Transcription ICANN Buenos Aires Meeting GNSO Discussion ICANN CEO Sunday 17 November 2013

Note: The following is the output of transcribing from an audio. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record.

On page: http://gnso.icann.org/en/calendar/#nov

The recordings and transcriptions of the calls are posted on the GNSO Master Calendar page

Coordinator: This conference is being recorded for transcription purposes. Thank you.

Jonathan Robinson: Thanks, everyone. Can we start the recording please? We're on to go.

Thanks, Nathalie. Please keep the doors closed.

Thanks, everyone. Welcome to our next session. This is the session all of us look forward to. Welcome very warmly to Fadi Chehadé, ICANN CEO and Theresa Swinehart who some of you may know. It's great to have you here, Fadi. We always appreciate you spending the time with us. It's obviously a critical time. And you've seen some of the thoughts we have on an agenda here.

I mean, I think it's quite clear it's not even the elephant in the room. What's gone on over the last few months has created significant ripples and waves in terms of the developments on the international front and what's happened.

We see this now, we discussed this in our open sessions yesterday. We had some good discussions. And we see this as an opportunity to - it's important, I think, not to go back and go over all of what's gone on. It may be useful to recap on a couple of the key points.

But really I think the GNSO sense that I picked up yesterday is trying to understand the direction of travel; what does this actually mean? And to try and understand some of the impacts that cascade out of these recent developments both on the international landscape and then perhaps coming later to our session with Theresa on the strategy panels and so on.

How do these impact, you know, our - the ICANN multi-stakeholder bottom up model, our perceptions of that model and the - ultimately the work of the GNSO which many of us within the GNSO feel very passionately is a significant and powerful manifestation of the multi-stakeholder model and the bottom up model in action within ICANN. And so we'd love to talk with you about that.

But of course first it would be good to hear from you, you know, perhaps a little of how you got here. But I'm very conscious we don't want that to dominate the discussion. And we'd like to have a discussion with you and talk with you if that's okay.

So welcome, again, Fadi, over to you.

Fadi Chehadé:

Thank you. Thank you, Jonathan. Thank you, everyone, for making the time to be together. Two months ago on the 15th of September the Board of Directors of ICANN gave me the mandate in a resolution that will be published today to go out and build a coalition in the community and beyond to energize the Internet governance debate.

To not invent anything because we don't need to invent anything. Most of you here around this group have been talking and building this momentum

Page 3

globally on why multi-stakeholder Internet governance is the right model. You've all being doing that. But we were just asked to go and energize that

debate, energize that discussion.

And that's what we did. I think it's important to talk about why. And there are two whys. There's a global why and there's an ICANN why. Meaning there are reasons to do this that are important for the environment because ICANN, as an organization, as a community, is not isolated. We live in an

environment; there's an environment around us that affects us.

And secondly, we needed to do some things because we need to protect ICANN. So let me talk about those quickly if I could. So on the big why I think most of you can give me a good lesson or lecture on the big why. All of you

have lived this far longer than me.

But the big why is that there is now a global debate outside of ICANN on Internet governance. That global debate is happening, A, because the Internet has become extremely central to economies, to communities in the world but also because the Snowden affair has raised the dialogue whether

we like it or not into a new sphere of governmental interest.

When Theresa has spoke at the UN, she had, you know, over 100 - 80 heads of state listening to her. Many of these went back to their capitals - I know of six specifically - and asked their cabinets, "Well who the hell runs the Internet

here?"

Now that's a good thing but mostly potentially a bad thing because suddenly everybody needs to figure out the answer. The President of Mexico did that to his team. Who runs the Internet here in our country? And, you know, there were lots of fingers pointed across the room but governments are seeking these answers.

Page 4

And so as governments get more interested we need to participate in making

sure their interests go in the right way. It is important for us as members of

the global Internet ecosystem to not hide in our house and say we don't care

about the environment, we have our ICANN, we have our (ETF), we run our

things and our way and the environment will not affect us. The environment

will affect us.

Let me then move to the part two. How will it affect ICANN? Two ways. If that

environment becomes very multilateral focused, i.e. intergovernmental

focused, we're going to see an impact on ICANN's multi-stakeholder model

because people will ask, "Why will we solve this problem at the UN or in this

particular intergovernmental solution? Why aren't we solving names and

numbers the same way? Why is this not part of the same model?" We'll feel

that pressure.

But the pressure I'm feeling today is the second type. And this is a real

pressure. And we can share this with you in more detail but we don't have the

time today.

But we have a lot of governments and a lot of institutions approaching us

saying, "Why don't you expand the job of ICANN? Why shouldn't ICANN do

more? You seem to have a good team. You have a lot of money. You have a

great community; claim multi-stakeholder is the right model. Well, why don't

you take on more?"

And I think we're very clear that we do not want to take on more. And that's

not because we don't have the appetite for it but because that's not our job;

that's not our bylaws. And we - the last thing we need is to build another

major big organization.

I'm now, right now, I'll announce tomorrow some plans to - how we can keep

ICANN smaller. How we can reduce our budget. How we can avoid becoming

a bigger organization. Right? We need to do our basic job but it is not about

Page 5

building a large organization. Because larger organizations inherently become large and you know what happens after that.

So we do not want to expand our remit and I do not want to take that pressure anymore. We want to tell people, listen, if you have a problem in this area here's another mechanism to go solve it. Here's another place you can solve it but not here.

So this is why the ICANN Board, in order to protect our remit, in order to protect us from this pressure that could come also from an increasingly bilateral intergovernmental push to Internet governance, asked me and my team to energize what's out there.

Now I want to - if I can put seven lines under that word, allow me. We're not creating anything. There's nothing to create. It's all there. You know, this morning I was talking to the ALAC folks and Tijani, one of the ALAC members, he said, "We've been saying this for five years." I said, "Precisely. So now I'm handing you a megaphone. Here's a megaphone."

Keep saying it. Take these great ideas, this great energy we all have to tell the world what a great thing we've done in the last 15 years and why it works and why it's the right thing because I'm tired of being defensive.

I mean, I convinced one of the Board members of ENETEL to go to the IETF in Vancouver. Some of you met him there. I met him in Brazilia last week. I said, "So how did it go?" This is one of the most vocal guys at the Wicket about why things need to move to the (unintelligible). He was stunned. He was beside himself.

He said, "This is amazing. You guys don't even set an agenda. You sit down and you do it in a multi-stakeholder way." I said, "Yes." And he was welcomed in the IGF community despite people maybe not agreeing with him

ICANN Moderator: Gisella Gruber-White 11-17-13/7:15 am CT

Page 6

Confirmation # 5752335

and knowing what he's said in the past. He felt tremendously inspired by the

multi-stakeholder model.

We have so much to tell the world and we need to do it together. So when

people ask, "What is 1net?" Which was a movement born in Bali, 1net is a

canvas, that's all it is. So get your pens ready and go draw on it whatever you

want. It's just a canvas for all of us: Business, civil society, technical

orientation, governments, anybody. Go there and draw your story on it. Tell

the world why what we have works.

And I know many of you around this table and around this room and around

the community have a legal background and are typically risk averse. I have

an entrepreneurial background; I'm less risk averse. And I speak my mind. I

say what I'm going through and I change as I go through and I learn and I

listen to one of you, two of you. I adapt and I move forward to solve the

problem.

But this is not the time to be risk averse; this is the time to understand the

risks, to put plans to mitigate them but to engage - to engage. And the world

is not black and white. Brazil is neither black nor white. At the Wicket we

came out to the polarized Internet governance world. We had Russia and a

few people around and we had the United States and a few people around

and a hundred plus governments sitting in the middle doing this.

And it divided us. Now maybe it's a good thing it divided us so nothing could

come out. But at the same time a polarized world when the energy is moving

into that space is not a good thing.

What do we need to do? We need to coalesce around the middle. We need

to find that middle and make it strong because the world is not black and

white. And therefore, Brazil, therefore Brazil. Why Brazil? Well first of all

Brazil took some global initiatives led by President Rousseff.

In Latin America in general right now is a hot place of growing Internet governance thinking. Just ask your colleagues from Latin America. There is a lot of Latin American thinking now as to how we govern the Internet. And that's a good thing. And I hope other regions engage in the same dialogue.

But in Latin America now the initiative is in Latin America. So that's the middle we went for. And we went to India; we visited with the Indian government. We visited with the Latin American governments and Dilma Rousseff was the one who said, hey, I want to do something about this. And we have been working with her.

Tomorrow morning it'll be announced that by Brazil, not by us, the Brazilians in Brazil will announce that Dilma Rousseff is calling on the world to come to Brazil next year for an - I'm going to now quote, "For the first global multistakeholder meeting on the future of Internet governance." April 23, Sao Paulo.

So that will be announced tomorrow by the government of Brazil. And with the announcement, very important, she will announce that she's inviting all of us to come and join them in a steering committee through, you know, proper representation of civil society, of business, of all groups, so that we can shape what this meeting is about.

So before we all get very worried that we don't know what the meeting will be about so we shouldn't go to the meeting, no, this is a chance. Before that meeting existed, and before the Turkish IGF existed, we had no multistakeholder meetings next year; no visible large multi-stakeholder meetings.

But the world can say we're coming together to talk multi-stakeholder. We had the WTDC which was not going to be a multi-stakeholder meeting, and it's no longer in Egypt now so it's probably going to be in East Europe. And then we had the (planning) talks later in the year. Nothing else.

Page 8

Now we have two chances. We have two chances. Not only two chances but we also got Brazil to agree to do the IGF in 2015. So we have Brazil in 2015 and we got Turkey to back and we thank Turkey for that because one call to the Prime Minister's office and they agreed to do it. We had no one backing the IGF next yet. Now we have two IGFs as great hosts for the years ahead and we have the Brazil meeting early in the year so we can set the tone. It's up to us to set that tone.

Last thing I want to tell you is that we have assurances at the highest level now that the Brazil meeting will not include topics. It will not include topics. For all of us running around saying it's a summit about surveillance, it's neither a summit, it's neither about surveillance. Okay, let's be very comfortable with that.

She's asking us to come all work with her so let's do it. And she's asking us to come do it on the basis of an open meeting that involves all parts of our multi-stakeholder model. She put the multi-stakeholder in the name; that was her agreement and her team's agreement even the Minister Paulo Bernardo, from the telecoms, all agreed this would be a multi-stakeholder meeting.

It's up to us to shape it. And it's a chance for us to change the course of next year and not be defensive but rather go out and tell our story and make it a good story because it's a great story.

So that's my quick update on that big elephant in the room, as you called it.

And I am happy to engage, listen to you and make sure I clarify anything else that you - I can be helpful with.

Jonathan Robinson: Thank you, Fadi. Thank you for distilling a complex set of events and something where you've been running significantly ahead of some of us. I know you've done a lot of work in the last month or so to try and bring everyone up to speed into your slipstream. And I know that there's plenty of

ICANN Moderator: Gisella Gruber-White 11-17-13/7:15 am CT

> Confirmation # 5752335 Page 9

concern, plenty of areas to discuss so I'm not going to monopolize the

microphone. Let's hear some comments and question.

I know yesterday's sessions were very much focused on where does this leave us and where does it take us? Some of you may well want to look back

a little and dive into what happened. But if I can remind you that what we

discussed yesterday was focusing on today and tomorrow a little more than

yesterday I don't think that yesterday's a closed topic but just to remember

that.

Volker, I think you're first in the queue followed by Maria, Jeff.

Volker Greimann: Hello, Fadi. Volker Greimann from the Registrar Stakeholder Group speaking. I have a two-part question but let me preface those with thanking you for your efforts in defending or even going on the offensive for the multi-stakeholder model. However that ties into a question that we had in the discussions yesterday.

> We are not sure that when governments like Brazil and other governmental participants talk about a multi-stakeholder model that they mean the same thing that we mean when we talk about a multi-stakeholder model, i.e. bottom up consensus-based multi-stakeholder model.

So I would ask that you clarify this or give us your impression of if the multistakeholder model that, for example, Brazil was talking about is the same thing that we are practicing and living here.

And the second question ties into your reference to the remit that you had for - for initiating these discussions why the secrecy? Can you shed a little bit of light on that why this was not published last September?

Fadi Chehadé:

Okay thank you, Volker, very much. President Rousseff understands what is the multi-stakeholder model that we mean. She does. I didn't need to explain

Page 10

it to her; she understood it very clearly because before she went to the UN she actually spent a long, long meeting with all the members of the CGI, some of whom are here, is (Hartmup) in the room? (Hartmup) from CGI?

Okay, but okay some members of CGI are here. And they explained to her very clearly what Brazil has done for the last 18 years. And, you know, the CGI is not perfect, it's just a model. It's actually quite impressive that a country for 18 years has done that. It can - it's not the model for everybody but she understands.

She also - I also shared with her that in my view something like the GAC, for example, at ICANN is a multilateral body. It provides advice to the multi-stakeholder body. But the consensus and the decisions are made in the multi-stakeholder body, not in the GAC. And she understood that fully. I can assure you of that.

And again, one of the things Theresa and others want to be doing on the canvas of 1net is to engage all us in making these definitions clear. Let's get our story out what is it. And this is what the ENETEL Board member said when he went to the IETF, he said, it was such, you know, an immersion in a multi-stakeholder bath. He came back he said, "Okay, this is amazing."

But many people don't get that experience until they come live here. But we now need to tell our story. Megaphones, canvasses, we need to get out there and tell them.

The second question is why did the Board not make my remit - my mandate public at that time? There was a lot of debate about that. It wasn't black and white, you know. Do we make it public? Do we not make it public? I think there was a - just a genuine concern at the time that it looks like ICANN is leading.

Page 11

And you will read later today that resolution. The resolution was not about Fadi and management to go solve the global Internet - no, it was, "Fadi, go build the coalition." So it was about very quickly getting away from ICANN

and going to a coalition.

So the first thing I did with that mandate is I went to the fellow iStar and I went to the ccTLD - there was a Center meeting, some of you are here from Center, in Brussels. I went there to talk to some ccTLDs. I sent to LACNIC and I met with all the community there. I went to the iStars. And then we went to Bali.

So the mandate I had was to go build a coalition. So the intent was to not talk publicly about this until there is a broader group of people talking about it, not just ICANN. So we're trying to just avoid making ICANN build (unintelligible), making ICANN look like it's leading.

But now that the coalition of - the movement 1net is born and things are in the open and the iStars made the Montevideo statement, etcetera, frankly then we can say fine, that was part of my mandate because a lot of people, frankly, did ask me, "Are you on your own? Is this - are you some kind of lone cowboy going to do this?"

I don't look like a cowboy, for sure. But I certainly - I did not do anything, I assure you, that the Board had not very specifically asked me to do. And you will see it in the resolution today. And moreover, the Board today, is discussing a new resolution that gives me more wind so that all of us can work together in the months ahead.

Jonathan Robinson: Thanks, Fadi. I've got a couple in the queue but I know Theresa would like to come in briefly.

Theresa Swinehart: Sorry, pressing mute is probably not the way to answer on my thing.

Actually on this multi-stakeholder facet I think you raised a really interesting

and important point because if we know in the broader Internet governance dialogues there's been a lot of dialogue about what this - what are multi-stakeholder principles? How do we operationalize that in a really good way?

And different institutions have different ways of operationalizing that. The IGF has one approach. ICANN obviously - and it really goes around how do we ensure that everybody is engaged in different ways? So I think this is also a wonderful opportunity to help inform this dialogue and to help keep tabs on ensuring that it is truly multi-stakeholder in process and also help share the experiences of what is working in all of our different institutions and organizations not just ICANN.

But all of you have experiences in different bodies and have been working hard on looking at how to improve multi-stakeholder mechanisms overall. So I think this is a wonderful opportunity for a mutual dialogue and sharing that experience also in this Brazilian meeting.

Jonathan Robinson: Thanks, Theresa. I've got Maria next.

Maria Farrell:

Hello. Maria Farrell, NCSG. Fadi, I think unlike some other people in the room I have to say I really admire the initiative that you've taken and the ambition and the positive agenda that you're spelling out in a period of very profound change and that may create opportunities for all of us.

And what I want to draw down on is I think there may be somewhat of a disconnect between what you were experiencing where I think you're at the heart of an absolute maelstrom of emails, of phone calls, of meetings, of, you know, constant activity and communication. And for some of us on the outside of that there is not a lot - I appreciate the teleconferences that have been done but there is a dearth of two-way dialogue on this.

And, you know, I appreciate the timeframes being very, very crunched. But I think, you know, if we are to go forward to this meeting what ICANN does and

what it has is the multi-stakeholder model. And, you know, we have to make sure that not just - we're not just talking about how great it is but obviously that we're, you know, we're living it and working it in how we prepare and how we go forward.

Because there are so many people in the GNSO and more broadly who have vast years of experience in Internet governance that can be drawn on but also I think that, you know, that are the advocates for this model and are the advocates for accountability and to some extent for change.

So, you know, I think really use us and really draw on us. And please in a way I feel we shouldn't be having to ask you to make sure we get a seat at the table but I am asking you to make sure we get a seat at the table and when this Brazil meeting happens.

And I wonder maybe as a practical suggestion is it useful for us, you know, as a group or as a larger group to work together in articulating what ICANN's conception of the multi-stakeholder model is? Because, you know, as has been suggested there are so many different versions of what that is.

It's - depending on what organization you work for and what your experience is. So maybe that's something that we could help articulate and put that forward not just for this meeting but as a general statement of how we work.

Fadi Chehadé:

Thank you, Maria. I just want to second what you said because to a large degree the initiative the Board asked me to take is done. I'm done. I achieved what I was asked to do which is just decalcify and energize the process. I'm done. Right now, we're the table. I'm no longer in the center of the table.

All I'm doing since I left Brazil is to spend time with community members just inviting them to come to the table. And what happened in Bali is we had one meeting where it was a room like this there was just hundreds of people and they said let's get - we created an initial list and they're starting to form this

1net canvas, which is not defined yet but it's a piece - a single canvas where we can all go write our stories.

So now is the time where not Fadi but the Internet needs you now. What you just offered, bring us - I don't need to bring you to the table; the table is set. In fact the Brazilians will announce tomorrow that their partner - to ensure they bring the global community into their conference - will be 1net. So we're saying, everyone, organize yourselves and come to us and let's work together to make it happen.

So I'm not saying 1net replaces us; it doesn't replace ICANN, it doesn't replace the IETF. This is just a vehicle here we - it's a canvas, a vehicle where we talk together and organize and everyone is welcome. Everyone is - and it's not ICANN-run. In fact the NRO, AFINIC now took over 1net and the Website. They are running the whole thing and (Adele) will be the lead there. He offered himself and in Bali we said, fine, go for it; run.

But he's inviting everybody. He's sending emails around to many of us saying, come on, let's organize. So this is the moment where we need to do just what you said. And I'll do my part as a participant like all of you. You know, I'm just one of you in this table.

And I'll push everything to 1net so that it's not Fadi, it's not ICANN. And the iStars are also working with us on 1net so we make sure everything goes there. And it's open, it's transparent and we're deciding together; not Fadi, not ICANN.

Even, if you noticed outside your room I moved my office outdoors so people don't say Fadi's having, you know, secret meetings with I don't know. My office is now outdoors right outside here in the hall so everyone can see who I'm meeting with all the time. And I'm here to serve you, to help you, to energize us. That's all I do. Okay?

Page 15

Jonathan Robinson: Great initiative. Thanks, Fadi. Zahid, you're next.

Zahid Jamil:

Thank you. First of all thank you, Fadi, for the time and also this very useful allaying of fears about the fact, you know, what is the connection between the Brazilian announcement tomorrow and 1net. Is there a connection or not? Because we can keep talking amongst ourselves but unless it has an official recognition by that process will be an issue.

I just wanted to sort of start off by saying we appreciate everything you're doing and we understand that you took a very difficult - a challenging decision as well at that time so thank you for that. But there are questions of course. But before I get into them this is supposed to be a general discussion, not just on this issue. Let me start off by saying we're a little disappointed that developing country participants were unable to come to this meeting.

The last four meetings that have taken place - let me get this on record - the people who have been applying for visas from developing countries have had lots of problem. I mean, last four consecutive meetings. We don't have a councilor here from Nigeria today. I'm here despite ICANN's assistance.

The ICANN letter was the reason why I wasn't going to get a visa. And I had to personally go meet the ambassador who knew me personally. He said, I'm sorry about this, here you go.

What arised out of that is a question. ICANN knew about it, what was done about it? The only response I got, and many others got, was, "Well we've sent an email, what else can we do?"

Topical to what we're discussing right now. If we can't make sure - if we can't make sure that our leadership can get visas to come to these things, you know, it's a credibility issue about being able to navigate these international waters so I think it needs to be addressed.

Again, I'm not trying to be harsh but I think it's a reality. You know, he's not even on the call today with us. He should be. It's just because he was denied a visa.

Coming more to the issue directly, I think it's an issue of the CGI not being the multi-stakeholder model that we understand. What the Brazilian president's understanding of multi-stakeholder is very different from the bottom up process that we have.

So I would not necessarily take her recognition of CGI as being, well she understand multi-stakeholder. And I think the second part to that is we wouldn't want you to be done yet because if you had a strategy to get to that now we need you to follow through to make sure that all the things we're asking for, in order to control this process to some extent, do go through the way we would like to see.

We need people around the table who have been in those discussions so that's one. But I have specific questions moving forward. And the questions come out of actually hearing Brazilian delegates mention these words so these are not, you know, this is not gossip or hearsay.

If it's not a summit, fine. What is your strategy as ICANN and CEO to avoid the following: A, this being an event - the Brazilian meeting being an event which takes decisions with the intention to take these decisions to other international fora for implementation. These are words that we heard directly from Brazilian government delegates when they mentioned it. This is not gossip; I was there.

Second, how do we avoid this going down the path of, quote unquote, a decision to ensure the implementation of equitable redistribution of Internet resources? These are two very, very vital issues, definitely to us sitting around the table here. And to say that you're done and we're on our own I

think - we appreciate why you're saying that but I think maybe that's - it's not as simple as that. We need you to help us and work with us on that.

How do we avoid these two very important strategic decisions that seem to have been taken by the Brazilian government? And what do we - and you as ICANN CEO and ICANN - going to do about it?

Fadi Chehadé:

Well first of all my sincere apology about the visa thing. This bothers me immensely. I also lived without an American passport for 18 years of my life. And I knew how hard it is to get these visas. And now, of course, I have the benefit of having a passport that has an easier visa.

But it bothers me and I'm sorry. So I will take that as my action and involve my team on this. So, and please, if you could send me the email of the Nigerian person I'd like to call him today - and the phone if you have his phone.

On the multi-stakeholder understanding of President Rousseff, look, indeed as Maria said or I think also Volker said, the understanding of what is the right or multi-stakeholder model or what is ours versus even the IETF, it's different; every place is different.

It's important that we use our fora and the 1net canvas, I hope to tell these stories and to explain them. They're listening. So I can't say that everyone is aligned exactly on how it should be but this is the chance we have to go out and educate and talk and they're listening. They're listening. They really are.

Now (unintelligible) a machine. Imagine if you and I went and convinced the FCC in the United States to change course on something. How long does it take the entire US government to align with that changed course? Years because stuff is moving, it's in the system, in the pipe. Same in Brazil. So the President made the pronouncement. She understood the difference, at least at her level and she said I'm going to move this way.

Page 18

And in fact it's very important you know - this will also be announced tomorrow - that she picked Virgilio Almeida who is the Vice Minister of Science and Technology, as the chair of the conference not ENETEL or the telecom minister. I won't comment on that because I don't know the background but she picked him. And he's the Chairman of the CGI. So that's an interesting direction.

Now as we are seeing things happening in Brazil - I'll give you an example. I was at the IETF meeting with some colleagues and one of their colleagues takes out her iPad and starts almost yelling at me as if I'm a Brazilian official. She said, look, you're talking about Brazil - as if I'm Brazil - but she said, "They just submitted at the ITU a proposal that is completely against the multi-stakeholder model."

I looked at it and she was right. It was a terrible proposal. It was submitted. And she said, "I'm going to spend the next year fighting this." So we called - we called Brazil. We said, well, what's going on? We thought we agreed that we're going to move multi-stakeholder.

So they realized there is stuff in the machine already that was moving that we would have had to spend the next year fighting. Within six hours it was gone. They are listening. They're engaging. Let's engage them. Let's refine their understanding. It's a chance.

And as to your two points, which will take a long time to get into, also you asked me not to stop participating. I will participate. I will be engaged. But I can't lead anymore. We need to be together leading. There are people around this table - I'm looking at them - who know far more than me about these subjects including my new Head of Strategy.

I'm just here to - I'm an energize but I don't know the subject matter like you do. I need you. I need you to come to the table and tell the stories. That's all.

Page 19

I will continue being an energizer. I like to organize. I like to bring people to a

common idea. But at the end of the day the ideas are yours. They need to be

written.

As to the two points you bring up, they will take time, Zahid, for me to go

over. But I will tell you the way we ensure that no decisions are coming out of

Brazil - again, the Brazilian conference, by the way, does not have any ability

to bind or mandate any decision. I mean, at most it'll be a declaration. Maybe

they'll make a declaration. That's the most they could do.

But let's go into the steering committee and drive what happens. And as I told

you before, they were in Bali talking about putting surveillance on the agenda,

right? And we engaged them and we said, no, you want to put surveillance as

the agenda? Count us out, we're done. We're not coming.

And it was fine because we were frankly being very direct with them. So it's

not - no topics will be discussed in Brazil, period. No topics. The only things

that will be on the agenda is what we said from the beginning: We can talk

about high level principles and we can talk about institutional frameworks, no

topics. We can talk about how we do Internet governance, not what do we do

about a certain topic. Okay?

But more on that, Zahid. Let's get engaged. Let's drive this agenda together.

But right now it was frankly me and ISOC joined me in Brasilia last week,

which I really was thankful or them, Sally Wentworth went with me and we,

together, met with them directly.

But now every next meeting has to be 1net. It can't be just me and ISOC and

a few people who are, as you said, ahead a little bit. We're done being

ahead. Now we need all of us to be in 1net and driving this agenda.

Jonathan Robinson: Thanks, Fadi. I'm very sensitive to your time so you're going to have to

tell us when you need to go. I've got three people currently sitting - one of

whom - one of the three who've all been very patient is one of the experts you referred to, Bill Drake. So, Bill, go ahead.

Bill Drake:

Thank you. Bill Drake, NCUC. First I just wanted to quickly echo what Maria said. I think you understand, we've talked about this enough, social society supports the initiative and has talked a lot internally about what you're trying to do and supports the iStar effort generally to promote globalization and so on. So we're on the same page there.

I also would support Zahid's point, the concern about the intergovernmental dimensions and so on. One of the problems here is the incentives are just really different for governments than they are for us. And it's fine that you've had these conversations with the Brazilians and had assurances and so on but what we don't know is what happens when other governments start to be brought into the fold and get more active in the conversation.

Many of them may not be totally satisfied with the answer that we're not making any decisions; we're not announcing anything other than a declaration. They're expecting - they're frustrated, they feel like they haven't gotten their agenda listened to (unintelligible) other settings whether it's the enhanced cooperation stuff in the UN or the ITU whatever. And they're hoping that this is finally going to be the moment where something is going to happen.

And now we're going to have to get them to recalibrate and dial back and say oh yes, it's just another step in the process of ongoing dialogue. And I think that will be pretty difficult. And I'm not quite sure how that's going to be managed given the kind of structure that's being put in place, who's going to who's going to work with them on that point to really make sure that they buy into the notion. Say okay, fine, this is going to be just about the high level principle (unintelligible).

The second point I want to just make real quickly, we've - I've pressed you before in multiple meetings, I've pressed you before in multiple meetings about the discussion - exactly what was - the agreed focal point might be when we say high level principles.

There's principles and then there's principles. And there's a lot of principles out there that have already been agreed in a lot of multilateral and other bodies some of which are quite contradictory with each other and simply saying it's going to be high level, not to worry, doesn't really address the issue.

So we have to try to figure out how we're going to start to bring that into little bit sharper focus. And that dialogue hasn't really even remotely begun nor has the dialogue on what would institutional mechanisms mean if - you say that there's an agreement that we won't talk about solutions to any particular topic but of course, again, this is not what a lot of governments are saying. They want solutions to (spend), they want solutions to whatever.

So we need to start to spell out more clearly what those two focal - agreed focal points are and exactly what the nature of that agreement is and who's party to it.

And the last part I just want to ask, you've said before we need inputs by March 1 - written inputs or other kinds of things. I wonder if you could maybe give people a little bit more sense about timeframes. What do we got to do by when to engage this process effectively?

Fadi Chehadé:

Thank you so much, Bill. And Bill is definitely one of the experts I was referring to because we could all engage people like Bill into this and really get far because he's asking all the real important questions here about how do we make sure outcomes - how do we make sure we are very engaged in shaping these outcomes? So we also mitigate some of the risks many of us in this room are worried about, right?

So just a couple of things. Unfortunately I have to go after answering you, Bill, but I'm leaving my much more informed Vice President of Strategy here to help me and help you.

But two things. First, we agreed with them on Tuesday with ISOC that we have to embed this conference into a continuum. It is not, first of all, one of many. It is part of a continuum of discussions that are going on. So we view, for example, the Turkish IGF - or the IGF in Turkey as an important next step.

We also view the IGF in Brazil in 2015 as another step and in between all other things. How do we start looking at this as a part of the longer term discussion? And they are very tuned to that. They're asking for help to actually orchestrate that as part of the ongoing discussion. I got that confirmation from them.

But we need, again, how do we carry this? As I told you, I'm done in the sense that now we need to all do it together within the steering committee they're forming. That's the vehicle we need to use to sharpen these pencils. And I hope civil society and business and others are - they have given us eight seats on this committee. They have eight and we will have eight. By "we" I mean 1 net.

They said 1net can go come up with eight seats; two civil society, two business, two technical organizations including CCs, one NGO - they want one NGO liaison to other NGOs and they want also one real academic, not just - I don't mean you're not real academic, Bill, you're an academic wearing a civil society hat but an academic who's, you know, doing academia only and is not engaged so that we get also an outside view from an Internet governance standpoint.

Fine, we said, okay, that's what you want we will support you. And they will have eight on the other side from governments that they will bring. Now this is

Page 23

important because that goes to your second question, how do we make sure all these governments who are rushing to come and say, hey, this is the

chance to solve everything.

If we heighten the expectation of the Brazil conference we will all fail. And we need to bring governments' temperature down. But Brazil is just one of many things going on. And it will not make decisions and it will not deal with topics. It will start setting the canvas for dealing with topics down the line. But that's all Brazil can do. And they're talking to some very specific governments to

bring them onto that eight-seat thing.

Next week, before Thanksgiving, there will be another announcement this time by 1net and the Brazilians in which some of that detail will start coming out. And that's why they're asking us the same. Where is the 1net clue we

need to start discussing some of the things you're talking about, Bill.

So for those of you are not on the 1net list sign up 1net.org and there is a lot of discussion going on how do we create some coordinating committee for 1net. We need to coordinate, we need to organize. We can't have 700 people now on the list, you know, organizing. We have to have some liaisons, some mechanism to do that. Please engage. And that's how we will drive that

discussion.

March 1 - March 1 is the date they will announce - this is not my date - because the conference will be April 23, 24 in Sao Paulo so they want a good two months before that conference to have a deadline for receiving input so the conference can have, you know, we have a couple of months left for

everybody to have consultation and public comment and discussion, etcetera.

So there will be a - kind of a deadline to stop more proposals coming around March 1. So all of us, 1net, I hope on our site together, we will be proposing a

lot of valuable input that we can share with them and give it to them.

Page 24

Now lastly on this point, Bill, you know about this, I shared this with you in Bali. You recall in Durban I shared with you that I'd like to have five strategy panels to support and I think my colleague here, Theresa, will talk to you a little bit about these panels in a few minutes. We announced four of them and the four first panels started. The fifth one we were a little bit delayed. But we will announce it today or latest tomorrow. So now we'll have all five panels out.

The four chairs of the first four panels will be here. And we have a session with them. Please meet with them, visit with them. They want to hear from you. They will be very transparent in all their work. And they're just building value for ICANN's strategic plan.

But the fifth panel, which will be announced now, will be the panel on Internet governance. And so as the Brazil agenda shapes we would like that fifth panel to be one of many places that feeds also input into that Brazil conference, right?

Now because it's a broad subject, Internet governance, I decided with my team that it was appropriate that we not make it completely an ICANN panel, that we actually share it to the world. So this panel will be shared in partnership with one academic institution and one international organization. And they agreed to join us in kind of hosting and funding this panel and making it successful.

And all of that will be announced, again, today or tomorrow at the latest. We're just waiting for one quote by the chair of that panel to approve it and once he approves it we will move forward.

I can tell you that this panel will have representation from our community. And because it's outside of ICANN it's the only panel where I will sit so I will be part of that panel. But I'm also very delighted to let you know that the President and CEO of the Internet Society, Lynn St. Amour, will join me.

ICANN Moderator: Gisella Gruber-White

11-17-13/7:15 am CT Confirmation # 5752335

Page 25

And also the past chair of the IAB, Olaf Kolkman, who's sitting right there, will

also join us. So we will have representation from our community sitting on this

panel. There will be 18 panelists on that particular panel.

From civil society we have representation from business, we have, for

example, Disney has a senior vice president on it so we have a lot of

representation from business, from civil society, from government, from

technical organizations, all together producing hopefully one of many inputs

to the debate next year. It is not the only input.

All of us can participate in input. And I hope 1net will be a great source of

input as well. The panel is just one more vehicle to crystallize our thoughts

and share data with.

And Dilma Rousseff appointed Virgilio Almeida so this is another link that he -

because you're saying we connected 1net. She took the same guy running

she Brazil conference and she appointed him to this panel. So there's also all

these things are somehow not linked but at least we have liaisons and people

listening to each other as we move forward this very important year.

I hope I did not confuse. I know we have a million guestions. We are here all

week. We have many sessions on Monday and throughout the week to talk

about this. Please do not hesitate to stop me, stop my team any time. I leave

you with Theresa who has much better answers and shorter than mine as

always.

And I hope you have a wonderful week. Thank you, Jonathan.

Jonathan Robinson: Thank you, Fadi. Thank you very much. I think you've clearly - there are

many questions. We've had to cut off some people and I'm sorry for that.

Fadi Chehadé:

Sorry.

Jonathan Robinson: But you've done a great job of attempting to answer many of our things and actually engaging with us so much appreciated. Certainly this issue of integration of your thinking, of your direction of travel whether it's with the strategy panels which we'll pick up with Theresa and in the international governance landscape is critical knitting that together with the questions, queries, concerns and opinions in the GNSO and in the broader community so thank you for your efforts in that.

If we could stop the recording and we'll begin the next session with Theresa immediately afterwards.

END