

20140217_StrategyPanelWeb

Alice Jansen: Greetings. My name is Alice Jansen, and it's a pleasure for me to welcome you to the ICANN Strateg6Panel on Public Responsibility Framework webinar, session 1.

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. The session is being streamed via the Adobe Connect room. If you intend to voice comments or questions during the Q&A, please join the Adigo bridge. Your lines are currently muted, and will be muted throughout the presentation.

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Thank you. And with that, we'll turn to Nii Quaynor, Strategy Panel Chair.

Nii Quaynor: Thank you very much, and welcome to the webinar, Strategy Panel on Public Responsibility Framework. The panel is very diverse in its membership. It has members from North America, European, EMEA (ph), Latin America, Asia-Pacific, Africa, and many other people and multi-hats (ph). They work in different areas—academic; industry; governments; development; civil society. And we have Tim Berners-Lee; Soumitra Dutta; Bob Hinden; Blake Irving; Nevine Tewfik; Raúl Zambrano.

The key—the panel deliverables include to propose ICANN's role and five-year strategic objectives and milestones for promoting the global public interest vis à vis ICANN's mission and core values, and for building out the base of the internationally diverse, knowledgeable, and engaged ICANN stakeholders, especially within the developing world; and to propose a framework for implementation of ICANN's role, objectives and milestones for promoting the global public interest, building capacity within the ICANN community, and increasing the base of internationally diverse, knowledgeable and engaged ICANN stakeholders; and to provide advice on various programs and initiatives that help achieve the above objectives.

We are currently at the following situation. Many requests were made, and some of the requests included understanding what ICANN has been carrying out. So, we have summarized the current work carried out by ICANN in this public responsibility area. We have reviewed all the requests, and also the suggestions of focuses, and we have drafted—created a draft document for public comment based on our observations.

The document outline has four parts. It has the portion relating to the aims and definitions, and then it also has a portion relating to ICANN's current public responsibility work. And it has two

additional parts: departmental work; regional engagement strategies. And then the ICANN's initial public responsibility framework areas of focus and overall recommendations.

The draft framework aims that we put forth for discussion—there is a portion that attempts to define the public interest vis à vis ICANN's framework core mandate. And this is more a statement of what we intend to be done, and defined the scope within which we can do this work.

It also detailed the target areas and audiences for ICANN's public responsibility approach. It detailed how ICANN can promote global public interest in relation to ICANN's mission and core values, by building out the base of internationally diverse, knowledgeable, and engaged stakeholders. It also provides advice on the operational activities and funding approaches to ICANN's public responsibility program and outreach.

With respect to definitions, one states that, as an independent global organization, ICANN is one of the organizations charged with responsibility for an increasingly important shared global resource—the Internet.

As one of the stewards of this resource, ICANN recognizes it has a responsibility to protect and to promote a global public interest, both throughout its work and in collaboration with other entities. ICANN's public responsibility permeates all areas of its work, and is at the core of its operations.

ICANN defines the global public interest in relation to the Internet as ensuring the Internet becomes, and continues to be, stable, inclusive, and accessible across the globe so that all may enjoy the benefits of a single and open Internet. In addressing its public responsibility, ICANN must build trust in the Internet and its governance ecosystem.

This vision is central to ICANN's public responsibility framework. However, there is a need to define particular areas of focus, and target topics, regions and stakeholders that need to be addressed relation to ICANN's responsibility to serve the global public interest.

This framework document further defines these focus areas, and prioritizes it where ICANN needs to eliminate friction to ensure greater Internet openness and accessibility.

The current activities within (ph) the departments are in these areas. These are external projects carried out by ICANN in the Internet ecosystem, through various departments and regional strategies.

There is public responsibility as capacity building. There is public responsibility in funding and partnerships. There is public responsibility as communication, awareness, and engagement. And there is public responsibility as education.

There is also the current activities that ICANN engages in. And these current activities are based on the four focused areas of ICANN as an organization. These four focused areas may be mentioned as: ensuring adequate levels of stability, security, and resiliency of the DNS; competition, consumer trust, and consumer choices; the core operations, including Internet naming and addressing and functions; and a healthy Internet ecosystem.

And the regional strategies are working based on four focal points, and in their activities we are aware of common themes. And these common themes include capacity building; funding and partnerships; communication, and awareness, and engagement of stakeholders; and education.

The proposed initial areas of focus. Having reviewed the current work ICANN carried out in support of its public responsibility, it is recommended that the public responsibility framework takes focus on four initial key areas—initial key areas, to further strengthen ICANN's commitments to the global public Internet. These could consist of projects carried out by ICANN independently, with international and intergovernmental organizations, or in partnerships with

other foundations. ICANN's public responsibility focuses: on education, localization and inclusion, next-generation projects, and inclusive Internet governance ecosystem.

The proposed initial focus areas, starting with education. The strategic objectives of the public responsibilities states the following: ICANN should address its public responsibility through programs and projects that will, (i), more effectively communicate ICANN's role and mandate through awareness raising and educational focus. Secondly, increase accessibility to ICANN's work through technical education and capacity-building workshops and initiatives, both online, as the OLP, and offline locally. And, (iii), engagement with academia, research facilities, and educational institutions.

The next focus area: localization and inclusion. The strategic public responsibility objective is, ICANN should continue efforts to make information about the organization and its work accessible to those who speak languages other than English, in ways that enhance participation in and the effectiveness of the multi-stakeholder model. This allows stakeholders to understand and participate in ICANN's activities, as well as fulfilling ICANN's public responsibility to communicate its work effectively in an inclusive and accessible manner.

This also is important to ICANN's commitment to delivering all documents in plain English to ensure accessibility and enhance speed in translation. ICANN should also explore how it can better serve internationalization of the web through encouraging the promotion—and—through encouraging and promoting the visibility of languages and scripts other than English and the Latin alphabet.

The proposed initial area of focus—next generation. The strategic public responsibility objective is to raise awareness and encourage participation of the next generation and offer opportunities to get involved in ICANN activities, and raise awareness about Internet governance, supporting participation where applicable. ICANN should also engage in capacity-building and training within this target group.

The next proposed initial area of focus—that is inclusive Internet governance ecosystem. The strategic public responsibility objective states, ICANN should interact with governments from developing or underdeveloped countries, to build trust and encourage participation with the ICANN model and GAC.

ICANN should also encourage and guide the evolution of private sector and civil society players in these countries, and work in collaboration with governments on national Internet governance strategies, recognizing that not all Internet governance issues may be solved using a global approach.

ICANN should seek out collaboration with other institutions and organizations to ensure the stability of an open and single Internet focus, and who focus on ensuring the Internet increases in its global accessibility.

Overall recommendations. The first is to strengthen current regional engagement strategies. To commission research to enhance the understanding of the links between Internet governance and development. To continue to both strengthen existing platforms in the Internet governance ecosystem, and promote global collaborations with a wide variety of organizations that ensure the Internet remains stable, inclusive and accessible. And, to support the internationalization of the web for increasing global accessibility and promoting local content creation.

Strategic recommendations. We recommend exploring the establishing—the establishment of an external foundation that can operate in the philanthropic space and further work to fulfill ICANN's responsibility and obligations in relation to its mission. To link Internet policymaking to development, particularly in developing and emerging economies, countries and regions. To streamline all public responsibility efforts currently undertaken internally in ICANN. And, to

establish a Public Responsibility Department tasked with guiding ICANN's approach to fulfilling its public responsibility operations, with an operational plan ready by mid-2014.

And I wish to thank you very much for your commitment to come and share your inputs (ph). If there are questions, we'd be glad to address (ph) (inaudible).

Alice Jansen: Thank you very much, Nii. We will now open the floor and ask for the lines to be unmuted, and we will refer to the hands raised in the Adobe Connect room to create a queue. Operator, could you please unmute the line?

Operator: Listen-only mode is now off.

Alice Jansen: Thank you very much. I think Mikey had a question. Mikey, do you wish to speak?

Mikey O'Connor: Hi, Alice. This is Mikey. I had to scramble for the phone.

Not really a question; I wanted to make an observation, and draw some parallels between this work, which looks great, and some of the other panels which have also touched on similar issues. And to do that, I'm going to post a link into the chat, to a blog post that I wrote, about—it was in the context of the conversation of a different strategic panel. But I think this is sort of a cross-cutting theme, and may be a useful way to tie some of these panels together.

Vint and I—Vint Cerf and I had a conversation about the idea of entanglement in the context of the panel that he's running, and the need to do better at cross-cutting conversations between the organizations that are involved in Internet governance. And my constant theme—and I apologize for those who've seen this a zillion times before—is the notion that we really need to get better at preparing people, and drawing people into the ICANN, as participants in ICANN.

And so, as we—I'm quite taken with this last page's—in fact, the very last bullet: the Public Responsibility Department. Because I really think that one of the key things in that department could be a focus on drawing people in and then taking them through an easy series of steps to, really, full participation.

The tricky part is that most of that is going to have to be done with people, and not technology, I think. And so, one of the things that I would hope is that we put a focus on some sort of process that accomplishes the goals that I've laid out in that blog post. And I just wanted to get this into your record, sort of as a comment. But I see this as sort of a cross-cutting thing for all of the strategic panels, and hope that we can do that. Thanks very much. Great job.

Alice Jansen: Thank you, Mikey. Next person in the queue is Olivier Crepin-Leblond.

Olivier Crepin-Leblond: Thank you very much. It's Olivier speaking. So, I've got a question which I have asked, actually, the Board Governance Committee in the past. I very much appreciate all of the guidelines and all of the strategic recommendations which are provided here. And I note with happiness that there is a reference to the public interest, which is something—and public responsibility, et cetera, which is something which I think a lot of us will agree with.

However, when I do look at the board governments—Board Governance Guidelines, which were published in October 2012, the last part of these guidelines provides a—effectively, a list of what the board member responsibilities are. And it does say in there that the directors are individuals who have a duty to act in what they reasonably believe are the best interests of ICANN, and are not representatives of the entity that selected them, their employer, or any other organizations or constituencies.

Now, what might be the best interests of ICANN, might not be the public interest. And I do wonder how these two can be reconciled together. And this also refers to the bylaws Article VI, Section 7, which mention exactly this. That was my question.

Nii Quaynor:

Yes. Any more questions? Okay. Can I take a response? Okay.

On the Mikey side, yes, we agree there's cross-cutting; there's entanglement. And we need to get better at communicating across, not only within our own focal areas but within the whole ecosystem, and even beyond. So, there's no question about that. And we appreciate your observation about the unique role that the Public Responsibility Department would play. And so, this would be reflected in the inputs that we are getting, and how it shapes how we present that.

Now, regarding participation (ph), Olivier, I just want to, you know, observe that it goes even beyond (inaudible). We also have to give (ph) them something local that they participate in. And so, we have to figure out what communities we are building, and I think the regions may also have a very unique role to participate in that area. And so, very useful observation.

The second question is quite challenging. I think I will not try to answer, but I will just comment, because it deals with bylaws (inaudible). I understand that, having been a board member, their interest would be ICANN's interest. But I would like to argue that the public interest is ICANN's interest. And board members will be convinced (ph) (inaudible) in the interest of ICANN (inaudible) public discourse.

So, we may have to do some more education around those portions of the bylaws, on gauging (inaudible) of ICANN, and therefore, certainly, within the interest of ICANN. I think that would be a comment I can make (ph). But we will be taking note of the questions and the need for qualification. And I think we will work on that also here. Thank you.

Would any other panel members want to comment on this, or further questions?

Alice Jansen:

Nii, there's a comment from Olivier in the chat room which says, the challenge will be how to reconcile the best interests of ICANN with the public interest.

Nii Quaynor:

Okay. I – true. I mean, we ought to have challenge. Best interest and public interest—we ought to have a challenge in defining it. That is why we (inaudible) nailing down a scope. However, I think that, you know, we can define things (inaudible) the best interest of ICANN is a good match to the public interest of ICANN. It's —and that would be the nature of the challenge: how do we define the scope so that the two overlap nearly the same? It's the way you look at it.

You know, it's—I want to challenge that it should be impossible for you to act in the best interest of ICANN, without acting in the public interest of ICANN. That's a debate we should have. (Inaudible) help it nail down the boundaries—the scope that we should be emphasizing. If there are some things that—you know, acting in public interest at this very moment in (ph) time, may not be in the best interest, then naturally we can change the actual activities to reflect that. But I will tend to believe that the two actually quite concur. So, it's a fair debate. And we should be together, looking for the right resolution.

Alice Jansen:

Olivier's actually in the queue now. Olivier?

Olivier Crepin-Leblond:

Yes. Thank you very much. It's Olivier Crepin-Leblond again. And thank you for this answer, Nii. I think we are going in the right direction. The argument I'm trying to develop here, effectively, is that there is nothing that relates to the public interest. And, in fact, I don't think there is a definition of the public interest in the ICANN bylaws and paperwork as such, whilst there is reference to the public interest in the Affirmation of Commitments; and there is, of course, a reference of public interest in your strategic recommendations.

So, what I was hoping might be one of the recommendations, if not several recommendations, would be for either ICANN bylaws or board operating procedures, or any of the associated rules and guidelines, to take into account the public interest.

And, as you clearly said, yes, there is a challenge between the public interest and the interest of ICANN. I think it's—it would only happen in fringe moments. For example, if ICANN's liability was being brought forward because it was going to undertake some kind of responsibility that might put it in the fire, then you would have some—well, you would have—ICANN board members would have some reticence to proceed forward; whilst, at the same time, it would be clearly in the public interest that ICANN did take this step. I hope I'm not being too cryptic on this.

But this is the sort of framework which I think our committee, being (ph) At-Large, has been very concerned about. Because some decisions appear to have been taken for the benefit of ICANN and of some stakeholders, but not actually looking at the public interest globally. And that, of course, includes people who are not in any way related to the ICANN processes. And we're, here, speaking really about Internet users, not only just registrants. But that's where the complexity comes in, and I hope that your strategic plan will be able to tackle this, and perhaps make some recommendations that would help on this—in this direction. Thank you.

Nii Quaynor: Okay. So, I stress that, you know, I would certainly have to take another look at what you recommend regarding the bylaws, procedures, what have you. But I also like to comment that some things are better not so rigorously and precisely defined, especially something which is, you know, very wide-scope, public (ph) and interest.

And so, as much as we would like to find a resolution between our, you know, procedures and so on, I just want us to bear in mind that, you know, we may not want to become too precise and (inaudible) look for situations where, every time a board makes a decision, it is in the public interest. You know, (inaudible) so precise to not, you know, leave the scope good enough for us to be able to move, is what I will recommend.

Remember, public interest also includes ICANN. ICANN must exist, and continue to exist, so as to build (inaudible) public interest. So, the example you give is actually a decision (ph) in the public interest, in my opinion. That's why I said, the debate is good; we should carry on. But, you are right; we should take a look at the documentation we have—bylaws, procedures and so on—and see how we can best, in a pragmatic way, rationalize these terms (ph) (inaudible) really appreciate this (inaudible).

Olivier Crepin-Leblond: May I follow up? It's still Olivier here. Just in response—I don't want to monopolize the discussion time here. I do apologize --

Nii Quaynor: No. Go ahead.

Olivier Crepin-Leblond: -- (inaudible) number of times. But the concern that I have—and this is, you know, (inaudible) personally, is that, if ICANN doesn't take the proactive steps to not only define what it sees, what it understands, as the public interest, but also ingraining this public interest in its own operating ways, then someone else will. And by someone else, I mean other organizations outside of ICANN will include the public interest in the way the DNS is run, and bottom-up, multi-stakeholder policy, or even multilateral policy, is run. And that is likely to exclude ICANN from any future plans.

This is the sort of concern—the Achilles heel being that we really need to know what the public interest is, and how this is going to integrate with what we do as an organization; and integrate not only by high-level principles and strategic recommendations but in every step of the way, from the CEO all the way to, well, the Chair of ICANN, all the way down to the basic working group grafter who drafts a few paragraphs here and there from time to time.

That's it. I'll go on mute (inaudible). Thank you.

Nii Quaynor: No. It's good. It's good.

Alice Jansen: Nii, there's also a question from Mike O'Connor in the Adobe chat room, which is, is there a definition of public interest in this paper?

Nii Quaynor: Come again?

Alice Jansen: I would just like to point out that Mike O'Connor—yes, so I just wanted to point out that Mike O'Connor also asked if there was a definition of public interest in this paper.

Nii Quaynor: Well, we defined it in a way that allowed some flexibility. You know, we didn't take the view of a very academic definition, or rigorous in that sense; but we defined it in terms of what ICANN does. And I think that is also a good way to define it for now, which is, as we stated (ph), exactly the context in which ICANN is—must be responsible. This is (ph) regarding the global, you know, resource—shared global resource; and ICANN recognizing that it's not the only party within that, but it has to fulfill its roles responsibly. And that role (inaudible) permeates all the work ICANN does. I think that's important, to accept the definition.

And then we proceeded to define the public interest in relation to making sure that that Internet becomes and continues to be stable, inclusive, and accessible across the globe. I think that's a very strong definition. We are—we feel obligated to have—you know, make it stable, inclusive and accessible across the globe. So, those are important elements of the definition.

And most important, we are also saying that people must trust that the Internet (inaudible) and we have to build trust in the governance system—ecosystem around it. Now, I think this is a fairly clear definition but it's a very pragmatic—very, you know, practical definition. It's—this is what we do, work in this area, and we have a certain public responsibility to keep the Internet there. (Inaudible). And I think it's not a very formal (inaudible) focusing on our core values. This is a fairly reasonable (ph) definition.

So, there is a definition in there. But the (ph) definition's limiting the scope that we are going to work in. You know. And I think that's how it comes off. But if you have some suggestions on (inaudible) that can make it clear what we are trying to do, without going beyond the core values of ICANN, it would be useful for it to have that input as well.

Alice Jansen: Mike is in the queue. Mike?

Mikey O'Connor: Thanks, Alice. Apologies. I really felt like my question had already been answered. But thanks for taking another run at it. I think that both Olivier's reaction and mine are, in a way, sort of drafting comments. I think that what would be useful in this document, when it comes out to a final draft, is a more strategic view. So, this is about public responsibility framework.

I think it would be good to amplify those definitions of public interest and public responsibility, early in the draft—sort of, as a framing kind of piece that says, here's what we think. So, this last bit that you just described, I think is a great start at something like that. That sort of says, you know, here's the framework, and then let the—once the framework is amplified a bit, then some of these recommendations, which I think are a bit more tactical than strategic, really—I think, then, have a place to be inserted.

And I think that that's—I think Olivier raises a really interesting point. I spend most of my time in GNSO working groups, and talking a fair amount with members of the GAC about public interest issues.

And I think it would be good to have a conversation about, and an agreement about, what we all mean by that. Because we often accidentally tread on each other's toes; not on purpose, not with intent, but just because we come at the definitions and the framework a bit differently. And so, to the extent that this report could focus more on those framing, underlying concepts, I think that would be really helpful, for those of us sort of down in the trenches. Thanks.

Nii Quaynor: Thank you.

Alice Jansen: I see there are no further questions in the chat room or anyone in the queue. Nii, do you have any closing remarks you'd like to share?

Nii Quaynor: Yes. I think I must thank the participants for coming, to help improve the work and give us useful input. And the particular concerns regarding making things, in some sense, more mainstream within all of ICANN's work, through our documentation procedures, is something that we will take a good look at.

And also, we will see how we can reposition our statement of purpose, right, which we call definition, so that that (ph) is very clear and upfront, to make it easier for, you know, subsequent things to be structured within that as well. So, for me, I am very pleased with all these inputs, and I thank you very much.

Alice Jansen: Thank you, Nii. If there are no further questions from attendees, I believe this concludes the webinar. Please note that the panel may be reached at prfpanel@icann.org, should you have any further comments you'd like to make. May I also take the opportunity to note that the slides, recording, and transcript will be available on the announcement page shortly after this webinar. Thank you very much for your participation.