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Alice Jansen: Greetings. My name is Alice Jansen. It's a pleasure for me to welcome you to the ICANN strategy panel on ICANN's role in internet governance ecosystems Webinar, session two.

Before we begin, I'd like to briefly remind all participants of housekeeping items. This Webinar is being recorded. If you have any objections, you may disconnect at this time.

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And, with that, we'll turn to Vint Cerf, strategy panel chair.

Vint Cerf: Thank you very much, Alice, and good day to all of you. Thank you for joining us on this second panel discussion call regarding the internet ecosystem and ICANN's role in it.

May I have the first slide, please?

Here, you see a review of what the panel has been asked to accomplish. I won't bore you by reading each one of these bullets, except to ask you to read them. And I generally say that we have been asked to look carefully at the way in which ICANN relates to many other parts of the internet ecosystem and the way in which it carries out its work, the way in which it exercises stewardship of the responsibilities that it holds.

We are very interested in this panel in understanding how that relationship should evolve and how ICANN should carry out its work. We are also very interested in how the relationships among many of the stakeholders and stakeholder organizations should evolve over time as well. And so our attempt will be to produce a kind of roadmap showing how these various aspects of internet governance might change over time and, specifically, how ICANN's role might evolve as well.

May I have the next slide, please?

I think almost everyone on the call is well aware of the history of internet and the history of the management of its unique parameters. In particular, I would call to your attention John Postel, who served in many roles as both the Internet Assigned Numbers Authority and, before that, the (unintelligible) for the ARPANET and also the editor of the RFC series.

ICANN's creation coincided, sadly, with John Postel's passing in 1998. There was a period of great debate going on between '96 and '98 about how we should manage and institutionalize the handling of the unique parameters of the internet. And, out of that debate, came a delegation of responsibility from the U.S. government to the ICANN institution.

Historically, the ICANN choice for operation was very multi-stakeholder oriented. We took the view that we should take (unintelligible) approaches to internet governance issues in order to discover what worked best. And so we have always been in an adaptive mode, always looking to see how well ICANN-- or how ICANN could change its practices to improve the way in which it approached the problem.

I think our legitimacy was still primarily on being an effective steward of these important parameters. We thought that participation was much more important than representation, but we needed both, especially in instances where some form of voting was required.

We also have taken the view that non-internet issues are better considered in alternative venues. And, as an example of that, deciding what is a country was not ICANN's responsibility. We turned, for example, to the ISO-3166 table as managed by the United Nations-- for the United Nations by the German DIM standards.

We also assumed that it was important not to break any laws in the course of carrying out our work and to avoid trying to deal with content issues, since most of the parameters we deal with are not content specific, although we have discovered that semantics is in fact alive and well, and many of the domain names have semantic content, which has to be dealt with.

While it's been forced on us sometimes, we've avoided mission creep to try to stay focused on our specific responsibilities.

And, finally, despite the fact that the internet contains a significant competitive environment and we ourselves at ICANN have been charged with creating competitive environments, specifically in the domain name space, it's also our belief that cooperation is fundamental to the internet governance aspects that we are responsible for.

Next slide, please.

So I just remind you that the internet has been around in concept for 40 years, and it's been in operation for 30 years, since-- 31 years now, since 1983 and that cooperation among a network of organizations has been part of this history from the very beginning. And number of U.S. government R&D agencies have been involved in its initial funding. That grew from the Defense Department to the National Science Foundation and the Department of Energy, NASA. And, of course, around the world, other research organizations, especially in the academic space participated very early on. I wanted to emphasize that this has been an international activity nearly from the beginning. And it's important to recall that.

We saw commercial equipment showing up in the early 1980s and commercial services, at least in the U.S., showing up in the late 1980s. And I won't speak with authority about where commercial services shows up in the rest of the world, but I think it's fair to say that, as the worldwide Web emerged in the early 1990s, that commercial services quickly followed in many parts of the world.

You'll find the term stewardship showing up frequently in discussions about ICANN's responsibilities. And I think those of us on the panel feel very strongly that this perspective is important, and you'll hear more about that in the rest of this conversation.

And, finally, the creation of ICANN was motivated by a belief in the U.S. government that the policy and management of the domain name space and the internet address space should be a private sector responsibility and not a government one.

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Although we debated for a while, the panel cited it was probably smart to simply adopt the definition of government-- governance as taken from the 2005 World Summit on the Information Society. I won't bother you to read this. But I want to emphasize that our decision to use this particular definition does not constrain us, and, during the course of our discussions and your contributions to them, it's conceivable that a different definition of internet governance might evolve based on what we learn from our discussions and from you.

Next slide, please.

One of the things that all of us are quite interested in is the diversity of the ecosystem that makes up the internet. And I cannot overemphasize how diverse this global set of actors is on every metric that you can imagine. On scale, we go from individuals and small operators all the way up to gigantic, multinational corporations. The nature of these actors in the ecosystem varies from for-profit, nonprofit, for government agencies, and individuals. Their interests vary, but, quite significantly, some have financial interests, some of them have a very strong stewardship interest, and so on. Even their functions are quite diverse because some of them are in application space, some of them are providing basic infrastructure, others are providing software or hardware. The private sector has its set of actors; so does academia, the technical community, government and civil society. And so the diversity is both a strength and a challenge for any development of an internet governance framework.

There are also layered interests that show up. That is to say that the internet's functionality can be viewed in a layered way. You'll see some charts that suggest that, and you'll see that the parties who are involved in the internet have interests that lie in different layers in this architectural construct.

And, finally, I would observe that there are a vast web of relationships that link the various actors in the internet ecosystem. The way in which those relationships unfold-- some look like coordination, some collaboration, some subordination, one organization feeding upward towards another. There are tensions and frictions that are both real and potential among these various interactions and relationships. And you'll see in the next chart we've made an attempt to characterize ICANN's-- the nature of ICANN's relationships; specifically, with other parts of the ecosystem.

So, if we could go to the next slide, please.

This, by the way, is not an attempt to render all of the relationships among all of the actors in the ecosystem but, rather, to characterize the view from the ICANN point of view. And we hope you can see and interpret that ICANN in the stewardship bubble is driven by a sense of responsibility for managing the domain names and internet addresses and maintaining the parameter (unintelligible) associated with the internet protocols in a way that is of benefit to everyone who makes use of or participates in the operation of the internet.

And, of course, within that bubble, we find the supporting organizations and advisory committees and the like.

But ICANN also has relations with others. And, if you look at the coordination bubble, we have characterized the relationship between ICANN and the other elements in the coordination bubble as a coordination function. So ICANN, and particularly as it manages the internet domain space and the internet address space, coordinates the allocation of top-level domains and IP addresses to the regional internet registries to the various registries and registrar operators and the like. It follows guidance that it gets from the internet engineering task force. We must coordinate with them to make sure that our actions are consistent with the technical design emerging from the IETF. And, of course, there is a relationship with the NTIA and Verisign because the root zone management, the root servers as well. So you'll find a lot of coordination is required.

And, in addition to that, on the upper, right of this diagram, you see many other examples of institutions in which ICANN participate-- or with which ICANN participates in quite a wide range of policy activities, IGF (ph) being a prototypical example of that.

So we are very conscious of the various ways in which ICANN relates to different organizations within this ecosystem. And a more thorough examination of these relations, of course, would create an even complex diagram showing how each of the various elements shown here on this slide might interact with each other. But we thought that would be too complicated to show in one slide.

Could I go to the next slide, please?

Another way of thinking about this complex ecosystem is to think about the interests that various actors in this ecosystem have. One way to look at this is to ask what sector does the institution belong in. And here you see a number of different kinds of sectors that one might identify - public industry, social, and so on.

Another way to look at these attributes (ph) is to ask what incentives they have in their participation in this ecosystem. Some, like ICANN, ISOC, and IETF see this as a stewardship function. But others have financial interests. Others are more interested in research. Some have interests in the legal side of the ecosystem, and some have an interest in the political side. And some entities have more than one kind of incentive for their actions. And this, of course, creates an even more complicated kind of characterization.

And, finally, there's an institutional kind of view, where, you say - What kind of institution, and what kind of actor are you? Some are academic, some are government, some civil society, some for-profit/not-profit.

Next slide, please.

So here I would like to hand over to Pindar Wong, who is heading a particular subgroup of our panel that was focused specifically on stewardship. So, Pindar, the floor is yours.

Pindar Wong:

Thank you very much, Vint. This is Pindar here.

And what I would like to say is three of the members of the team you mentioned are actually based in the-- what many people consider to be the Asia-Pacific region. And so we thought that it would be appropriate to start our slide with what we've called a hokku, which has been inspired by the Japanese haiku, primarily because it's actually not 17 syllables. But, in short, the hokku begins with internet over everything. Internet for everyone. Everything over the internet. Now, some members on the call might appreciate, as Hiroaki Sato once said: Today it may be possible to describe haiku but not define it. In many ways, this is the challenge of describing internet governance. We can describe it, but it may never fully be defined.

The beauty of a haiku and of the internet is that the reader may enter the poem in one's own way. The haiku starts with a first verse called a hokku. And it often looks incomplete and, to some, a haiku is never finished. They could be translated in hundreds of different ways. Haikus also may seem out of order to some and leave opportunities for interpretation.

The utility, popularity, and diversity of the internet ensures it continues to innovate, increasing the complexity of the whole internet ecosystem. As such, it is evolving so that the internet is over everything and is for everyone, as everything is over the internet.

Although we don't need to take this analogy too far, we believe that this is an appropriate way to start thinking-- to start our thinking of the internet stewardship.

The internet emerged as a long series of experiments and developments in collaboration with government, academia, and the private sector. The internet is now a global digital communication and information platform that continues to evolve, grow, and expand in scope. But what the internet means to us today will be different in another decade and will also mean different things to different people around the globe.

Next slide, please.

An internet for everyone and everything, utility, diversity, and complexity. Now, as the internet grows, more diverse participants get involved. Their needs differ and asking (ph) to develop those needs may change. History has shown us that many groups associated with the internet today resulted from initiatives driven by a range of different stakeholders, including the technical and academic communities and government. Flexibility and the multi-stakeholder approach have been key aspects in the development of the internet, as the range of stakeholders involved continues to increase.

Mapping the various actors involved and how they interact at different levels in an increasingly-- is an increasingly complex part. We could emerge from this initiative-- What could emerge from this initiative is a web of documented actors and relationships confirming commitments and responsibilities among the many parties with specific roles in the operations, maintenance, governance, and evolution.

Next slide, please.

Mapping the internet ecosystem. Now, among the many actors in the internet ecosystem, some academic with research interests. Some focus on economic goals. Some have political and societal objectives. Some primarily care about the needs of individual users or their protection. Given the increasingly pervasive nature of the internet, all actors have a common interest in the well functioning of the overall infrastructure and a common concern that it is not abused. Still, none of these actors on their own have the capacity to

address these issues, let alone create and maintain a safe environment for all. Furthermore, there is an inescapable transportation-border interdependence among actors. The action of one has potential impact on the others, including across borders. They have therefore shared responsibility to organize the governance of this common infrastructure and maintain a safe (ph) environment for all.

The panel spent some time-- some of its time looking for language that would illustrate the way in which responsibility for the internet's operation, evolution, and governance is shared among the many actors in the internet ecosystem. These motivations brought to mind terms such as stewardship and shared responsibility. And, interesting, albeit elaborate, a metaphor can be found in the notion of entanglement and quantum theory, and that's what this picture is supposed to represent.

In this theory, the state of two or more entangled particles, there's not simply the union of their states; rather, the group has only a single state that is shared by all participants. The notion translates into a kind of entangled responsibility for the wellbeing of the internet and its users. There is an inescapable transportation-border interdependence among the actors in the internet ecosystem, and this applies to governments as well. All actors with the roles to play in internet governance do so with entangled responsibility. That means there's no one actor with total control over the ecosystem or governance.

ICANN is one of those actors. When we refer to enhancing ICANN's stewardship in an evolving ecosystem, we're not referring to ICANN enhancing their control. And so it's important that the use of the word stewardship is understood.

From the panel's view, stewardship means caring more for the good management, use, and evolution of a shared resource rather than for each individual's stake in it. It can be likened to a guardianship role, protecting the domain name space while recognizing and providing for the range of stakeholders involved. Stewardship includes providing principles and purpose for how we manage, develop, and protect the space and ensure we prevent harms or activities that may result in imbalances (inaudible).

Next slide, please.

Modeling complex network of interest. Scholars have for some time been comfortable describing the internet's technical architecture through a layered model that segregates and explains the different operations. Although there are many different ways to look at these layers, at the bottom of the layered model, there's almost always the infrastructure layer, the highway that enables the traffic.

And that layer is closely accompanied by a logical layer for the standards and protocols for the transfer of data packets, including the TCPI piecemeal protocols and the management of the DNS.

At or near the top of the layered model, most scholars agree that there's a content layer, where technical operations matter less and other policies, like intellectual property rights and free expression, are most directly implicated.

As questions of trust, identity, and human rights gave a spotlight in internet policy, we support the view of an additional social layer that provides an additional lens to identify and stratify the relevant institutions that have a mandate to deal with the ongoing steering of practices and continuous assessment and handling of emergency policy issues. This new layer would deal with (unintelligible) that define paramount rights and principles associated with the social conduct online.

Vint Cerf: I'm sorry. It's Vin Cerf. I apologize for interrupting, Pindar. One of the participants asked us to slow down for people who are not native English speakers.

Pindar Wong: Certainly. Sorry for speaking too quickly.

What this slide conceptualizes is basically the order-to-trigger discussions about which institutions and stakeholder groups should legitimately be involved in which internet policy issues. It is an overview of these layers together with a rough and incomplete approximation of the government institutions that do their work within them. Under the current multi-stakeholder internet governance ecosystem, no single institution, stakeholder, or influencer plays a dominant role in governance but, instead, participates on equal footing as representatives of their respective constituents either through local policy making and regulatory fora (ph) or through participation in government-focused bodies like the ITU.

Governance structures for the internet have emerged progressively and, largely, out of necessity on an issue-by-issue basis. As such, the internet has seen a constant set of challenges arise, and institutions have arisen, both formal and informal, to address these challenges, including the creation of ICANN in 1998 to give a dedicated home to the function of coordinating the system of unique identifiers of the internet after the internet itself was opened for commercial activity.

If you would have to select one word to characterize the internet governance ecosystem, it would have to be diversity. The system is populated by individuals, small or large formal and informal groupings, organizations, and institutions drawn from the private sector, academia, civil society, and governments, as well as intergovernmental and nongovernmental organizations across the globe. This array of actors and institutions is motivated by a diversity of interests, not all of which may be aligned. But all of them find some connection to the internet. Any kind of sustainable internet governance regime (ph) is going to have to take into account the diversity of the entities in the ecosystem and the interests that motivate their actions.

It seems fair to observe the actors in this ecosystem may have overlapping interests and authorities. There may be tension or friction among the actors resulting from real or perceived overlaps. And part of the objective of an internet governance regime should be to identify and reduce these effects or create mechanisms to resolve them in a constructive fashion.

May I move to the next slide, please? Thank you.

Stewardship, a shared responsibility. So, where does this all take us? Applying a layered model to the internet ecosystem was found useful. It demonstrates the complexity of the relationships and parties involved, together with mapping (unintelligible) discussion about the best nature of responsibilities, and helps to identify where there are gaps, if any. (Unintelligible) many benefits from being formalized.

And how does it all fit with the globalization of ICANN? It may also be that applying a flexible layered approach to policy development may help to recognize the changing environment and that a one-size-fits-all approach is not necessarily in the best interest of expanding the GLT environment. It may also allow potential impacts on different parties to be acknowledged and accommodated and perhaps also avoid unpleasant, unintended consequences.

In respect of stewardship, again, a layered approach to internet governance may be applicable. Stewardship recognizes the range of actors involved and works to entrust the best and most appropriate entity to work with others to develop shared sets of rules.

There is no single, fixed definition for stewardship, although we think that there are some guiding principles for the concept. Caring more for the good management, use, and evolution of a shared resource that for each individual stake in it-- that's the first one. The second - Like a guardianship role, protecting the domain name space recognizing and providing for the range of stakeholders involved, including providing principles and purpose for how we manage, develop, and protect the space, ensuring that we prevent harms or activities that may result in imbalances that persist. These principles are essential guides for all actors and actions involved in internet governance.

And now may I pass back to you, Vint?

Vint Cerf: Thank you very much, Pindar.

If I could have the next slide, please.

Here, I would like to turn the microphone over to Alejandro Pisanty, who is a member of the panel, and ask him to address the next two slides relating to principles. So, Alejandro, the floor is yours.

Alejandro Pisanty: Thank you, Vint. I'm just making a sound check. Can you hear me well?

Vint Cerf: Yes. It's fine. I can hear you.

Alejandro Pisanty: Participants in the Adobe Connect, please signal if you are hearing me well, please. Thank you, (Unintelligible). Good evening (ph), everybody. I just wanted to make sure that the mike was transmitting well.

So, based on all of the (unintelligible) and looking for any possible upcoming changes in the internet governance landscape and ecosystem over next few years really hard to forecast, but there are some variables one can see. As we adjust to during the planning, we have the right (unintelligible) principles, which are a part of this consultation now, which should guide ICANN in its evolution and making directions with other organizations in the ecosystem. These principles in the detailed document that will be released soon (technical difficulties).

I'm sorry say it again. I still have echo. (Technical difficulties).

Vint Cerf: Switching to the Adobe Connect room. Okay. Let's try again, Alex. I'm not hearing the echo. I think it's okay. But keep going.

Alejandro Pisanty: Let me see. I think that was no echo. Yeah? Thank you for whoever fixed this. Okay.

So the principles, as I was saying, are going to be applied-- or the proposal will be to apply them twice. Once, then, is in a very general manner to all organizations, the evolution of the whole ecosystem, and the other one will be more detail recommendations for how ICANN should interpret and apply these principles. It's a longer set, and we have grouped it into the four categories, as you can see if you're on the Adobe room.

And the slides will be up. Actually, they are already up on mine.

So the first principle, as Pindar has already underlined, the principle of stewardship. This principle of stewardship for ICANN specifically means that ICANN should act driven primarily by a function of stewardship. All other functions or approaches, like development of new business, et cetera, should be subservient to the principle of stewardship, as Pindar has already described it.

Together with this is a primacy of cooperation. There are many fields in which competition must be established and, for example, markets (ph). And, therefore, ICANN intervenes where its actions have any impact on market. These markets are expected to be as open and competitive as possible. The interaction within ICANN of all participants must be one of cooperation. And the ways that ICANN seeks to interact with other parties and national governments, their governmental organizations, ccTLD managers, et cetera, et cetera should be driven by cooperation.

Second is our rationality. It's a very important guideline and principle for all parties intervening in internet governance. All parties must start from understanding the technological impact of the possible action and also the enormous, broad spectrum of actions that that technology allows. But a lot of care must be taken into avoiding actions that could break down or challenge the rationality of the internet and its expansion, its increased availability for all and with ability to support (unintelligible) innovation.

Together with this technical rationality are things like preserving and enhancing stability (unintelligible) of the DNS and the IP allocation system-- IP allocation system in the case of ICANN. And there is the charge (ph) of other participants.

Transparency and accountability should go without saying. Taking (unintelligible) the long-documented procedures is already taken from the ICANN bylaws. Inclusion must continue. We're not recommending inclusion for transparency (unintelligible). As noted, they are already within ICANN's mandates. We are recommending that these principles become motives for all other participants insofar as possible and that there be reciprocity in these relationships. For example, as organizations try to work in an open manner, they make sure that the other organizations they are working with are equally open in their ways.

And, (unintelligible) principles, which is organized around the phrase form follows function, we mean that, for example, the creation of new mechanisms for internet governance in specific fields-- (unintelligible). This is mostly going on on a theoretic (ph), on a problem-solving basis. The form of the organization and the mechanism design that's put in place should be that which is adequate for the function. The form follows function principle also means that you don't design entity structure to see if they can catch some problems later on but that they are actually designed around the possible solutions for a problem, bringing more relevant stakeholders with the adequate representatives for the problem and so forth.

Together with this, we have the principle of (unintelligible), which means looking for solutions to the problem from the participation in solving them as close to the problem itself. Again, not a huge drop-down structure that attempts to do everything in internet governance but the one solution and the mechanism that is minimalistic and that brings together the most relevant people in organizations (unintelligible).

And the principle that all organizations should follow and ICANN has (inaudible) and continues to be attentive to is a principle of (unintelligible). The internet governance ecosystem has a role by creating a number of different mechanisms and organizations and without a strict coordination among them, which, again, would be, in many cases, putting the cart before the horse, to use a familiar phrase; instead, each doing-- they're complying

with their mandate, doing the best they can to solve the problem they have been handed, coordinating in a loose (ph) way with all other organizations, making sure that, for example, some (inaudible) solutions to problems do not start to exist-- but, without waiting for formal agreement at the highest level to start solving problems.

Another way to condense the principles that we have put together is in the following slide. These are relationship principles. In other words, to express that reciprocity principle--

I hope you already have this next slide, the one that says Five Rs (ph), on screen, please.

As I said, the reciprocity principle is re-expressed in this Five Rs list (unintelligible).

Respect principle, which means respect among the participants, respect among the organizations, respect to the (unintelligible) of this, and capability of each of the organizations to approach the problem they're supposed to solve, and respect for the freedom of choice among users of the internet, and respect for the diversity of points of view, of origins, of approaches to the internet governance problems indifferently.

A robustness (ph) principle, which means-- we collect from the principles proposed that make the internet and the internet governance and ecosystem robust-- that minor disruptions do not cause major dis-settlement (ph), the system's resilience for a different comeback in disruptions in general, and which also can be condensing the traditional observation that, on the internet, you should be conservative in what you say (unintelligible).

There is a principle of reasonableness. All decisions made in internet governance should be reasonable, should be guided by reason, should understand the limits of others, and should avoid capricious decisions. And there should be mechanisms recourse for the review and the possible redoing of decisions which are not perceived as reasonable.

And a reality principle. Here is designs, proposed mechanisms for problem solving. Internet governance should be regularly measured and tested against practice. And, in fact, they should then be-- also be defined in such a way that tests that come out negative and the mechanism can be redone or reorganized.

So that will be it for my part.

Vint Cerf:

Thank you very much, Alex. Let's leave this slide up for just one moment. I wanted to draw attention to the robustness principle. And, knowing that the chairman of ICANN, Steve Crocker, is also on this call, I want to draw your attention to the little note that says: Security is more rigid than being conservative in what you say and liberal in what you accept. Steve and I and John Postel were all part of the early group that developed both the ARPANET-level protocols and some of the internet structure. And Steve points out, I think, quite correctly that you don't want to be overly liberal when you're trying to deal with security. So I hope, Steve, you don't mind my drawing everyone's attention to that.

Alice, may I have the next slide, please?

Here is a charge which the panel has been given, which we have not yet acted upon, and that is to create a kind of roadmap for where we go next. I think I want to emphasize two things. First of all, we are eager for your input, which we will get, I think, in the course of the next discussion period. We also recognize that there probably is not a simple, direct line that we can take from where we are now to where we end up in the future. And the

obvious reason for this is that the roadmap will be talking about establishing or documentation of or the continued evolution of all these various relationships in the internet governance ecosystem. And so there will be many roads taken at the same time and many milestone encountered. So there's no simple, strict ordering of all of them.

What we will try to do, however, in our panel report is to identify what we believe to be important milestones in a road taking us towards an increased capacity to govern the internet in a way which is beneficial for all of its users and participants and actors in the ecosystem. Despite the fact that there may be conflicts in interests among those various parties, we hope we can at least reduce the level of friction which might be encountered.

So the roadmap is a particularly difficult task, one which we hope you will help us with.

And, if I could go to the next slide now--

We have a number of questions. These are by no means the only ones. I just would like to draw your attention to these questions as we did in our first session on Monday, partly to stimulate discussion.

What we discovered-- While you're reading these, what we discovered on Monday is that the audio Q&A was far less useful than the chat room discussion which ensued. On the other hand, we want to offer both modes of interaction to you in the course of the next half hour to 45 minutes or so. But, please, take a moment to read through these questions. Think a little bit about what you've heard from the other panelists this morning, and begin a discussion either by raising your hand, in which case we will offer you the floor or, alternatively, using the chat room to raise points that you think are important.

I have to make one other observation, and that is that it's almost impossible to leave the microphones open for an oral discussion and, at the same time, prevent people from hearing typing going on. So this is a technical problem that I don't know how to solve. So we may be hearing people type while they are asking questions or raising issues. But, if you're not talking, please, mute your microphone.

Finally, before we begin this Q&A, I would like to draw your attention to something. And I'm going to type it on the chat room rather than trying to get you to transcribe what I say. I want to draw your attention to something I read this morning.

A woman named Eleanor Ostrom (ph) produced some very interesting principles for the operation and management of comments (ph).

So I'm going to type that now. Whoops. I have to put it in the right window. Sorry. Here we go. I have too many windows open.

And, if you search for this, eight principles for comments, I think it's easily a network search. Well, a Google search would be preferred, but, if you like Bing or something else-- Please, look for that because I think you'll find it a very interesting and potentially applicable list to what we need in the internet system as well.

If I could go to the next slide, please.

So, finally, I want to draw your attention to opportunities to help the panel in its mission.

One is to send e-mail to us at the e-mail displayed on this slide. We would also be grateful if you would choose to go to the Survey Monkey, which has the five questions

on it that we had in the previous slide. And, there, you could respond directly as well. And, of course, we are going to capture the transcript of today's discussion and, especially in the chat room, for reference as well. And that will be available publicly.

So let me suggest, Alice, that we put the other five questions back up on the screen. There we are, just as reminders. Again, this is not the only topic of discussion. We are quite open today.

And, second, let me people to raise their hands if you wish to speak. And, otherwise, we will continue this discussion on the chat room as well.

I note that Maurilia (ph) had a question about the political role of this panel in the future.

I'd like to offer a personal opinion about that. Our purpose is to produce principles and insight into the nature of the internet governance ecosystem and the needs that must be satisfied. We hope that we will inform a political discussion on this point by our contributions, not only from this panel but from the subsequent, high-level panel, which is chaired by the president (unintelligible), and also, of course, subsequently (unintelligible) during the course of the year the internet governance forum among others. So our purpose here is to be informative and to contribute to subsequent political discussions, which have to take place as the internet governance question is further addressed.

So now let me invite those of you who are participating to raise questions either by-- orally or by typing on the chat room.

Operator: Listen-only mode is now off.

Vint Cerf: Well, thank you, Grace. I draw attention to Grace's point that the panel is attempting to complete a first draft of this report by the 31st of January, so any inputs from you by that time or sooner will be greatly appreciated.

Claudia has her hand up - Claudia Tatovani (ph). So let me let you ask your question, Claudia. Claudia, we're not hearing you yet.

Claudia Tatovani: (Inaudible).

Vint Cerf: I think we can. Your voice is a little faint.

Claudia Tatovani: (Inaudible).

Vint Cerf: Oh, okay. I'm sorry. Claudia, you had your hand up in the Adobe Connect system. So you just need to click the hand down, and we'll continue on the net.

Okay. So let's continue as we read through all of the comments that are being made. Anyone is free, of course, to respond. Don't feel obligated personally to respond to every point that's being made.

Let me try to respond to Meridia's (ph) comments with regard to the upcoming meeting in Brazil. As you know, there are a total of five panels that had been initiated by ICANN, one of which is the high-level panel that I mentioned earlier. It turns out that all of our outputs will be available to those who participate in the meeting in Brazil in April. So there won't be formal participation as a panel in that activity, but, rather, we will contribute to it through the report that we will prepare at the end of January.

Steve, you were asking about the first draft on roadmap. And the answer is no. We will contribute roadmap and principles and insights to the best of our ability from our panel. Keep in mind that the panel that is currently under discussion is focused largely on the ICANN role in this ecosystem. And the other panel, the high-level panel led by the president of Estonia will look more broadly at ICANN's role in the broader ecosystem-- I'm sorry-- the framework of the broader ecosystem, not just ICANN's role. And so its output will prove to be pretty important for the Brazilian discussions as well.

Rajul asks whether ICANN can evolve as a transportation-national institution. I think the answer is yes. And, if you've been following the actions of the CEO, Fadi Chehadé, in the recent months--

Wait a minute. Peter, you say you lost audio. Am I audible? Okay. So I guess maybe Peter fell off the telephone line. Thank you.

So, to respond to this question about transportation-national or international or globalization, as many of you will know, ICANN has opened up operating offices in Istanbul and Singapore in addition to its primary office in Los Angeles. There is an ongoing effort to literally distribute the functionality of ICANN and not to make these outposts but make these organizations literally part of a distributed operation. Fadi has agreed to literally relocate to the various, major presences of ICANN personally in order to be sure he is in touch with interests that are regionally distributed.

I like Steve's point about avoiding hazards-- include hazards and detours that we should avoid. Thank you for that. We don't want to land in any serious potholes.

I don't think I can type as fast as I can talk, so, if you don't mind, I'm going to keep going this way.

Phillip Sheppard (ph) says the EU (ph) has a paper right now. Phillip, can you type what that paper is about? Is it specifically with regard to internet governance?

Rajul asks: Will U.S. laws apply to ICANN decisions?

This is a good question, and it depends a great deal on the form which ICANN takes. At the present time, ICANN is a U.S. organization. It's chartered in the state of California as a not-for-profit. Until and if and whether that changes, I think U.S. law will tend to apply for actions taken by ICANN as an organization.

I hope that you've noticed, however, that, for many of the issues arising in ICANN operation, the resolution of issues has tended to move in the direction of arbitration rather than litigation. That being the case and because many of the relationships have a contractual element to them, arbitration is quite a powerful tool because it does not require specific national jurisdiction for resolution. And so voluntary choice of arbitration may actually allow for a more easy resolution rather than appealing to specific laws.

Bill Drake, let me ask you to take the floor, and then Lala (ph) after that. Bill?

Bill Drake: Hello, everybody. Can you hear me okay?

Vint Cerf: We're getting some echo. We're getting some echo, Bill. But go ahead.

Bill Drake: Let me make sure I've got the speakers muted. They are.

Vint Cerf: Okay. You seem to be all right. Go ahead.

Bill Drake: You shouldn't be getting anything out of my computer.

Thanks for doing this. It's a very interest exercise. And, obviously, I think it offers some nice synergies with the independent panel, as well, in its agenda.

I want to raise two points real quickly. This is something that I noted to Fadi on a recent SO AC leaders call. But I think it's relevant to the work of this particular panel as well. And this would be about, if you're trying to think about how to recalibrate the relationship between ICANN and the larger ecosphere and make improvements, one of the most obvious areas to start, it seems to me, is to figure out how to interface more effectively with the community and draw in its input on these kinds of concerns. And I noted in that call the other day with Fadi that, at every ICANN meeting, the non-(unintelligible) stakeholder group meets with the board. And, for many years under both Peter and, now, Steve, I in those meetings would call attention to things like the board's committee on global relationships, which is, I guess, the primary place where some of the larger, strategic concerns about how to interact more effectively with developing countries and other institutions are being vetted. And I suggested that there might be a better interface there between the community and the board. And I would also make that same statement to Fadi, which I did. And he said, of course, we're very interested in that.

But the question is really how to move from general expressions of support to actually making that work. It seems to me you have an enormous well of capacity and skill across the different parts of the ICANN community that really could be brought to bear more effectively in thinking through some of these issues and being able to be a learning organization that adapts to a changing environment continuously. And many people who - You've got many people who are out on the ground, you know, acting with governments and private sector and everybody else on a continuous basis and hearing views about ICANN and its relationship, which may bear on the effectiveness of its mission (unintelligible). But it's difficult then for us to actually translate them back into the leadership and start a conversation in which the lights go on and somebody goes - Aha! I understand what you're saying. This is an issue. How can we go about beginning to respond to that?

So, very often, I feel like there's this kind of frustrating disconnect, where those of us who are in the community, who would like to support the model and try to make sure that the-- ICANN's interface is optimized, are often kind of lacking the opportunity to actually provide that kind of input in a meaningful way and see results of it.

So I would like one thing I would hope this panel could do is try to think about that interface a little bit more and how you might take better advantage of all the skill that's out there in your client base or stakeholder base, as it were. I think that's an important point.

The second thing. I'm just going to dump this into-- It goes to something somebody else just said. I'm going to dump into the chat what just came out of the draft report of the European Parliament. I don't know if everybody has seen this. It just came out a couple of days ago.

It falls on the commission of the European community to take action at the international level with (unintelligible); in particular, with cooperation from interested parties, such as Brazil. The implemented EU strategy for democratic governance of the internet in order to prevent undue influence or (ph) ICANN's and IANA's activities by any individual entity, company, or country, assuring appropriate representation of all interested parties

in these bodies and-- it goes further-- calls for the overall architecture of internet in terms of data flows and storage to be reconfigured-- ouch-- with regard to various kinds of parameters.

So my point here being some of the kinds of rumblings that have been out there for some time, which very often, I think, were confined to one part of the geopolitical environment-- now we're getting them from other new directions as well. And it seems to me that finding a much better way to interact with those external actors and clarify any concerns they may have and thought is also going to be really priority. And I'm not quite sure what ICANN's doing there. I don't know what their involvement might have been in the European Parliament discussion, for example. But I would say that that seems like an important part of this picture as well.

So I'll stop there. Those are two long enough interventions. Thanks.

Vint Cerf:

Thank you very much, Bill. Let me respond. One, I do not know for sure the degree to which ICANN has been involved in the EU discussions, although I'm hopeful that they had some awareness of and, possibly, involvement in. But I would have to allow others from ICANN to respond to that.

The comments-- you implied a kind of geographic-- you didn't say, but you implied, for example, that geographic confinement of cloud-based computing systems in order to confine the data to, particularly, jurisdiction. Although that looks good on the surface, unfortunately, the internet is by design a very transportation-national, non-national structure. And putting information in a physical place is not necessarily protected very much. At best, an argument might be made that the data is under the jurisdiction of the geographic location it's in. But the internet itself doesn't recognize that. So the risk factors are still-- are the same, regardless of where you put anything.

Lala, we haven't forgotten about your hand.

Let me make one other observation, Bill. Your comment about interaction also came up on Monday. There is a great deal of interest in finding alternative ways of facilitating interaction in order to improve the ability of people to speak who would not necessarily be able to attend an ICANN meeting. So that's an issue.

And, finally, we have a big issue associated with scaling. There are 2 billion, maybe 3 billion, users of the internet now. And, while not all of them necessarily feel the need to express themselves with regard to policy, probably more of them than can afford to show up in an ICANN meeting have an interest.

And it isn't just ICANN. So let's move away from that focus for a moment and recognize that there are many, many people who have an interest in internet governance written large (ph) involving other organizations besides ICANN and who also have a struggle to express their views. So this is going to be a challenge for us in terms of designing frameworks that permit this sort of openness.

Lala, let me turn the microphone over to you now. We're not hearing you, Lala, so you may be on mute. Maybe she's not hearing us either. I'm still not hearing Lala. All right. We'll have to assume that, if she has something to say, she'll type it into the chat room.

To those of you who may still be listening, we're seeing--

We're getting echo now. Lala, (technical difficulties)? We're getting some echo. Now we're not getting echo. Okay.

I think I just want to make an observation about what's going on at this moment. You're seeing exactly what happened in the Monday meeting. We shifted very, very quickly away from the audio Q&A to typing at each other because that was easier. And it allowed for simultaneous interactions.

Let's see, Renalia (ph), what were you asking us to confirm? Okay. First of all, Renalia, you mentioned-- can the panel draw up scenarios of globalization? The answer is yes. Part of the roadmap exercise will almost certainly involve a bit of that.

Yes, Bill. Both panels four and five will be looking at globalization, simply because panel four will look at it from the ICANN perspective in trying to provide advice to ICANN specifically and panel five will look at this from the more general internet governance ecosystem.

Yes. That's correct, Bill, external and internal.

Adele, a comment about the affirmation of commitments. Some of us imagine that a version of that affirmation of commitments might easily be executed between ICANN and other governance besides the U.S. Another possibility is that the various relationships among actors in the internet governance ecosystem might take the form of mutual commitments to each other and to the internet in general. This would make for rather interesting documentation of all these various relationships, roles, and responsibilities.

Peter's right. The trick is operationalizing (ph) these things.

Well, Carlton's comment is surely scary. Veto powers and UN security council kinds of structures worry me a lot because they don't necessarily exhibit some of the principles that we hope can be built into an internet governance ecosystem.

Bill, a question for you. Are those discussions on AOC and globalization available for reference, or can they be exhumed?

Bill Graham: There would be-- Thank you, Vint. This was from a workshop that I organized in Nairobi a few years ago. We spent about 45 minutes talking about this. I don't remember all the comments. I don't know whether I could still find the transcripts online. Or, alternatively, you could just take Wolfgang and I and hold us upside down and shake us until all of the comments fell out on the floor, which could work just as effectively, except I'm hard to hold upside down.

Vint Cerf: Bill, not to assign any tasks or anything, but, if you and Wolfgang could reconstruct some of the ideas and share them with our panel, this would be much appreciated.

Bill Graham: Yeah. Wolfgang's a little out of the loop now. I can see what I might be able to reconstruct.

Vint Cerf: Okay. I see Maurilia also suggests that the transcripts are around.

Avi Doria may also have had some ideas, if I remember right, about capturing those transcripts. I mean, many of us thought that the IGF would benefit enormously if we could keep all of that information readily discoverable.

Unidentified Participant: Vint, may I intervene? (Unintelligible).

Vint Cerf: Absolutely. Go ahead.

Dennis: Thank you. On the question of globalization, it is not a new topic. We have been through this debate or sort of thinking about the globalization of ICANN already several times.

And I recall that there was a president strategy committee set up by CEO Tumi (ph). And there also were a number of proposals and some background material prepared for that. At that time, these proposals, which were put on the table maybe were a bit premature because of the nature. There is an issue which is very difficult, and that is how to reconcile the policy work or work on policy issues of ICANN and the operational work of ICANN where different, maybe, sets of rules would apply. So that, I think, is one of the biggest challenges in the debate on globalization of ICANN. Therefore, all inputs would be extremely important. And looking forward to engage in those. Thank you.

Vint Cerf: Thank you, Dennis (ph).

I will make one sort of casual thought, and that is that we could mistakenly attempt to do what-- globalization, whatever that turns out to mean and, in effect, in fact, harm the collaborative environment that we're in right now. So one thing that we need to be very thoughtful about is the side effect of proposals for the definition of and the design and implementation of globalization, whatever that turns out to mean. One would not want to have the entire system fractured because of a well-intended but, perhaps, wrongly thought through concept of globalization.

I'm sorry. Just to respond to Maurilia about the IGF. I want to pursue this matter further with regard to IGF archiving and documentation. So thank you for that reminder.

Does someone wish to speak?

Unidentified Participant: No. It was Bill.

Bill Graham: I found the transcript of one of the discussions we were having. And I don't mean to belabor this point too much because it's not too central to what you're trying to do right now, but I'm just looking quickly over what we were saying.

And I was making the argument that, instead of doing treaties, regulations with fixed rules with external authority saying what's permissible and what's not, the affirmation of commitment says parties involved in the process undertake mutual obligations to each other and abide by certain behavioral standards, et cetera, and that we could observe those standards collectively and assess on a periodic basis our conformity with them and that one way of thinking about evolving this towards the future would be to go through that last chunk of the AOC, where suddenly the U.S. government keeps popping up in the text and either (a) deleting it entirely or (b) making it more of a co-regulatory thing where other governments and actors would be listed as well in some manner, depending on the particular topic that we're talking about. And this was three years ago.

The reaction was this is, of course, premature. It would be politically very difficult but something to discuss down the road.

So my point would simply be, without bogarting the joint too much here more, to say that the affirmation does lay out kind of a unique model for international cooperation. It's a big difference from the traditional kind of regulatory structures. And I think you could take the existing text and think about options for evolving it - column A, column B, column C - based on different types of design principles and then ask yourself which of these might be the most functionally effective and politically salable and would preserve stability and security and so on as well. This is not an undoable exercise by any stretch of the imagination.

Vint Cerf: Thank you for that, Bill. In fact, what you suggest to me, the image that I have in my head anyway, is to imagine that the various parties who are engaged in operating pieces of the internet or have responsibility for some governance or some portion of it-- because they have different kinds of responsibilities, you can imagine that the mutual commitments that might be made vary from one inst to another.

But this web of commitments made by the various parties might turn out to be a much more flexible and, let me say, somewhat loosely coupled format for governance than, as you say, the more strict kind of treaties where you have people reading the legal words and deciding what is or isn't allowable. I think, honestly, the internet has evolved in the former space, where there are loose couplings and agreements and recognitions of roles and responsibility that served us quite well. So sometimes informality is our friend here. So I'm looking forward to exploring that further.

Bill Graham: I would only say loose is fine as long as it's written down somewhere. One of the things that we heard a lot through the (unintelligible), for example, from many developing country governments was: Why is it, for example, the root server operators have no MOU between them? It's the kind of thing they would say all the time. They like to see something written down in some manner, even if it's very flexible.

Vint Cerf: And, actually, I believe that documenting some of these things will be helpful. The only trap that I can see, to recall one participant's observation about hazards, is that, if it's overly prescriptive, that we may create rigidity that is not helpful. But, nonetheless, I agree that documenting these various roles and responsibility can help make more visible what they are and who has the-- who is charged with carrying out certain functions.

Just as a warning for everybody, we will have to finish this call in about 12 minutes' time by my clock.

Again, I remind you-- If we could have the slide that shows the e-mail address and the Survey Monkey. Thank you. A reminder that continued input can go by those channels. And, again, the transcript of this discussion will be available online as well.

Michael is asking whether there's another chat room you could move to. I honestly don't know the answer to that. Alice, maybe you can say. Is it possible to just leave the Adobe Connect up, or do we have to ask everybody to join the different chat room?

Alice Jansen: We can make Adobe Connect open for a number of hours. (Unintelligible). We might want to explore other options.

Vint Cerf: Michael says it was a joke. Michael, shame on you!

So, it's Vint again. One other thing I would really appreciate, not this moment but in contemplative moment-- I'd like to understand your reaction to this mode of interaction. It's a very peculiar sort of mix of text and talking. I'm still trying to get used to it and trying to see how many different things I have to pay attention to to make it work. But I'm curious to know whether you think this interesting multimedia mix is actually useful for these sorts of discussions. I don't need to get instant reaction to that. But, if you send comments to that IOE panel address, I'd be extremely interested. We need to explore how do we use the internet to do what we need to do.

Thank you, Peter. I appreciate the comment.

What may be missing is something that would do voice transcription so that, if someone is speaking, we actually pick up the text as well. I have to say that, even though we worked hard on that at (unintelligible), our ability to do it is limited.

Adam, I really like your observation and reminder about transparency. Documentation and transparency really go hand in hand here. And the comment about predictability is also very helpful. One doesn't like surprises in the governance space.

I want to make one other observation to remind you of an early stage of the World Summit on the information society. When the meeting first convened, I was told that the attendees, who were largely government representatives, asked: What is an internet-- what is an information society? And people said - Well, it's the internet. They then said: Who's in charge of the internet? And we said - Well, nobody, because it's very distributed. And they wouldn't believe it.

So one of our challenges is to build an internet governance system which retains that very distributed nature and web of mutual commitments that can evolve over time but which produces a highly resilient system which is not subject to, I would say, undermining.

Well, let me ask if anyone else feels the need to ask a question orally because, if not, we may simply end the voice call. I have to say that I will have to leave in five or six minutes in any case for other meetings. But Alice has offered to leave the chat room up for your continued discussion. And all of what you say will be available to us on the panel. So we are grateful for that.

And, again, a reminder to send e-mails or to do the Survey Monkey if you want to have a somewhat more formal input into our work.

And, again, a reminder. We're going to try to have our draft in some shape by the end of January. So your contributions coming early will be very helpful to us.

Bill Drake: Vint, this is Bill Drake. Can I just real quick add something?

Vint Cerf: Of course you can. Go ahead.

Bill Drake: I had my hand up. I just wanted to see if anybody had a response to what Steve typed in the dialogue box about the ITU openly coveting and taking over the IANA function. I kind of tend to feel like that's history and that we don't really need to have that fight too much anymore. They, I think, learned that that's a little bit atomic to try to touch. Do others not believe that? Do others believe that there'll be a serious push in the planning pot to revise the constitution to somehow unilaterally give them control? Or it's something that is now being performed by another international organization? That would be really surprising to me. So I was just curious if others (inaudible).

Vint Cerf: Yeah. Well, it will be interesting to see what other people say.

My view is that there's a reasonable chance that members of the ITU or some of them, anyway, will advocate for that. It may prove to be irrelevant in some sense because we have this set of bodies that have been doing this work for 30 years now, some of them anyway. And we are working very hard, as this seminar or Webinar illustrates, to fashion a way forward to reinforce this very distributed, multi-stakeholder model for internet governance. And I think we should get some credit for the fact that it has worked, and billions of people are using the system that has resulted. It has continued to evolve. New applications come along. Surely we deserve some credit collectively for that.

I'd also like to make another observation that a tip of the hat to some of the technical work that the ITUT does-- recently, they established a standard for radio communication, which could produce (unintelligible) per second in the radio spectrum. And that's a very welcome possibility. So there's a role for ITU to play that I don't believe that it lies very high up in the spectrum of internet governance. That's a personal opinion, of course.

Bill, I think it was ITUT that did the standards work, but I might be wrong. If ITUR does standards as well, then you may be correct. And I apologize for misstating it.

Okay. I think, Alice, that we will close the audio bridge now. I need to excuse myself to go to other things.

But let me thank everyone who participated in this discussion. We encourage you to continue that discussion today for another hour if you wish and also to take advantage of the opportunities to make your ideas known to this panel. I'm sure that our paths will continue to cross in this wonderful place called the internet, and I look forward to that.

So good day to you all for now. We'll close the audio bridge. And thank you, Alice, for managing this process.

Alice Jansen: Thank you.

Unidentified Participant: Thank you, Vint.