ICANN

Moderator: Maryam Bakoshi
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Coordinator: The recordings have started.

Maryam Bakoshi: Thank you very much, Iris. Good morning, good afternoon and good evening. This is the NCUC Webinar for Newcomers on Friday, 24 February 2017. On the call today we have Ida, Anna Loup, Arsahd Mohammed, Bruna Santos, Collin Kurre, Daniel Macias, Farzaneh Badii, Grace Mutung'u, Julia Morales, Mardy Taghizadeh, Kathy Kleiman, Milton Mueller, Nadira Alaraj, Rachel Pollack, Renata Aquino, Shaheel Ahmed, (Rajit Nye), Tatiana Tropina, Isaac Maposa, Loiuse Marie Hurel, Benjamin Akinmoyeje, Hamideh Shahrabi Farahani. And from staff we have myself, Maryam Bakoshi.

I would like to remind participants to please state your name before speaking for transcription purposes. Thank you very much. Over to you, Farzaneh.

Farzaneh Badii: Thank you very much, Maryam. Hello everyone and welcome. My name is Farzaneh Badii, and I'm the Chair of NCUC. And this is a webinar for the newcomers, our new members, as well as those who want to - or are ready members but have not been active at NCUC. I've also opened it to outsiders

that are interested in the work of noncommercial users at ICANN to join this webinar and see whether they want to join NCUC or not.

So what we are going to cover what we do at NCUC and get you involved more with our activities. Maryam, can we go to the next slide? Okay, so we first started with a history of NCUC.

So the noncommercial users (unintelligible) in the beginning of ICANN and then we have our cofounders here on the call today, sorry, I just heard that my call – my audio quality is not good, sorry. So I'm just going to pass this to Kathy and Milton in a minute.

But so our cofounders are on this call today, Kathy and Milton, and they will give you a background on the history of NCUC and how it came about. Kathy, would you like to start?

Kathy Kleiman: Sure, Farzi. Can you hear me well?

Farzaneh Badii: Yes, that's fine. Thanks.

Kathy Kleiman: Okay great. Hi, everyone. This is Kathy Kleiman. And thanks so much for being on this call. And it's fun, you know, Milton and I love to share the story of how the Non Commercial Users Constituency was founded.

First I'm going to give you some background.

Farzaneh Badii: Seems like – yes, Milton, if you can start and then we get Kathy connected and she can continue. Okay, well I cannot hear anything. I don't know about others. Okay, so seems like our cofounders are – have a little bit of connectivity problems.

I'm hoping that, Kathy or Milton will take the floor anytime. But…

Kathy Kleiman: Farzi?

((Crosstalk))

Kathy Kleiman: This is Kathy. I'm back online.

Farzaneh Badii: Okay that's great. Okay great.

((Crosstalk))

Kathy Kleiman: Is there still an echo? Farzi, can you hear me now? I don't hear an echo but I don't hear anything.

Farzaneh Badii: Yes, we can hear you.

Kathy Kleiman: Okay, can other people hear me? Okay, Renata says we can hear you. Okay, Farzi, have I missed anything or should I – can I go back to the beginning?

Farzaneh Badii: Please go back to the beginning and start…

((Crosstalk))

Kathy Kleiman: Okay. Hi, everyone. You know, nothing like sound problems on webinars, it's always fun. So, hey, in order to understand the origins of the Non Commercial Users Constituency, you need to understand the origins of ICANN itself. And this is – it's a little odd because in the middle of – of the 1990s, the Internet

was actually in a transition; it was being run by the US National Science Foundation and it was being transitioned to the US Department of Commerce.

So the US National Science Foundation had hooked up a lot of universities both first in the United States and then around the world to the Internet. But commercial speech was banned. In case anybody ever asks you, it's my favorite – it's my favorite trivia question, what type of speech was actually banned on the Internet? And it was commercial speech.

So the earlier Internet as we know it was research and education and personal and political speech but not commercial speech. But by the early 90s entrepreneurs were coming online and by the mid-1990s big companies were coming online. The National Science Foundation kind of threw up its hands and the Department of Commerce took over to run the Internet.

And we were doing the traditional thing in the United States, which was arguing with a government regulator about what we wanted for the Internet. So the commercial guys were coming in and noncommercial guys and technical guys.

And in the mid – in 1997 the Clinton Administration, this was President Bill Clinton – announced a change of leadership of the Internet. He said the private sector should lead the future development of the Internet. And this was shocking. How does the private sector lead the development of the Internet?

And, you know, the first thing was that the technical people really wanted to run it; they didn't want the United Nations to run it. The technical group had done a really good job through private sector leadership. But now the rest of us had to figure out, because the intellectual property guys and the business guys had been arguing at the Department of Commerce for more rights.

So you know the principles that were created by the Clinton Administration, security and stability and private bottom-up coordination, the multistakeholder model. But what did it mean? And the fact is we didn't know and we began to experiment with how we would create the rules themselves.

And there weren't a lot of registries and registrars in those days. There were the country codes and then there was big registry in the United States called Network Solutions that registered domain names in dotCom, dotOrg, dotNet, dotEdu and dotGov. But the commercial guys organized quickly so pretty quickly we had a Business Constituency, and Internet Service Provider Constituency, and the special place for the attorneys of the Business Constituency, called the Intellectual Property Constituency so they had three constituencies.

And Milton and I met, others met, and we knew we needed a noncommercial constituency. And we formed in Santiago in 1998. We were a little late. And our very first resolution was that we wanted a protection – the Clinton Administration had said that as part of the creation of ICANN, there had to be the creation of an alternative dispute resolution mechanism, meaning not court. There had to be a quick and dirty way to take down domain names that infringed trademark rights.

And our very first resolution was that that – there was a draft of it floating around but that draft had no rights for registrants, no rights for existing registrants, no rights for future registrants which meant the trademark owner could always take away a domain name from someone who didn't have a trademark. And noncommercial speech doesn't have trademarks; when we use our last names, when we critique things, we don't get trademarks because trademarks are commercial labels.

And so our very first resolution was that the uniform dispute resolution policy, the UDRP, had to be fair and had to have some rights for registrants. And we wound up being successful in pushing for that. Not as many rights as I would like, not as much balance, but it was much more fair and balanced when we came out. So the Non Commercial Users Constituency was created as a balance for the commercial – the various commercial constituencies.

And then with the rise, first the creation of the registrars, and the competitive industry of registrars, like Go Daddy and Tucows and Blacknight, and now the creation of competitive registries, all the new gTLD registries, so the old ones like VeriSign and Afilias and the Public Interest Registry, and the new ones like Donuts and Minds+Machines and some of the others and Right Side. We are part of the group that helps make sure that the regulations of this new industry, this domain name registration industry, are also fair and balanced.

So we play a critical part in the ICANN universe. And no one else shares our – we often represent principles and issues that others don't; free expression, free speech, fair use, fair dealing, privacy and due process. I don't know why we're the only ones who argue for due process but often we are the only ones arguing for it. You would think everyone would argue for that.

But we have a unique voice and I'm happy to share more about the history. But I'll hand it over – back to Farzi and then over to Milton. Thank you.

Farzaneh Badii: Thanks very much, Kathy. I hope you can hear me better now. So Milton, if your audio – if your audio is okay, okay…

Milton Mueller: Can you hear me?

Farzaneh Badii: Yes…

((Crosstalk))

Milton Mueller: Are you there? Can you…

Farzaneh Badii: Yes, yes we can hear you.

Milton Mueller: Okay so I'm back. And I guess Kathy did a great job of sort of explaining the values that motivated the creation of the Non Commercial Users Constituency. I'm going to try to give you a bit more information about the process and the organizational structure of the GNSO.

What you need to understand is that when we were having these early fights about domain name policy, there was kind of a vacuum. Nobody knew who was supposed to be responsible for making policy to decide things like how many new top level domains there would be or how would you resolve trademark domain name conflicts.

And so in effect we had to create a new political institution and they decided to organize it around these things called constituencies. And as Kathy sort of indicated, the early constituencies – the conception of who would get one and what they would be was very unbalanced. You had a Business Constituency, you had an Internet Service Providers Constituency, and of course Internet service providers are businesses, and you had a trademark constituency.

And that of course, the trademark constituency was populated by these large businesses that also were in the Internet Service Provider and Business Constituency. So think of the numbers here in terms of voting on a Council, you had three constituencies basically representing trademark owners, you had

one constituency for registrars and another one for registries, which at that time consisted of one company, and there was nothing else.

So we formed the Noncommercial Constituency in 1999. And we were consistently outnumbered in terms of votes on the Council because, you know, the intellectual property interests could get all three of their constituencies and if they just pulled one of the other constituencies with them, they would win any vote.

So in 2000 – oh I think it was 2007 or thereabouts, ICANN commissioned the report – a review report about the GNSO by the London School of Economics, and that report pointed out that the voting structure was very unbalanced and did not really foster consensus among the different stakeholder groups. So they rebalanced the GNSO to create four different stakeholder groups.

One was the Commercial Stakeholder Group, commercial users; one was the Non Commercial Stakeholder Group, which is what we were in; and then there were the Registries and the Registrars, the so-called contracted parties, people who have contracts with ICANN. And we balanced the voting so that the commercial and noncommercial had the same number of representatives on the Council.

And since then, we've been a lot more influential in the ICANN environment, although it might be useful to point out that the Commercial Stakeholder Groups were so angry about that rebalancing that they started saying really bad things about us and they actually influenced the Board to take responsibility for appointing three of our members to the Council instead of letting us elect them, but that's kind of a dark little detail that we have overcome and moved beyond.

So essentially you need to understand that we are part of a balanced attempt to make sure that consensus actually develops in policies and it's our job to represent the viewpoint of users of domains who are not in it for commercial purposes. It's not like we're anti-commercial, we make alliances with some of the commercial stakeholders at several times. But we are there to represent certain values that the other stakeholders don't represent.

So I'll stop there if you have any questions.

Farzaneh Badii: Okay. Thank you very much, Milton. That was great. Maryam, can we go to Slide 3? Just – yes, so Milton kind of covered what I wanted to say more briefly. But I'm just going to tell you that so our overarching stakeholder group is the Non Commercial Stakeholder Group. So you receive emails from Non Commercial Stakeholder Group mailing list and also NCUC mailing list.

Tapani is the Chair of the NCSG and I am the Chair of NCUC. And if you remember, you filled in a complicated form that was NCSG first and that's why because Non Commercial Stakeholder Group contains two constituencies; one is the – one is us, NCUC and the other is the NPOC. But I'm not going to – we are supposed not to use acronyms, yes, I should remember that.

So we contribute to ICANN policy through various ways. We, for example, provide like policy statements for public comments, we join policy making groups, and we run for elections and become councilors at what Milton mentioned, Generic Names Supporting Organization, which is kind of like a parliament that says okay, we approve this, a policy has been developed or no, we don't approve it.

So now can we go to the next slide, Maryam? Okay thank you. So this is the Generic Name Supporting Organization Council. And I don't want to confuse you with this; you don't have to learn all of it. But you just locate NCUC and you can see that NCUC actually, as Milton mentioned, involved with policy development and also can have a vote.

But so what we should do here, we should also remember the name generic, so it is – we work on generic names. And like apple and orange and fox and I think also Kathy is going to cover a couple of issues about the generic names and the rights of registrants.

And so can we go to the next slide, Maryam? Okay, so now we are going to tell you how you can navigate ICANN and where we thought that this should be a webinar on its own. But what we are going to do here we are just going to tell you that you should have always ICANN mandate in mind.

ICANN mandate is to make policy about domain name system. It does not make policy about broadband; it does not – it does not make investment in (unintelligible) and like mobile Internet. So I received these questions, for example, that how about they speed up the Internet in some region. ICANN does not work on these issues. At least at NCUC we work on domain name related policy. And this is very important for you to consider when you start with your work with NCUC.

And then so we are going to send you a questionnaire about your skills and background. If you would like, you can fill this in and then we can let you know – so because ICANN work, although it's limited to domain name system, it – you can use a lot of your skills and expertise.

So if you tell us what you are interested in, for example, I'm interested in privacy, or your organization is – has been active in privacy issues or dispute resolution, we can tell you that which working groups are working – are working on what issues and how to get involved.

And also pay attention to the GNSO policy brief and choose a topic. I have put the link there. And also attend the NCSG policy meetings which take place monthly usually on the Tuesday before the GNSO Council meeting on Thursday.

So next slide. So now I'm going to pass it to Anna. Anna is our Executive Committee representative from North America. Anna, please take the floor. And we are going to tell you how to navigate the ICANN Website.

Anna Loup: Okay, thanks, Farzi. This is Anna Loup for the record. I wanted to just make a quick comment, I think that this slide isn't the slide that I wanted to have up there, but it's okay, we'll go forward with that because what I want to talk about are there are a lot of different issues related to the ICANN.org Website and that you should be aware of when trying to navigate because one of the big, you know, ways to navigate the ICANN maze is to navigate the ICANN Website.

So I wanted to give you a few pointers on how to navigate the ICANN Website, so that you can best understand the ICANN maze itself. So I first wanted to start up, this is the homepage that you're seeing on your screen right now. And I wanted to draw your attention to the very top of this screen, right? So you're going to see up in the top left hand corner pages under review.

This is important to notice because the ICANN Website is undergoing a lot of changes so it's important to recognize that some of the pages that you may

have bookmarked will not be there anymore. So the ICANN Website is always changing.

Going over a bit to the right we see a bunch of different languages. This is important to notice especially with in regards to the search functions, because the search functionality is different in different languages. So I always encourage people to search via Google and then go to the ICANN Website. So search whatever you're interested in looking for.

So for instance, there is a lot of data and sort of metrics from the – from different types of data on the ICANN Website. One that would be particular – of particular interest to you, I think, would be the Generic Top Level Domains Consumer Trust, Consumer Choice and Competition Review Team. They've collected a bunch of different metrics on the new generic top level domains there.

And unfortunately it's not on the screen, but if you would – if you wanted to look up these metrics you would look and you would search in Google, the CCT Review Team metrics ICANN. And so that's how you would locate it because on the Website it's still changing and it's difficult to navigate.

And there – unfortunately there's a sidebar and my last tip for navigating the ICANN Website is using the sidebar. The sidebar is the best, it's not available on this screen, but if you were to say, click the Get Started tab there would be a sidebar on the left of your screen. That sidebar is the most helpful thing in navigating the ICANN Website.

Other than that, I would also recommend that everyone here take a look at the ICANN Learn page, there are a lot of videos and tutorials that I think come in very helpful. Oh there it is.

And with that I'll turn it back over to Farzi.

Farzaneh Badii: Okay. That's great. Thank you very much, Anna. So this is the ICANN Learn platform. You can sign up for it. I don't know how many lessons related to NCUC and noncommercial registrant rights are there, but you can kind of look around and see what you can learn from there.

Can we go to the next slide, Maryam? Okay, so can we just do the – no, that is not right. Okay, so that's not the one, Maryam. It's – go, yes. So now we are going to cover a couple of topics that we work on, NCUC members work on at various working groups.

And then you can – these are our focal – people that cover this are our focal point so if you have questions or want to get involved with the (unintelligible) you are welcome to contact them, and I just said that authoritatively, I have not asked them but I'm sure (unintelligible) answer any questions.

So now I pass it to Kathy to cover the freedom of expression, trademark and non-registrant – noncommercial registrant. Thank you.

Kathy Kleiman: Thanks, Farzi. This is Kathy. Actually can we go back a few slides to my not so lovely picture? Okay, hey, guys, that's me in the picture. That was a few years ago. And I hate that picture. But I did want to point out that microphones are a huge part of the ICANN process. We do a lot of research, we do a lot of comments, we do a lot of writing, but in the ICANN world it's that ability to get up after a panel, after a committee has presented or a working group has presented an ask questions. And in this case I'm actually asking questions to the Board of Directors of ICANN.

That ability in front of the whole community to raise issues. Milton is a genius at this. And Farzi is too and others on this call. But raising questions so I just wanted to point out the microphone is one of our most important tools because it's where you can point out the phrase the emperor has no clothes, that's some of the things that are being told to us don't make sense.

Thanks, Farzi, we can go forward now to freedom of expression. Okay, well I think it's this slide. Perfect. So what I'm talking about today is the tension between freedom of expression and trademark rights. And really this is a concept that I call the right to words. And this goes back – so first I'm going to tell a story and then I'm going to tell you a little bit about what we're doing now.

So the story is what I mentioned earlier, in the mid-1990s big businesses came onto the Internet and started to register domain names. And what they found was that some of their domain names were already registered. So someone had registered americanairlines.com and American Airlines got very upset and wanted to find a way to get back American Airlines cheaply and quickly.

But McDonald's got very upset too. And because someone had registered, in fact a reporter for Wired had registered mcdonalds.com and had pointed out that McDonald's, a multinational company, should probably register it and even offered to transfer it to them.

But the trademark community went up in arms that their trademarks were being registered as domain names without their permission. And they wanted very broad protections. There's only one problem, that in most cases, trademarks don't – in most cases trademarks are also basic words, dictionary words, generic terms that describe entire industries like truck or milk;

common first names like Wendy, which is – Wendy's is a hamburger restaurant in the United States, common last names like McDonald and Fox.

And this created a problem because the trademark owners said they own the words, and we said, no you don't, you don't own the dictionary. And what's even worse is that domain names are really the street signs of the Internet. And they wanted this ability to yank our street signs where we were putting up our noncommercial speech, maybe under our last names or first names or, you know, generic words that we were using or even trademarks where we were criticizing the trademark owners, very legitimately, very legally.

And they wanted the ability just to yank these with very little due process if any. And that's where the Non Commercial Users Constituency stepped up and said, no, no, we have rights to these words. So this continues to be our space in the world, that dictionary words belong for noncommercial uses.

And what we found when we opened up new top level domains is that not only did the trademark owners want rights for disputes, not only did they want to yank our domain names after they were already registered, after we already had our websites, after we already had our ListServes, after we already had our email addresses up underneath these domain names, but now in the new top level domains, and this is a fight we're fighting now, they want the right to preregister everything or to block everything that matches their trademark.

And again, their trademarks are ordinary words, Orange Telecom thinks they own the word "orange." Fox Media has told me they own the letters F-O-X. Legally that is completely incorrect. There is – you know, fox is an animal, fox is a last name. My friend Adam Fox has his own public relations company under his last name.

So part of our job here is to kind of defend the use of language on the Internet and to try to make sure that trademark owners – part of the real – the reason for opening up new gTLDs, one of the main reasons was the artificial scarcity of dotCom. Everyone was converting into dotCom. The short, sexy domain names were already taken. We needed more space. You can't have, you know, there were too many Deltas, Delta Airlines, Delta Faucets, Delta Fraternity, Delta Math all wanted delta.com, you know, like a Delta Math education group, they all wanted delta.com; you can only have one delta.com.

But in the new gTLDs, and here I'm making up some, there's a dotMedia and a dotEducation and dotLawyer and a dotTech and you can put – and dotFaucets, you can put a lot more in but not if existing trademark owners block their trademark in categories of goods and services and uses, in noncommercial uses and things that don't apply to their trademarks. And they're asking for very, very broad rights now.

And so I'm cochair of the Rights Protections Mechanism Working Group, which is another way of saying, you know, the trademark owners protections working group. And we're reviewing all of the protections for trademark owners. And we're going to, if we have – we're going to try to make sure they're fair and balanced, but we could use a lot more support. And you don't have to be lawyer to do the work, you just have to really believe that noncommercial uses of words are just as important as commercial ones.

Thanks, Farzi. I hope that was useful.

Farzaneh Badii: That was very useful. Thank you very much, Kathy. And now – same slide, Maryam, you don't have to change the slide. Now we go to Stephanie and Ayden to tell us more about privacy at ICANN and what NCUC does.

Stephanie, I can surely not hear you. Okay so – so if Ayden is around? Ayden? Are you around? Oh…

Stephanie Perrin: Sorry, can you hear me now, Farzi?

Farzaneh Badii: Yes, yes, I can hear you now.

Stephanie Perrin: Yes, sorry about that. Okay basically going back into the history of ICANN, by the way, my name is Stephanie Perrin and I'm a councilor and I work on largely privacy issues. There's quite a few working groups that are working on privacy issues.

So if I could just give you a quick summary of what happened at ICANN. The intellectual property owners produced a report prior to the creation of ICANN where they recommended to the US Government that they really needed to know all of the details, and they listed them, about registrants and that those registration details needed to be made available through the existing mechanism that the researchers had been using to connect to one another namely Whois.

So Whois then, as soon as ICANN got established, and the registrars were starting to be accredited, because one of the first things ICANN did was open up competition for the selling of domain names, and the registrars were compelled through the Registration Accreditation Agreement, to collect all this personal data and to make it available on – through the Whois database.

Now, this was in the early days of widespread data protection, but there was still plenty of data protection law in place in 1998. The first RAA, I think, was in '99. So they actually got away with this. Those registrars for top level – for

gTLDs, at the time, would have been breaking data protection law but they went ahead and did it.

The noncommercial users and other constituents raised a ruckus and eventually, through a number of Whois studies, and some of our people have painful memories having served on these, Milton and Kathy and Avri. As you can tell from the voting structure that Milton described earlier, we didn't win these things; we got sort of a draw. And the compromise that we got in 2006 was a Whois conflicts with law policy whereby if a registrar could prove that they were in violation of data protection law, they could get a waiver.

Now very few of those waivers had been granted even up until last year. And of course the problem is registrars that don't bother about data protection law and decide, okay, I'll just risk it, ICANN's telling me to do this, who cares, they just went ahead and did it. So it's a rather unsatisfactory method of meeting data protection law requirements.

However, on top of this, a privacy proxy service arose whereby a registrar would say, don't want you data in the Whois? Buy our proxy service and we will put our data in the Whois instead of yours. And that basically masked the clients and a lot of people take advantage – people and organizations take advantage of that.

Now one of the recommendations of a more recent review, and you will see once you start going through the documents, they review it themselves on a regular basis. One of the recommendations was to accredit the privacy proxy services and put some rules into that. It was a bit of a no-man's land and the law enforcement community was claiming that people were using privacy proxy services to hide malfeasance and criminal behavior.

So we went through that about two years ago I guess. It feels like it went forever. Kathy was on that along with me. And we are now in the process of – the policy was finally agreed after two years. We had a big fight over whether associations could use privacy proxy services. We actually won. More on that later.

And now we are busy implementing that policy. And the thing about ICANN that is fascinating but very time consuming is you have to keep watching all the way through the process because the Government Advisory Committee was not happy with the policy we came up with and the Government Advisory Committee has been empowered to give advice to the Board. And the Board is expected to take that advice unless there's a good reason not to.

And I'm going roughshod over recent work on the empowered community. But basically the GAC has the idea that if they tell the Board something shouldn't happen, they make it so. So the Board – the GAC was not happy about the policy so the Board said, well, we'll try and fix it in the implementation. This is why I'm sitting on the Implementation Committee.

And if anybody's interested in monitoring these things, it's a good way of learning about how things actually happen in the bureaucracy known as ICANN because there are many moving parts, many committees and it takes a lot of people to staff all those committees and keep an eye on what's going on.

So that committee is going on at the moment. But more importantly, a very large committee has been struck, the RDS PDP, to look at a new registration data service to replace Whois.

I served on an expert committee that was struck a couple of years ago I guess in 2013, so that would be four years ago now, to try and solve this problem.

That's not the way ICANN usually works. And sure enough, this didn't work either. I had to dissent from the agreed report because what they were doing violated basic principles and data protection law and nobody who understood data law protection law could agree to it, in my view.

So that was shelved. They sat on it for a year and then they struck a PDP about a year ago, year and a bit…

((Crosstalk))

Farzaneh Badii: Yes, and also please less use of acronyms. No one knows what PDP is, just say policy.

Stephanie Perrin: Oh okay, policy development process. Sorry, I thought they'd managed to get that one through. That's how ICANN works, through policy development processes and it's very important that we staff them.

So this policy development process is ongoing. You can monitor, if you don't feel that you know enough really to participate, by all means, jump in and it's going so slowly that I guarantee you will start to figure out what the privacy fight is about. We have a large number of people on that committee and we meet weekly. So that is the RDS PDP. You will find it on the ICANN GNSO site.

Farzaneh Badii: Thank you very much, Stephanie. That was very helpful. (Colin) has a couple of questions, which I think we are going to take the questions at around 1200. But we are going to (unintelligible) those interested in touch with our focal point, Stephanie, and Kathy and also you can come to me and ask me, so where is this group that I want to join this group and I tell you how to join the group. And we can do it that way.

Can we go to the next slide, Maryam? Okay oh yes so right, here is the NCUC and Internet governance. So I thought that – well Renata thought that it would be good for you to know what we do with regards to Internet governance related issues because there are a lot of like confusion that people think that we work on broader issues of Internet governance as well. So I thought that a brief on what we do as NCUC in the Internet governance field would be interesting.

Renata, go ahead.

Renata Aquino: Hi, everyone. Renata here. Really quite an interesting question. I'm not sure if it was answered already, how do you want to play this, Farzi? Questions at the end?

Farzaneh Badii: Yes, we take the question in the end, and I don't exactly know the answer to that question so I have to find out.

Renata Aquino: So that's why I also wanted to know, okay. So as you see we live and learn here in the NCUC. And, yes, if you are myopic like me, you can use the top right corner and use the icon as an X, it will put in full screen the infographic, yes. I'm not very good with PowerPoint myself, so I prefer that.

And so Internet governance (unintelligible) and the question is, "What is the relationship between NCUC and Internet governance?" Depends on who you ask. It could be very straightforward, nothing. And others will say everything. So it takes a while to figure out exactly where you are and what you're doing. This is a map which kind of helps understand things.

So I take it you're all from different backgrounds (unintelligible) professions.

((Crosstalk))

Renata Aquino: Someone has their mic up. You can close your mic – mute your mic by clicking on the (unintelligible) icon on the top. But I hope you can still listen to me, okay, yes? Yes? Okay. Are you listening to me? Yes? Okay, good.

Okay so, yes, you may sleep through this, or you may find it interesting. I find it very interesting. So ICANN is an organization which deal with Internet rules, Internet rules for the domain name system. And not one person can make these rules. These rules are made by a community so in a multistakeholder fashion.

So what does that mean? Sorry, Farzi, my timer has gone to – back to 1 again so I think I'm two minutes to go, yes? Well, I'll be brief. Anyway, the multistakeholder model is a model in which you take into account criteria of stakeholder group diversity. So you have to have commercial stakeholders, you have to have noncommercial stakeholders, you have to have government and technical community all coming together on a policy and standards, recommendations and advice.

So this is done through an open debate. And this is done also with a relationship between other organizations such as the IAB, the Internet Architecture Board; the IETF, Internet Engineering Task Force; the IGF, the Internet Governance Forum, which is organized by the UN; IRTF, Internet Research Task Force; and many others, Internet Society. You also have the RIRs, which are the Regional Internet Registries, which are also part of ICANN in their capacities as NICBR, NICCR and many others.

And so you have all of you from different backgrounds, from different professions, different regions, can participate in this open debate and work on policy recommendations for the Internet. NCUC on behalf you would be speaking for the noncommercial users, so this – these are – this is where action lives in ICANN.

And I guess that pretty much would be the relationship between the Internet governance and NCUC. And we, as I said, this is the relationship that we learn each other every day how to make this interaction work.

((Crosstalk))

Farzaneh Badii: Thank you very much, Renata. Can we go to the next slide, Maryam? Sorry, we're just going to give you a lot of information. So Tatiana is going to take on – so as I forgot to mention that NCUC role – I would say that we work on three parts at ICANN. One is policy development at ICANN, which Kathy and Stephanie talked about and this is the policy regarding domain names.

But then there is another part that we get involved with an that is to make ICANN as a corporation more accountable and transparent in its operations. That we also get involved with which Tatiana is going to cover. Tatiana, please take the floor. Thanks.

Tatiana Tropina: Thanks so much, Farzaneh. Tatiana Tropina is speaking for the record. I hope you can hear me well. I'm on the phone bridge. So before I start, I think I might want to ask why accountability and why now, because ICANN exists for a long time. So this is over history here. You probably know that last year ICANN transitioned from the US oversight, from the US government oversight.

And before this transition, there was A contractual relationship between ICANN and the United States government. And this contractual relationship was supposed to secure a high degree of accountability because if ICANN wouldn't be accountable or didn't have a mechanism in place US government could have said no, we are not going to renew the contract.

So when US government announced that transition was going to happen in 2014, there were many critical voices who said that ICANN might turn into IFFA. We agreed not to use acronyms so International Federation of Futbal Associations. So the same, not transparent and not accountable.

So there was a big call in the community that community has to form working group to ensure that accountability mechanisms are in place before the transition is going to happen.

So this group started working in the late 2014 and it was a really big and hard work to propose many reforms for ICANN accountability to ensure that US government would be happy to end the contract, that robust mechanisms are in place to make ICANN as organization accountable.

But it was clear that this work cannot be completed really in a short term, so the community decided that there would be two work streams. The first work stream will ensure that the mechanisms are in place to complete the transition from the US government oversight.

So this group finished working I think the proposal was finally approved in March last year, so one year ago, and for accountability mechanisms it established what we call empowered community which can itself enforce different community powers, which this accountability proposal provided communities with like for example to reject the budget, to reject changes in

the ICANN bylaws, to approve changes in the ICANN bylaws, to remove an ICANN Board Director or to spill the entire ICANN Board.

So this is how Work Stream 1 finished. The proposal for accountability was submitted, the mechanism that are supposed to get in place after the transition, the transition was approved by the US government. But now we are in what is called Work Stream 2. There are accountability topics which extend beyond that transition and which ICANN still committed to complete to ensure – you can see from the slide – diversity, human rights, respect for human rights at ICANN, resolve the questions of ICANN contractual jurisdiction, resolve the questions related to ombudsman, sorry, supporting organizations and advisory committee accountability, staff accountability, transparency.

So this work is currently being done. It's an ongoing work. And as someone who actually joined NCUC after working on accountability, I urge you, if you're interested in any of these issues, which I listed on the slide, join. Some of the groups are already near to completion of the first drafts, but you can still join if you're interested in a particular topic because it's a very good exercise for you, even if you feel that you are still not on the level or don't have the confidence to contribute, you could at least see how the multistakeholder process is going, how people are working together, how they are arguing, how they're reaching consensus.

So you can join a group as a member, which will allow you to post comments on the list, to join small drafting teams and help other people or you can join as an observer and just see how it all goes. And the opportunity to get involved into this process is to help NCUC to draft public comments on the reports. All the subgroups have different timelines, like for example, the transparency first report is already online, we are going to comment on this .

So if this is of your interest just help us, just join. And really it's a good door opening to the whole policy processes because you get to know people, you see how it goes and then you feel comfortable within the ICANN community. Thanks a lot. That's all for me.

Farzaneh Badii: Thank you very much, Tatiana. So this call initially was for one hour but we wanted to keep the last half an hour from 11:00, well my time that's another 40 minutes so that we can cover all the topics and also get – answer your questions. And so if you can bear with us so that we can also answer your questions if you have questions that would be great.

Now I just want to add one thing about the jurisdiction working group, Tatiana, as I can see there a lot of members from Iran here. At the jurisdiction working group, we are talking – like we have a questionnaires that says, "Does your business or activity get affected because of ICANN's jurisdiction?" which is the US jurisdiction.

So I will share the questionnaire with you on the NCUC mailing list. And please spread the word around and see if there are any senses that – activities have been hampered because of the – ICANN jurisdiction. And for the other groups, as Tatiana said, you can join.

Can we go to next slide? Okay, so this – so we also work on the NCUC governance. And we try to enhance it. So how do we get a chair like this? What does the Executive Committee do? How do we nominate people? These are like the questions that we need to answer and we need to enhance our transparency and accountability to our members and in doing that we have to come up with good bylaws and procedural rules.

Now, Anna is leading this group, which works on the internal rules of NCUC, and she's going to tell you how you can get involved. Thank you, Anna, please take the floor.

Anna Loup: Thank you, Farzi. I just wanted to – I'll quickly through so we have a bunch of time for questions and answers. I actually, when I got involved with the NCUC it was working on the bylaws. And we're – the bylaws process is moving along. And I would suggest all of you to keep an eye out in your inbox for requests for comment from the NCUC membership on the NCUC bylaws and we'll be working on them again at some point, so keep an eye out for that.

What's currently going on and the groups are tasked with – I'm leading this - the procedures task force. I put the link on the – put link up there on the PowerPoint slide but I will also put it in the chat right now so you can come take a look.

Really what we're doing now is we're looking at the development of procedures that directly impact how the EC, the Executive Committee, works as well as other functions in the NCUC but mainly with focus is develop processes that enable the functionality of the NCUC. So we're going to be developing processes around voting, trip funding selections, development and voting policy statements and public comments, and other forms of outreach and finally meeting schedules.

So I would urge all of you to take a look at this document. But also just take a look at the comments that are being made, take a look on how the process of the process making – of the, you know, procedures development is happening. So this is a really good way to understand how comments are made. Also I would urge any and all of you to reach out to myself or Tatiana, we're sort of

acting as points of contact for newer members so if people who have questions on working task force, so please reach out. And we would really appreciate any and all support.

Our next meeting is on the 28th of February, so please – we'll be sending out an invitation for that also on the ListServe, so again, myself, or Tatiana are the points of contact if you have any questions about getting involved with the procedures task force. I'll turn it back over to Farzi.

Farzaneh Badii: Thank you very much, Anna. So that is how to get involved with the procedural rules drafting at NCUC. Can we go to the next slide, Maryam? Right, so I'm going to cover a little bit about your – about the ICANN Copenhagen – what we are going to do. I'm going to be very quick because I think we are going to have another kind of a briefing on what we are going to do later on.

So we have – it's a great opportunity, getting involved, the schedule is out now. There is the NCUC outreach. Tatiana is leading that because it is in Europe. It will be held on Saturday on 11 March. Then there is the NCUC Constituency Day. We are going to – we might have a meeting with the CEO to discuss human rights at ICANN. We are – we have also invited Board (unintelligible) about NCUC, not all of them, we have selected a couple of them to tell them what we do so that we won't be incognito so that Board, which is like the ultimate decision maker knows that what we do and who we are.

And then also we have a newcomers segment at our NCUC Constituency Day, which you can attend remotely or in person. And as Kathy mentioned, there is a good opportunity at public forum to go to the mic and tell the Board what we don't like or what we like. And can we go to the next slide, Maryam?

Great, so here we are, this is your Executive Committee representatives. As you can see there is a gender imbalance. But I consider that positive. But, so we have – we have a European – Tatiana is the European representative on the Executive Committee. Ines is for Africa and Anna is for North America and Renata is for Latin America and Caribbean. And David Cake is for Asia-Pacific.

We are here – so there are various things that we do. For example, we decide – we announce funding for trips and we decide who will go to the meetings funded by NCUC. We do various things. We try to get you more involved. So consider it as your focal point and link to NCUC. You can always contact us and – or your regional – and your regional representative and talk to us. If you want their individual email address, well, you can contact Maryam and she can put you in touch with them.

And so that's about it. Anna, did we meet – online – the remote participation slide that you had prepared so that we can tell the members how to prepare online?

Anna Loup: Oh yes.

((Crosstalk))

Farzaneh Badii: Yes, so if there is interest, we can just briefly go over how you can participate. Like, Anna, maybe you can do it without the slide. I think that's quite important to be covered, just two minutes and then we can go to questions. Thanks.

Anna Loup: Yes, I can do that really quickly. And honestly, you don't really need a slide. What I would suggest doing is everyone going to the ICANN meetings Website and looking up the Copenhagen schedule. That's always the first thing I do. So I have never been to an ICANN meeting but I've participated actively in ICANN meetings for a while because I think it's really possible to participate actively in ICANN meetings without going there in person. Granted, from what I've heard, you know, you miss a lot, but it is possible.

And so what I always do is about a month out I go and I look at the schedule. And then two weeks out I look at the schedule again. And I look at the sessions that I think would be of great importance to me. Unfortunately, sometimes this means that you may be up at 3:00 in the morning. So it's definitely a sacrifice you have to make. But then the Adobe meeting link is always available if it is an open meeting in the schedule.

And what I do is I create an Excel document that has the names of the sessions, the link and then sort of the timing. Oh, this is great, thank you so much. And so then you can go through and really look at what sessions you would like to attend. Also you can sign up for an account which will let you mark which meetings you're interested in going to either in person or remotely. This is a really great function as well.

And it's all color-coded. So really what I would suggest doing – and I would be willing to sort of work with, you know, go through a list with anybody if you have any questions. But just really going through this list, picking out those topics you want, noting them down, noting the time and then really just tuning in.

And I would also recommend if you really want to get in touch or you really want to make a comment and you don't feel like you're being heard, please

feel free to email me directly or send me a private message on the Adobe chat. I'll of course be on the Adobe chat for all the NCUC and many of the NCSG meetings. And I will make sure that your comment is heard.

Farzaneh Badii: Thanks very much, that was great. So with that, we can go to questions. I just wanted to finish with saying that there are a lot of opportunities out there that we are trying to get you involved with. And so do not hesitate to reach out to us, we are going to be as transparent and announce everything on the mailing list. So those just (unintelligible) the emails that come from the Executive Committee and of course the Chair of the NCUC, you know, these are like the opportunities to get involved, to get involved with NCUC, to get involved with ICANN.

And I'm sure you will be intellectually rewarded if – we don't have any monetary reward but, yes. Okay, so if there are questions or comments, we can also get your feedback on whether this webinar was useful and whether we should continue. Of course you can be harsh and just say no.

But it would – okay, that's great. So if there are questions just tell us and if you don't have questions I'm just going to talk and talk. Okay, so (Kimberly) says – (Kimberly) has a couple of questions on the work streams. Maybe, Tatiana, do you think you can take that question? Oh, oh yes, that's – oh okay. Sorry about that.

Okay, so (Kimberly), what we can do is that you have question about the diversity group. The diversity group is led by our former chair of NCUC, Rafik Dammak. I can put you in touch with him. I can – so – it doesn't depend on ICANN as an organization only, it also it depends on community, stakeholder groups and constituencies to advance diversity.

As you can see, we have advanced diversity at NCUC by having – by having five female on the Executive Committee. And so also we have regional representation so the Executive Committee is elected by our members. And they come from various regions and that's by design. Our bylaws say that every region has to have a representative.

But you're right, we have to work on the diversity things and if you are interested I'll put you in touch with Rafik and also you can join the Work Stream 2 for the – and also I can see that Rachel is here. Rachel is also a very active member of the diversity team – and Renata.

Any other questions? You can also raise your hand and speak if you want. Okay, I don't see any other questions. I think if we don't have questions we could – any I'm not seeing? Okay, okay so as to the enforcement of the diversity report, these reports are going to go to ICANN Board and the Board will come up with a resolution.

And then that's where we have – that's where the enforcement comes from. But I don't – but I don't think that – I don't know if ICANN Board can tell the stakeholder groups, constituencies, that you have to have diversity in quota and all that, we don't know yet. But enforcement normally comes from Board and Board's review. And also the SO and ACs and the stakeholder groups take on initiatives to self-enforce these diversity matters.

Okay, (Christopher) hand is up. Please, (Christopher), take the floor. (Christopher), we cannot hear you if you are speaking. Okay, so we cannot hear (Christopher) unfortunately. I mean, I cannot hear (Christopher), everyone else can hear? No? Okay, all right so we can go to Renata. Renata, please take the floor until (Christopher) gets connected.

Renata Aquino: Hi. This is Renata here. I was just – to your answer, Farzi, yes, the enforcement of diversity depends on the community, depends on the organization of the several parts of the ICANN community, the Commercial Stakeholder Group, the Non Commercial Stakeholder Group. But, yes, more extreme (unintelligible) is working group called Diversity and there are proposals. At the time the working group is issuing recommendations on diversity.

But there is already a recommendation for an office of diversity for instance. So if this is the kind of work you want to follow, also the work on transparency in ICANN, definitely I would second Tatiana's remark to join Work Stream 2.

Farzaneh Badii: Okay great. Thank you very much, Renata for that clarification. So if Christopher has – can't still talk. Christopher, can you try? I don't see Christopher can take the floor. Okay. Oh well, this happens. So are there any more questions?

So remember that we are going to send you – we are going to send you like a – kind of like a survey on what you are interested in, what your background is, and then we are going to – we are going to match you with a mentor that can tell you – but Maryam has come – has suggested a system which is quite useful that we are going to have like a six-month mentor/mentee program. And also Kathy and Ayden have suggested this to me, that we are going to have a mentor/mentee program for six months for you to be matched with someone who is like a veteran and understands the issues as NCUC and ICANN. And then they can mentor you and you can benefit from this. And then – and then you can become more active and make a difference at ICANN.

If there are any other questions or comments, let me know. But I don't see any – okay, how can we access to all matters and links on the shared (unintelligible)? So again, we are going to send the presentation to NCUC mailing list. We are going to – and also you can contact your point of contact can be me and Maryam for different issues and questions. But we are going to send this to the mailing list.

We are going to send the transcript and we are going to send the recording – we send it to the mailing list. We also send it to NCUC Website. We have a Website, by the way, so it would be good that you familiarize yourself with that as well. We are trying to make more updates. But, yes, okay.

Oh, so again, also, have you – so if are there nonmembers here, and are interested to join NCUC, then you have to apply first. But we are going to put these materials on our Website and the transcript and the recording anyway so even if you are not a member you can access that. But if you would like – if you are considering to join NCUC, then that would be great. And you have to apply first and then become a member and then you will be on the NCUC mailing list.

Oh okay. Okay, well join us then so (unintelligible). It would be great to have you, we should consider that we are concerned with noncommercial issues. So at ICANN we advance noncommercial interests. You just have to have that in mind when joining.

Okay, so if there are no other – if there are no other questions or comments I'm going to finish this webinar. Thank you very much for attending. It was a pleasure. And if you found this webinar useful, we are going to do more to get you engaged and keep you engaged. Thank you very much.

Maryam Bakoshi: Thank you, all, for…

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