model we wanted, and we are seeing lately some tendencies that exacerbate that a little bit beyond what we should do. Especially at this crucial moment we believe again that we can manage this -- how to say -- this succession of the functions at NTIA on the oversight of the IANA functions, et cetera.

So let me explain some signs of that.

If you take -- I mean, the problem is that the staff seems to be much more available than anytime before to have meetings to discuss things.



Now, I realize that my measure of a successful ICANN meeting is the number of private meetings I had with the staff, because the public meetings now become completely useless. There's apparently nothing that can be said in a public meeting. We cannot say why there is no GAC communique today, even though we are discussing here.

[Timer sounds]

AMADEU ABRIL i ABRIL:

Okay. Let me say a couple more things.

There are problems that there is somehow some mistrust in the procedures and there's a tendency of, you know, "Let's deal with that privately in the next room." Privately with Amadeu? No. Privately with this group that has the lobby, the party that has this problem, but never in meeting rooms, never here.

If you listen about how we are speaking here, we're increasingly, well, wearing more ties but also reading more statements and using what in French we call (non-English word or phrase). That is, very detailed but completely vague statements.

We don't say anything.

If there is a concrete question, the staff say, "Oh, we'll answer you after that off line," and then they say, "Oh, we had no time to prepare that," but this cannot be said publicly.

Let me explain just one last example of that very shortly.

In one of the latest meetings -- I will not say which one, not to discover who was on the staff on that side -- we were supposed to participate in a --

Sir? Sorry.

-- we were supposed to participate in a panel and we were asked to come to a room, you know, early morning to prepare that, and the preparation was, "These are all the questions that the public may ask, so please don't answer this. I will."

"Oh, and on this topic, how much can we say?"

"Oh, we only say this."

So it was about what we should not say in public. And I can tell you there was nothing secret, nothing sensitive. It was, you know, a purely operational thing. But this is the sort of fear of having open communications about what we want.

So we are, at this moment, probably damaging the policy procedure, but a general lack of trust in our own procedures. If we don't believe they work well, let's, you know, challenge them, let's improve them, but let's not substitute that with this myriad of private meetings in some rooms where everything gets approved, from the data retention to the specific transition to whatever.

We have these public meetings. We should discuss it here.

[Applause]

SUZANNE WOOLF: Thank you, Amadeu. Next, please.

MIKEY O'CONNOR: My name is Mikey O'Connor. I'm going to follow right behind Amadeu and keep right on going.

So I am a big believer in the working group process, and three years ago in Singapore I resigned from ICANN over an issue where the GNSO was tinkering with recommendations from a working group that I was on, and I was going along this week in the "Mikey happy" mode until about 15 minutes ago when I find that the board is doing that now.

So, you know, when we work on working groups, we do not do that with the intent of presenting the board with a restaurant menu from which you can choose which recommendations you approve and which ones you don't. It's in the bylaws. If you don't like our report, turn it down. Send it back to us. We'll go to work. We'll work hard. If you have a good reason -- your reason threshold is pretty high, and you know. That's in the bylaws. And the timing of that is also in the bylaws. It's within earliest convenience.

You are adventuring and I'm getting ready to resign again. I hate resigning every time I come to Singapore. Please don't do that. Thank you.

[Laughter]

SUZANNE WOOLF: Thank you, Mikey. Thank you.



Next, please.

DAVID CAKE:

Hi. My name is David Cake from the NCSG though not representing the NCSG. This is more a personal comment.

I think the board is probably well aware of my opinions about ICANN's current accountability mechanisms and those of the NCSG by now. I just want to say I think that seems to be -- there seems to be a lot of support among the -- as far as I can tell, a lot of the different ACs and SOs and other parts of the community that there really is an issue and I've heard that. I understand that many board members are also coming to that conclusion. I just want to say we do need to start that -- I think we need to start that conversation about replacing accountability mechanisms, what will go on very soon.

We are going to be in a period where ICANN's accountability will under a lot of scrutiny. That is a long -- will be a big process that should involve hopefully the whole community so I'm just going to say I understand the board has got a lot on their plate right now and are feeling very busy, but I still think looking at how we can move on and replace ICANN's current accountability mechanisms, hopefully with something -- many people have used the term "judiciary," something like but something independent from the board involved in those mechanisms. We need to start that conversation about new accountability mechanisms really soon.

SUZANNE WOOLF:

Thank you for that comment. Did you want -- did Bruce want to talk?



BRUCE TONKIN: Yeah, just a response, David, that, you know, the Board is actually working through the ATRT2 recommendations which include the review of those accountability mechanisms and certainly the Board Governance Committee is picking up on that.

It's not as though we haven't had those reviewed, so we -- in the last ATRT1 review they asked us to look at those. We did engage a series of expert advisers, they engaged with the community. But we accept that, you know, the review of the output, if you like, of that process is that they're still not happy. And I think this time we need to look at different ways of engaging the community in the design of those accountability mechanisms. So again, rest assured that we will be doing that and we also agree it's very important.

SUZANNE WOOLF: Thank you very much, Bruce. Next, please.

SOPHIA FENG: This is Sophia Feng, representing KNET, a back-end registry operator for 22 new gTLD strings in China. First of all, I would like to thank ICANN's great effort to serve the global community and we applaud ICANN's decision in opening up local hubs in Singapore and Istanbul to better outreach to the community. And since this was announced by Fadi last year, we have also witnessed a strong and efficient execution of that decision. Thank you all for the hard work. And we hope it's just not a beginning of this long journey -- we hope it's only serve as a beginning of a long journey, not the end of it. And we sincerely hope that ICANN's



regional hubs will not serve merely as a regional takedown center but serve as beachhead, an outpost, for further and deeper outreach into the local market.

And even more importantly, provide more efficient assistance to the regional ICANN community, equip it with enough resources and expertise to assist the mountains of questions regarding new gTLD operations coming from new dedicated TLD operators in terms of policies, contract compliances, and technical supports. Especially for the -- all the newcomer brand registries which are new to the industry and going through a very painful and confusing start-up period. For example, the first dedicated brand TLD operator Citigroup Corporation encountered a payment issue when they processed their very first ICANN invoices. I'm not going into the details of the issue but rather emphasize in the speed of getting a concrete answer from ICANN about this issue. It was taken approximately five months, 150 days. We're not talking about name collisions, ICANN transition, all these very difficult questions. We're talking about a tax policy which should be stated clearly in the Registry Agreement but missing.

Ending my comments, I hope that by strength in the localized supports from the regional hubs --

[Timer sounds.]

-- we can mitigate such a long waiting time for a very simple issue. Thank you very much.

SUZANNE WOOLF:

Thank you. Next, please.



MARILYN CADE:

Thank you. My name is Marilyn Cade. I'm an officer in the business constituency, and I am providing comments in relation to the B.C.'s views, formal views, on ATRT2. I regret that I am coming to the microphone to tell you what we put into a public comment, but I'm doing so because in our comments we clarified that we do not find a reflection of the comments that the community makes reflected into the materials that go to the Board. Over and over and over. And that is an area of perhaps a lack of communication or summary of material, but it is one of our concerns expressed in the ATRT review.

We also raised a very strong concern in the ATRT2 review comments about what seems to be a strong shift to a more top-down multistakeholder but not bottom-up consensus-based process in devising and understanding solutions to problems. In our comments we also said that we support many of the recommendations of the ATRT2 about the GAC but not all. We, for instance, think that the GAC, like any other group, including our own, should have the opportunity to hold closed meetings when that is important to what we are doing, and we think the GAC has made tremendous progress in opening their meetings. We also note that there was no comment in the ATRT2 review about urging the Board to mirror the openness demonstrated by the GAC and to open more of their meetings. So we think that would be a good thing to do.

Finally, I would just say that we do think that the ATRT2 process is incredibly important and I have not been able to cover all of our



concerns because I'm running out of time, but the review process itself -
-

[Timer sounds.]

The review process itself must be instantiated and continued, regardless of whether there is a change in the Affirmation of Commitments itself and the review process must continue to be very bottom-up and very consensus-based. Thank you.

[Applause]

SUZANNE WOOLF:

Thank you very much, and I think Ram wants to --

WERNER STAUB:

Werner Staub. I have a point. It's a follow-up to Gunela's point about accessibility, and I think it is not just for some people. It is for all of us. It's one of the areas where we can really improve our communications, thanks to essentially what we've already done. We have something really wonderful in terms of the systems installed here, thanks to the talents of the scribes, interpreters, and all the divisional staff that is probably a good example to show elsewhere. But not using it as much as we could and we made a couple of steps backwards in -- recently.

For instance, the scribes are usually not here but working in a different time zone, I'm not sure what kind of conditions, and we can see the consequence. It is so much a person can take to keep a good quality of scribe trans -- transcription, when you're away and you don't see the people and so on, even if there's a camera or something installed. It has



had a consequence. And, of course, this affects the quality for the people who come. You know, if you look at the entire budget of what a meeting like this is and trying to save something on the travels of some scribes who would be able to perform a better job if they were here, of course it costs a bit more but to say it would be easier for many of us if at least some of the scribes were here in the meetings.

Also the output that they produce is actually rather valuable, and we're not doing enough with that output. There's a great tool for instance, an online tool to see what the scribes do. Not just on this screen but actually to be able to go back. But then when they publish the output, we don't do much with it. It would be possible to synchronize it with what the interpreters do to help people who would like to get access to the translations with the synchronized point, they could figure out what was said in other language. It would actually be useful for people who have to follow in English.

[Timer sounds.]

Or any other languages, when they have trouble doing so, and at a later stage. So I think if we -- if we invested a little bit more, it would be a great improvement for communication at ICANN.

SUZANNE WOOLF:

Thank you very much. I'm going to take the opportunity -- sorry, go ahead. I'm going to take the opportunity at the moment to hand off to my colleague, Ram. We're going to just continue this session in the interest of time. The folks in line can stay. But I'm going to rest my voice, I think.



RAM MOHAN: Thank you. Next, please.

CONSTANTINE ROUSSOS: Hi, this is Constantine Roussos with dot music. It seems the fear of gaming is denting ICANN's ability to act in the global public interest, even if ICANN is well intentioned. If ICANN's initiatives fail to meet their goals and bylaws, then that is an unfortunate and clear failure. For example, the applicant support program was set up to increase global diversity representation and competition within the new gTLD program. However, this fear of gaming shut out worthy applications from developing nations. Such overly cautious and tough criteria excluded legitimate applicants and did not serve the global public interest. In fact, only three applied and one prevailed. The only applicant that qualified for financial assistance was DotKids who was in a contention set with Amazon. Will ICANN provide the \$2 million budget set aside for the applicant support program to financially assist DotKids in the auction of last resort with amazon? This highlights why auctions as constructed do not serve the global public interest, nor do they increase diversity or competition. The result, zero successful applicants from the applicant support program.

Furthermore, community priority evaluation was also developed to prevent gaming and it seems that many worthy applicants might fail based on false negatives and technicalities, even if such applicants have demonstrated support and are accountable to their community. For example, the two dot music community applicants collectively constitute expressed support by organizations representing 99% of



entities involved in the production of music and the distribution and promotion. We include our policy advisory board and all the enhanced safeguards asked by GAC. If ICANN believes that such applications are not authentic, do not have demonstrable support or are not accountable to their community, then they should fail them. I support that.

[Timer sounds.]

But following in the steps of the applicant support program, it would be tragic and it would not serve the public interest. Where am I wrong here?

RAM MOHAN: Thank you. Chris.

CHRIS DISSPAIN: Just a very quick comment. If we could make sure the transcript is corrected, it currently states that your question was asking whether Akram Atallah would provide the \$2 million, and I think I can say the answer to that is no. I think you meant to say -- you did say ICANN but the transcript says Akram.

RAM MOHAN: Thank you. Was there anyone who wanted to respond?

CHRIS DISSPAIN: My recollection is that we -- I may be wrong about this, but my recollection is we did have, at some point, an intention of discussing the



usage of the additional funds, but I don't think we have. So probably wouldn't do us any harm to agree to put that on the agenda, I would have thought. Thank you.

RAM MOHAN: Thank you. Next, please.

VALENTINA PAVEL BURLOUI: Hello, my name is Valentina Pavel Burloui. I am a member of the Association for Technology and Internet in Romania, but I'm speaking on my own behalf. I'm a first-time fellow at ICANN, so thank you for this fellowship program and for the opportunity to be here. Although new to ICANN, I have been following quite closely the WHOIS data retention discussions, and I would like to raise the question of ICANN's legitimacy to grant waivers to registrars. It can be argued that ICANN basically takes the power to set a global data retention -- a global general data retention rule and an exception. This having a direct impact on individual rights data protection. Therefore, many would consider this is a very sensitive human rights issue, and ICANN should be careful with the message it sends to the world in this respect.

It would be advisable for ICANN to take a clear stand and emphasize through its actions, not only through its statements and declaration, its commitment to protecting human rights and not be associated with the cooperation facilitating surveillance through supporting heavy data retention in general. May I also remind the fact that Germany, Czech Republic, Romanian and European Union court of justice advocate



general declared the data retention directive unconstitutional and incompatible with the charter of fundamental rights. Thank you.

[Applause]

RAM MOHAN: Thank you. Next, please.

>> Sorry.

RAM MOHAN: Erika, did you want to respond?

ERIKA MANN: I think your request is totally well understood and management, Akram himself, many times made clear that we will look into the local laws. This affects both -- it will affect the data privacy, and Akram, I'm correct, intervene if I'm not correct, and the data retention laws as well. It's a particular situation in Europe because of the way the European Union designs laws in this case. It's a law, it's a European law, but then it's modified in individual member states. And therefore, the national translation, international laws must be respected. I think this is well understood here.

RAM MOHAN: Go ahead, Akram.



AKRAM ATALLAH: Thank you, Ram. So just like Erika described the data protection side and privacy protection side, we have an obligation to the registrants as well and some of the data retentions are needed to protect the registrants and we're trying to balance that. That's why giving a waiver for the registrars to not to have to do any data retention is not an acceptable answer. So we need to find the -- the middle ground where we protect the -- the privacy rights as well as the registrants rights as we deal with this issue. Thank you.

RAM MOHAN: Thank you. Go ahead.

PAUL FOODY: Paul Foody. Following on from what the -- the announcement at the start regarding the validity, the legitimacy of issues raised here at the public forum, given what Werner Staub said about the value of the information raised here, would it be possible for ICANN at the end of every question that is -- that's provided, submitted at these public forums, to provide a link where further information could be found, where further questions could be sent so that individuals such as myself who, you know, hear something and think, you know, I should know more about that, I've got a better idea where to go rather than traipsing through the ICANN Web site forever and a day. So that's the first point.

The second point is after my last trip up here I was approached by a number of people, so evidently I'm not probably the only person here without a conflict of interest. So apologies for any offense. Thank you.



RAM MOHAN: Thank you. Next, please.

SUNNY LIU: Good afternoon, everyone. This is Sunny from NetMission speaking on behalf of the NextGen ICANN. Throughout this week you may notice that there is a bunch of people dressed in this shiny freshly-colored green T-shirt and these are my people. We are here -- although we are dressed in these green T-shirts and indeed, we are green to this arena, but I don't think our voice should be omitted because we are green and young at this conference. That is why we have the NextGen@ICANN to help teenage -- help youth adults like us to participate in this multistakeholder approach of ICANN and to participate in the policy of Internet governance discussion.

The highlight of the NextGen@ICANN is the actually the model board meeting held this morning. So all of us have been assigned into different stakeholders group within the ICANN so as to encourage our participants to think from their own constituency and the topic this year chosen was universal acceptance of IDN. That is actually the second time that we tried to hold this kind of simulation. The first one has been held in Beijing ICANN 46. With the support from ICANN Singapore hub this time the scale has been much bigger.

We have youth from nine countries, that's from seven countries in Asia. And I personally treasure these experiences a lot. Not only because it provides a platform for us to listen to the different views about Internet governance issues from different parts of the world, it also gives us a chance to appreciate the beauty and, of course, the difficulty when we try to put this multistakeholder approach into practice. And I personally



hope that this kind of simulation can be held for the third time, fourth time, and even more to go.

And lastly, I'd also like to take this opportunity to thank you our mentor and ICANN staff for help along the way. Without your support this kind of simulation cannot be held.

Lastly, I do believe that next generation will try to better equip ourself --

[Timer sounds.]

-- to make it a better, safer Internet in the future. Thank you.

[Applause]

RAM MOHAN:

Thank you. We applaud both your effort as well as the enthusiasm and look forward to more of this. Thank you very much. Next, please.

GABRIELA SZLAK:

Hello, my name is Gabriela Szlak. I'm speaking on my personal capacity. I want to start by saying that I started this journey at ICANN as a fellow, as many of you already know. And I -- this was in 2010, and then I got back home and I realized this was too overwhelming. I took some time at home and participated remotely at ICANN only. Because I wanted to understand how to be a more valuable member and country to this community.

So I realized that there was no representation of businesses from Latin America in the business constituency so it took me a year to convince my organization to join. And so finally I also recruited a colleague for



this, and we came back in Costa Rica 2012 as B.C. members. Now Celia Lerman, my colleague, is a leader at the ccNSO, she's elected by the NomCom. I'm a council member elected by my peers at the B.C. which I am quite grateful for that. But what I want to say is that we, as members of the developing world, face a lot of challenges to participate at ICANN. A lot. And I'm not talking only about business participants. Also the social, the civil society, the GAC members, all of us face many challenges, and this is not only about travel support.

It's many challenges, including financial challenges. I think it would be great to have a survey to know better our community. I think we need to know who we are and what we need, the ones that are already engaged, and how can we help these participants to become more valuable and to contribute better to our cause, particularly in these moments where we are going through this process in which the multistakeholder model is so much at stake. And when we talk about multistakeholder model, I want to diverse multistakeholder model, not only multistakeholder but also that we will -- we will -- we will be participating and contributing in a more valuable way to this community. Thank you so much.

[Applause]

RAM MOHAN:

Thank you very much. And I'm sure that staff will take those comments into consideration. Next, please.



MICHELLE CHAPLOW: Michelle Chaplow, member of the business constituency but speaking as a member of the meeting strategy working group. The meeting strategy working group was formed a year ago in Beijing. A group made up of 21 members, 2 board members, 3 staff, and a diverse sector of the community. We've discussed challenges that occur in ICANN meetings such as conflicts of sessions and growing number of attendees. We presented our work on Monday of this week, and ironically, we had a session conflict, therefore, very few people actually attended the debut of our year's work. So I would like to say that this -- the meeting strategy working group, our recommendations affect every single person in this room and we've had very few comments. So I'd like to encourage people to join us and make their comments and also we're available to make comment -- you can also make comments on Twitter at the #ICANNMSWG. Thank you.

RAM MOHAN: Thank you.

[Applause]

Michele.

MICHELE NEYLON: Michele Neylon, speaking as myself, since I can't speak as anybody else at this late day -- late time of the day. I can't even get sentences right at this stage. I just want to speak very, very briefly about priorities and volunteers. Mikey is very good at this. He does a much better job than I do, and, you know, Gabriella also mentioned it as well. ICANN the community is made up primarily of volunteers. Some of us work in this -



- in some -- in a business that's related to the Internet and some people work in government, some people work in all sorts of other different sectors. But apart from the ICANN staff, most of us have day jobs. And we end up putting in an incredible amount of time and energy, effort to participate both in person, remotely, via email, and using many other media. There is, I think, a growing concern -- several of us have been saying this for a long time, but as a community there is a bit of an overload and there may be a time to look at the priorities.

With the NETmundial, the transition, the -- the NTIA, the IANA functions, now we're seeing other things being thrown around and there are other things that may kind of lose focus. There's a lot of policy work going on, IRTP being one of my pet ones, Inter-Registrar Transfer Policy. These are all things that affect registrants, they affect registrars, they affect registries. And just to remind you, that's still happening. IANA function is great, needs to be dealt with. But please, bear in mind there's a lot of other stuff going on, and as a community there's only so much we can deal with at one time. And if that means you need to take a breath, you need to slow down slightly, so be it. Better off doing it properly than doing it just quickly. Speed isn't always the best thing. Thank you.

RAM MOHAN:

Thank you. Steve.

STEVE CROCKER:

Michele, the topic you are talking about, volunteer overload and staff overload for that matter, has been visible for a while. What to do about



it exactly is not clear. I'm sure you and everybody else has a favorite solution. It is getting some attention. I'm not sure whether or not -- I don't want to say anything committal about it, but message received.

MICHELE NEYLON: Steve, if I might, just very, very briefly. There have been a few suggestions made with respect to, say, doing release cycles for changes, for example. So maybe looking at some of the suggestions some of us have made in the past.

STEVE CROCKER: Thank you.

RAM MOHAN: Next, please.

DWI SIMANUNGKALIT: Hi. My name is Dwi. I am speaking on behalf of Indonesian people. Before I come here, I just visit remote villages in my country to check the (indiscernible) in very poor villages in my country.

And regarding the vision of the ICANN that Mr. President said in the opening ceremony to bring the ICANN to the world -- that to bring the Internet to the world, I support that so much. But then I just want to remind that Internet is already in the world. The problem is a lot of people cannot afford to pay to be connected to the Internet in the world.



So on behalf of poor people who doesn't have money to afford to connect to the Internet, I just want to ask for the favor from all the board members the agenda, what can you do to help poor people who cannot afford to connect to the Internet? Because when people heard about the ICANN, people think about money. People think about domain name business. People think about the money. And it's true, we are here in the sophisticated place with all the speed of the Internet, but other people --

>>

She's one of my girls.

[Applause]

DWI SIMANUNGKALIT:

But other people in the poor place, poor villages, they just don't have money.

[Applause]

Yeah, I just want to say please do something to help them. Thank you.

[Applause]

RAM MOHAN:

Thank you very much.

Go ahead.

Olga?

OLGA MADRUGA-FORTI: Thanks, Ram. I just want to make a quick comment regarding the last statement made. And it serves to remind us that we're all here in the spirit of volunteerism that Michele spoke of but also for the public interest as a whole. But it was really eye opening to see the intensity with which that message was delivered. And so, indeed, it is very important and I appreciate the reminder for all of us.

[Applause]

RAM MOHAN: Erika?

ERIKA MANN: Thank you for your comment. I think it is good to have the reminder that we have to think beyond our own community and understand that there is a world which wants to be connected to the Internet and how hard it is sometimes. And we understand this very well.

Sometimes it is very difficult to find these answers from a single organization. But I think we understand that we have to work together with the rest of the Internet community and even beyond to make this happen. And happy to talk to you afterwards if you would love to have a chat about this.

[Applause]

RAM MOHAN: Thank you. Now you may go ahead.



THOMAS RICKERT:

Thank you very much. My name is Thomas Rickert, and I'm speaking on behalf of Eco, the German-based Internet industry association.

Several members of Eco, based in Germany, have filed data retention waiver requests. We're getting increasingly frustrated with this process.

I did not plan to speak to this issue because others have already spoken. But I felt that I should step up to the podium, come unprepared, and maybe help clarify one of the fundamental misunderstandings of this.

Data retention is a legally defined term in Europe and the definitions vary from country to country.

The jurisdiction that I'm in has a very strong view on data retention. There seems to be the notion that Akram has reiterated during his intervention that registrars that are being granted the waiver could delete all customer-related data on day one after registration expires. That is not true.

There are contractual and post-contractual requirements to keep data, for example, to be able to restore domain names during the deletion grace period. And, also, there are preservation duties to keep data under commercial law. But that data would then be blocked and may only be revealed, for example, to text authorities or law enforcement authorities but that data could not be passed on to ICANN.

So there seems to be the view, maybe that's because of the U.S.-centric view at ICANN and the way the specification is drafted, that we could do data retention as it is understood under U.S. law. We can't. We can't



do this. But certainly the registrars are not trying to evade the contractual, post-contractual, and statutory obligations to keep certain data for certain periods. I just wanted to make that clear.

[Timer sounds.]

RAM MOHAN:

Thank you very much.

[Applause]

Akram, did you want to respond?

AKRAM ATALLAH:

Sure, Ram. Thank you for your intervention and appreciate the comment.

We are looking into all of these avenues. We've actually today -- about a week ago posted all of the required data elements that we're asking the registrars to save. And we've asked the community to provide their comments on the validity of these requests and if they feel like these are -- these data elements are needed or not. And we are doing all of the work that will help us assess and move the issue forward.

In the meantime, we're doing -- we're getting -- we've engaged direct legal counsel in each jurisdiction to actually give us better understanding of these issues. And we are more than willing to review the particular concerns that the registrars have as long as we make sure that we've provided the protection needed or thought after for the registrant. Thank you.

RAM MOHAN: Thank you, Akram. We have ten minutes left. We're going to close the line with who's here.

Go ahead, please.

DUSAN STOJICEVIC: Hi, I'm Dusan Stojicevic. I'm from Serbian ccTLD. I didn't see much ccTLD come to here. So I want to speak about another issue that is bothering us in Serbia. My issue is IDN and especially IDN email services.

We are on dot (saying name) IDN domain for almost 2 1/2 years. And my point is IDNs are half of the product because IDN email doesn't work. We cannot scribe our names in our own script. And I think ICANN -- I heard there is an RFC going or finished. I don't know. Nothing happens.

My point is ICANN must push big players or anybody who is responsible to finish this job. Otherwise, IDN TLDs all over the world, even new gTLDs, are going to lose end users.

To raise the bar, I have a feeling for years that we patch the patches just to achieve to be multilingual. So my big question will be, when we will stop with patches, panic buttons, something like that and start to use Unicode? Until then we will be as multilingual as my Cyrillic tag for this meeting. Thanks.



RAM MOHAN: Thank you very much.

[Applause]

I just wanted to note to you that ICANN has taken note of the importance of IDNs and the representation of IDNs and is playing a coordination role which is part of its remit in helping make sure that there is universal acceptance of IDN TLDs, all TLDs but IDN TLDs in specific.

The RFC work and the standards work happens in the IETF, and ICANN is tracking it and watching it. But the actual technical work happens there. Thank you.

DUSAN STOJICEVIC: Yes, I know. But can ICANN do something for this, too?

RAM MOHAN: Yes, there is a project inside of ICANN to help on both IDNs as well as on universal acceptance. There is work in both areas already underway. So certainly appreciate it, cognizant of it. There is work underway. Thank you.

MIKE SILBER: Sorry, Ram. Can I intervene there as well? Notwithstanding the allegation about intolerance to non-native speakers, this has now been escalated to board work. It is sitting within one of the board committees, and I think that the excellent work that staff have already been doing will be getting a little bit more emphasis going forward. And



thanks largely to the intervention from my colleague Kuo-Wei on this specific issue.

RAM MOHAN: Thank you.

Kuo-Wei, you wanted to speak?

KUO-WEI WU: Just very short. I think basically, as you know, ICANN we only do following the RFC stuff. But the real business, maybe one of the developers here, you know, you can think about it might be a business opportunity for the IDN software developer. I encourage software developer working on IDN. I think it is not only for one language. It is for all different kinds of languages.

RAM MOHAN: Thank you. I have been noticing people coming into the line. I do want to close the line just to make sure that we stay to the timelines that we had planned.

Next person, please.

MARILYN CADE: Thank you. My name is Marilyn Cade. I am at the microphone to talk about the cross-community working group on enhanced cooperation. And I would first like to remind all of us about why the cross-community working group on -- sorry, on Internet governance even evolved. It was really in reaction to a feeling by many of us that a lot of work is being



done and a lot of activity is going on. But it is not really driven by the community. It is driven by staff and by the board.

And it wasn't even that there was so much a disagreement with the prioritization and importance of the work, but I guess I learned a long time ago when I was in the corporate world three important words that I would like to translate slightly differently today.

In the corporate world, I learned to always remember the shareholders. At ICANN, I like to think that we all always remember the stakeholders.

The impact of top-down decisions and activities that are driven by outside experts that are not inclusive enough of experts from within the community generates work that comes to the community that we either have to edit, correct or provide public comment on to try to bring it back into something useful and meaningful that we can use. That's important to you because that means we play defense instead of offense on solving the problems that face us all to make ICANN the great institution, accountable and responsible for being a trusted steward.

On Monday we had a meeting, a public meeting, that the cross-community working group organized. In spite of the efforts of those of us who are on that group to arrange for a non-collision with the name collision meeting, there was a collision.

[Timer sounds.]

The community knows best how to help to advise staff on what the prioritization can be on topics. And I hope we're going to listen to what people have said. We are, in fact, in overload. We've added a very



important new work initiative, which is critical to all of us. We may need to think about hitting the pause button on non-essential tasks so that we can re-prioritize work and we can go back to remembering the stakeholders.

RAM MOHAN:

Thank you, Marilyn.

Next, please.

MARIA FARRELL:

My name is Maria Farrell. And I just want to make a comment. It was prompted by something Michele Neylon said a few moments ago, which is the staff are the only people here who they are not volunteers. And it just reminded me. I'm cautious about making a comment about staff performance at public forum given my history.

But I wanted to -- I actually wanted to say as a former staff person, that there is a -- the staff, they have to -- they put up with a lot, and they can't complain like we can at the public forum. I know it is not complaining. It is constructive criticism.

Also, they work in an environment where, you know, there is an awful lot of public criticism on the record about their jobs and their job performance and that. So it is a really, really tough environment.

And I think they kind of have the attitude like the British Royal Family of never complain, never explain. Maybe a bit too much in the never explain side. I think it is a really tough job.

As somebody who says -- it says "trouble maker" on my badge, and I have given a lot of staff people a lot of trouble this week, I do want to say on a personal level and on a professional level, I think a lot of us really do appreciate the staff and the job that they do. It's under very difficult circumstances.

I just entirely destroyed my street cred here. I just want to say thank you. Thank you very much. That's all.

[Applause]

RAM MOHAN:

Thank you.

Next, please.

MAUREEN HILYARD:

My name is Maureen Hilyard. And I'm representing the more than 600 members of the Pacific Islands chapter of the Internet Society, which is an ICANN ALS At-Large structure. At my first ICANN meeting in Cartagena, I raised the lack of representation at ICANN from the Pacific region of 22 countries, across an area of ocean that equates to the size of the rest of the Asia-Pacific region.

I'm very pleased to report that more participants from the Pacific region are applying and are being invited to participate in ICANN's very successful fellowship program.



Now, as a member of the ALAC and APRALO, I'm trying to encourage more Internet-related groups from individual Pacific countries to join ICANN as ALSs.

My one concern at this time is that because of the size and the needs of our region, it would be appreciated if more team members could be assigned to support Save's work in the Pacific region to provide the outreach required to serve the needs of developing economies, which are just as needy and probably more so as those in Asia and the Middle East. Thank you.

[Applause]

RAM MOHAN:

Thank you.

Please go ahead.

YANNIS LI:

This is Yannis speaking in the capacity of DotKids Foundation, which is the only applicant passed through the financial assistance support of the applicant support program. I just want to follow up on the earlier comment about the usage of the remaining funds set aside for this financial assistance program. I'm happy that the board is now taking into the discussion agenda how you are going to use this fund.

So, actually, I would like to take this opportunity to remind about that. Actually, the community has concerned about this high entry-level barrier of this 18,000 -- I mean, the application fee. And I just want to



mention that it is not only the application fee that is high for community applicants. Many of us --

[Timer sounds.]

Many of us are not-for-profit and we're just a community applicant.

There is also a fee we have to pay for the CP evaluation. I just want to urge the board to take this into consideration as well when you have your discussion and also the CPE is already an ongoing process. And we are waiting for the CPE invitation which, therefore, I urge for timely and sufficient support for the program.

>>

Excuse me. Could you please slow down?

YANNIS LI:

Okay. Yeah, I would like to -- I would like to make the board to pay attention at this matter and make sure you're paying enough support and also timely support to the community applicant to really get through this new gTLD process. Thank you.

RAM MOHAN:

Thank you very much.

JUDITH VAZQUEZ:

Judith Duavit Vazquez here from the Philippines. I was requested to host a high-level meeting in the Philippines. This is scheduled on April 4 next week. At that gathering, I will have individuals who will not step



behind a public forum mic at ICANN: Chief justice of the Supreme Court, the author of the Cybercrime Act and Data Privacy Act of Congress, Philippine National Police.

And it is about time we had a global message that will resonate clearly across the world. And I am very worried about bringing these people in ICANN under one room. But, of course, having sat opposite the board, it is my aim to manage the conversation.

Now, the question is: How do we bring the results of something high level like this to the ICANN level? And how can we bring the ICANN agenda down to the national level? It's something for us to begin talking about. Thank you.

[Applause]

RAM MOHAN: Thank you. Amadeu?

AMADEU ABRIL i ABRIL: Amadeu Abril, last in line. I just came here for the sake of future historians trying to study what we are doing, as I was saying before.

Regarding what Akram responded on the data retention, the whole week, if you look at the script, when they are polished, we will see that the story is, "Oh, we discovered recently that this is a very complex topic." Well, no thanks. I mean, we, the European registrars, have been telling you that for two years without garnering any attention. When I said that, I see increased availability from the ICANN staff to discuss



anything. It is anything except data protection. That's the topic that apparently that scares everybody here.

So, no, we've been saying clear messages from two years at least. And only now we are gearing these to be solved.

But there is something, Akram, that we should clarify. It is not a lack of will. We are asked to comment. We are asked to negotiate. We cannot. We must comply. We have no choice. Even if I disagree with my data protection, which I don't -- I do, in some part. Even I understand the pressure that the governments put on you. Even I understand European governments gave you completely contradictory pressures. First (indiscernible) saying we want data retention, then, you know, the justice saying this is illegal. We understand all this, but we must comply. We cannot do anything else. We cannot negotiate.

And related to that, there is a very important point I also want to raise, the question of disclosure. Let me make that very clear. We dealt with the Jones Day lawyers that were assigned. She agreed with us. In the agreement, we are only negotiating the length but not the disclosure to ICANN which is mandatory in the agreement. So we cannot accept that.

She came back to ICANN and the message is, No, no we can only discuss about the length. This is what's in the waiver.

Let me clarify that COREhub is not in a position to accept any waiver that doesn't deal with our inability, even if we want to --

[Timer sounds.]

-- to give you that.



It is a pity that this ringed because now we wanted to address your favorite topic, Falkland Malvinas.

I'm allowed 15 minutes for the Falklands? No.

RAM MOHAN: Thank you. Erika.

ERIKA MANN: I mean, we -- it's not that we are not concerned about this, and we have debated it, but let me just remind you about something which is sometimes forgotten.

European legislation is complicated as well, so when the data retention law came in place, it was implemented, as I mentioned before, in different variations in member states, and then much later, in Germany the case occurred that it was challenged in the constitutional court.

Now, these are normal -- you know, normal procedures, legal procedures, which can happen with all legislation. I think the most important is that it's well understood that you face difficulties, and that the -- that Akram Atallah, with his team, are trying to find solutions which will work for you.

So I mean to look back into history why it happened and why this situation occurred, it's good to prevent something similar in the future but I think the most important is that you have the insurance that somebody is looking into it and will try to find the best suitable solution.

RAM MOHAN: Thank you. Go ahead, please.

PRANESH PRAKASH: Good afternoon. My name is Pranesh Prakash and I'm with the Yale Information Society Project and the Center for Internet and Society.

I'm extremely concerned about the accountability of ICANN to the global community.

Due to various decisions made by the U.S. government relating to ICANN's birth, ICANN has had a troubled history with legitimacy.

While it has managed to gain and retain the confidence of the technical community, it still lacks political legitimacy due to its history.

The NTIA's decision has presented us an opportunity to correct this. However, ICANN can't hope to do so without going beyond the current ICANN community which, while normally being -- nominally being multistakeholder and open to all, grossly underrepresents those parts of the world that aren't North America and western Europe.

Of the 1,010 ICANN accredited registrars, 624 are from the United States and 7 are from the 54 countries of Africa.

In a session yesterday, a large number of the policies that favored entrenched incumbents from richer countries were discussed but without adequate representation from poorer countries and adequate representation from the rest of the world's Internet population, there is no hope of changing these policies.



This is true not just of the business sector but of all the stakeholders that are part of the global Internet policymaking, whether they follow the ICANN model of multistakeholderism or another.

A look at the board members of the Internet Architecture Board, for instance, would reveal how skewed the technical community can be, whether in terms of geographic or gender diversity, and without greater diversity within the global Internet policymaking communities, there is no hope of equity, respect for human rights, civil, political, cultural, social, and economic --

[Timer sounds]

PRANESH PRAKASH: -- and democratic functioning, no matter how open the processes seem to be, and no hope of ICANN accountability either. Thank you.

RAM MOHAN: Thank you very much. That brings us to the end of the queue, and with that, I'll hand it back over to you, Steve.

STEVE CROCKER: Thank you, Ram, and thank you, everyone.

This brings the public forum part of our program to a close for today. We will have a formal open board meeting. We'll take a five-minute break.

If you have feedback or suggestions for the future, please write them to forum@icann.org. That's forum@icann.org.



Please, even if you're less interested in the board meeting itself, we will be having some special recognitions of the community at the beginning of the next session, so don't go too far. As I say, we'll take a five-minute break and then we'll start up again. Thank you.

[END OF TRANSCRIPTION]

