
BRENDA BREWER:

Good day, everyone. This is Brenda speaking. Welcome to the candidate call for business constituency officer elections on 12 October 2023 at 15:00 UTC. Today's meeting is recorded. Please state your name for the record and have your phones and microphones on mute when not speaking. Attendance will be taken from the Zoom participation. As you can see on your screen, we have the BC slate of officers. For the position of chair, we have Mason Cole and we have for vice chair of finance and operations, Tim Smith, vice chair of policy coordination, Steve DelBianco and CSG representative Marie Pattullo. And I'm going to start the meeting by turning it over to Mason Cole for some opening remarks. Mason.

MASON COLE:

Thank you, Brenda. Good morning. Good afternoon. Good evening, everybody. Mason Cole here, chair of the BC. Welcome to the candidates call on 12 October. It's good to have you with us. We're going to handle this call as we have previous candidate calls in that I'm going to turn the chair over to Brenda, who is going to help manage the queue and introduce the candidates. I believe each candidate is going to have a quick opening statement and then we'll go to questions for candidates from membership. So are there any questions or updates to that procedure as I've just outlined it? Okay, very good. All right, Brenda, back to you. And please go ahead and start candidate statements and queue management if you would.

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BRENDA BREWER:

Very good. Thank you, Mason. As moderator, I would like to advise the BC members that both the nominators and the nominees qualify according to the BC charter rules as paid members of the Business Constituency, and therefore all nominations are valid. Nominations for the role of chair and vice chair of policy coordination, vice chair of finance and operations, and the representative to the commercial stakeholder group were received. For the role of chair, we have one candidate, Mason Cole. For the role of vice chair of finance and operations, we have one candidate, Tim Smith. For role of vice chair of policy coordination, we have one candidate, Steve DelBianco. And for role of CSG representative, we have one candidate, Marie Pattullo.

On today's call, I will first open the floor to candidates themselves for introductory remarks. The candidates will proceed in the following order, Mason, Tim, Steve, and Marie. After remarks, we will then open it up to questions from the BC members. BC members participating on the call may submit their questions verbally or via the Zoom chat, and I will moderate this portion. Ballots for election will be sent on Friday, 13 October at 00:00 UTC, opening the voting period. On Thursday, 19 October at 23:59 UTC, the voting period will close. Only BC primary member representatives in good standing will receive a ballot. The results will be submitted to the BC Executive Committee for review. Once confirmed, staff will announce the results on approximately 20 October 2023. The new term begins for BC officers on January 1, 2024. With that, I would like to open the floor to the candidates themselves for further remarks. I would like to remind each candidate to have your video on when presenting, and we will start with the BC chair position, Mason Cole. The floor is yours, Mason.

MASON COLE:

Thank you very much, Brenda. And good morning, good afternoon, good evening again to everyone. I want to say first as a candidate for chair, thank you to Barbara Wanner and to Arinola for the nomination and the second. It is a privilege to stand for chair again of the BC, and I look forward to if I'm elected to another term as chair. So I sent out a candidate statement I believe it was late last week, where I outlined some thoughts about where the BC has been for the past two to three years, where our desired outcomes remain in terms of achievements that we want to have for the BC. So I'll just run over a couple of those and then I'm happy to take questions when the questions come around for membership.

So as I mentioned in my candidate statement, for several years now, one of our primary policy objectives has been to develop serious and ongoing tools for mitigation of DNS abuse. That's a problem that has been an issue now for internet users and for the businesses that we represent for many years now, and the threat vectors are changing over time. So we're going to have to remain on our toes in terms of developing tools to combat abuse. We as you know, have witnessed negotiation between ICANN Org and contracted parties on contract amendments that are designed to deal with DNS abuse and to give ICANN Compliance a better set of tools to enforce against that kind of behavior as it's harbored by registries and registrars. So that's a good step. We've been promised by the ICANN community, by board members and by senior ICANN Org staff that that's not the end of our fight against DNS abuse. There will be other opportunities to develop those tools and we look forward to that. That's going to be a subject of

discussion in Hamburg, as you can probably anticipate. So we look forward to that and to ongoing dialogue with our contracted party friends to make sure that we develop new and evolving DNS abuse, tools to combat DNS abuse. Then on the regulatory front, as many of you know, we've been advocating for what we call sensible regulation of registration data policy as part of what's called the NIS 2 directive. That directive was ratified by the European Parliament in late 2022. We've got a year left between ratification by the European Parliament and implementation by member states. This is a long and involved process. We've been active on that front and we are very interested in helping the ICANN community prepare for implementation of NIS 2. So that is going to be a priority for the BC as well going into 2024. These are just two of the matters that are in front of us. I highlight them because they tend to take up quite a bit of the BC's time and energy and it's important to recognize that they will continue to do so. But we also have lots of other policy initiatives that are coming before the ICANN community, things like the new gTLD round and some overdue work that is due to the community. So in terms of the BC's participation in ICANN, we've been effective, although headwinds do remain. As I mentioned in last year's candidate statement and I reiterated in this year's, the ICANN arena right now is not exactly friendly to the concerns of non-contracted parties and policy outcomes are not as balanced as they've been previously, although we're working in the right direction on that front. So I'm looking forward to helping the BC secure some of its goals for 2024. So just in conclusion, I just want to say thank you again to not only Barbara and Arinola for nominating me, but I want to say a particular thank you to my fellow BC ExComm officers who have served the BC extremely faithfully now for many years. And it's been a

privilege to serve alongside them. So I want to say thank you to Steve and Tim and Lawrence and Marie and Mark, because they've all been outstanding colleagues and great leaders for the BC. So with that, Brenda, I turn the floor back over to you and say thank you again for the nomination. And I look forward to questions.

BRENDA BREWER: Very good. Thank you, Mason. And next we have Tim Smith nominated for vice chair of finance and operations. Tim, the floor is yours.

TIM SMITH: Hi, thanks, Brenda. And thanks, everybody, for coming today. I'm certainly very pleased to be nominated to the position of vice chair of finance and operations. And I want to especially acknowledge Vivek Goyal for nominating me and for a second from [inaudible]. I really appreciate the support that you provided and the encouragement that you're providing. I did provide a candidate statement a few days ago. And so I'm not going to recite from my candidate statement. But I think you probably know those of you who've been on the call over the past couple of years that I have represented the BC as the CSG liaison, which I found to be a very good opportunity for me to get more familiar with the issues of ICANN. I've actually been attending ICANN meetings since 2012. But usually sort of on the sidelines. And that's because I operate a very small trade association based here in Canada, which takes up a lot of my time for a lot of areas beyond internet governance and the ICANN. But having said that, I was part of the finance committee for a few years, and have been off the finance committee for a couple of

years now, but have always made a point since 2020 to contribute to the public comments on behalf of the business constituency on the draft PTI and IANA budgets, and on the operating and finance financial plan for ICANN. So I have had a role in in the finance area for the past several years. I have where possible also made other public comments, in part of drafting teams on other public comments over the years. But most of my time has been spent sort of supporting—most of my public comment work has been spent supporting the finance and operations team. So I'll say, I'm not an accountant, I have no formal training in accounting. I sort of came into the finance portfolio because I felt that it was an area that I could contribute to. And over my years of working in business, both in the trade association that I'm now involved with, as well as in my previous postings, I have managed multi-million-dollar budgets. So I feel quite capable to handle the finance and operations needs of the Business Constituency. So I don't think I need to go on and explain any more about who I am. And I will stand for questions. But I do welcome the opportunity to work on behalf of the BC to manage the finance and operations area. But I want to also say that I know there are committees, there's a finance committee that I've already talked about. There's an outreach committee, there's a communication committee, and I may even be missing one because I've only had a quick briefing with Lawrence. But I really will do what I can to lead in those areas. But I really am seeking the support of the people who have already been identified on those committees. And I'll be really asking for your help. In my professional role, I consider myself to be a cat herder. Because that's what I do. I herd cats a lot of the time I manage many, many committees. And I'll certainly do my best to be a cat herder for the ICANN finance and operations. But I really rely on participation from

everybody. So again, thank you for the nomination. And I'll turn back to Brenda. And I'll await questions. Thank you.

BRENDA BREWER:

Thank you very much, Tim. And next we have Steve DelBianco, nominated for Vice Chair of Policy Coordination. Steve, the floor is yours.

STEVE DELBIANCO:

I want to thank Zak Muscovitch and [Cruz Gore] for nominating and seconding. It did remain that that happened at the last minute of closing of the window since term limits would prevent me from running again, unless we lack another qualified candidate that's interested in serving. I do my best to try to recruit other candidates and I'd be happy to assist one that wants to step up to the job, and sooner or later that's going to have to happen. So let's try to cultivate. There's an awful lot of qualified candidates and one of the best is Zak, frankly. So I am willing to serve and since I've done this for well over a decade, most of you know the way in which I do it and the priorities that I try to achieve at getting broad participation, not just in the drafting of comments, but in working groups themselves. And that is only accomplished by recruiting and cultivating volunteers and then supporting the volunteers in everything they do. And it can be as mundane as taking care of setting up a comment with prior work and the formatting that's necessary to submit. And often that gets a little complicated with ICANN's new public comment system. But those are somewhat research functions, editing functions and then posting. But there's a whole other realm that I'd like

to explore that I've become aware of now that I'm in Tokyo. I'm here for the 18th Internet Governance Forum. I've been to 17 of them. And the Internet Governance Forum creates points of leverage for the BC. Mason has already articulated our policy priorities. They're the same ones I had in my statement. But what I'd like to do is to suggest I will work for the next year at trying to discover points of leverage. And that is often discovered by coalitions with allies. For instance, we are often well aligned with the ALAC and with the GAC, quite often with the SSAC. Rarely are we aligned with the contract parties, but occasionally we are and we were with the DNS abuse contract amendments. We are almost never, however, aligned with the other half of the non-contract party house, the NCSG. It's very difficult for me to imagine ways in which we can create coalitions with the NCSG, but I'll keep looking. Another point of leverage is something we talked about extensively here at the Internet Governance Forum. It's run by the United Nations and the governments that comprise the United Nations General Assembly will in two years discover what to do with the WSIS+20. In other words, they will adopt a General Assembly resolution at the UN on the way in which the UN wants to either coexist, cooperate, or take over the role that ICANN plays in the DNS. That has been a threat that from time to time gets very tangible. Brazil, Russia, India, and China have introduced resolutions at the United Nations. Why do I explain this to you? It's because the governments that we are often aligned with create a point of leverage in that we want ICANN to pay attention to the needs of government. When those needs are very consistent with our own, we create brand new points of leverage because for the next two years, ICANN Org, and even the contract parties will be loathed to ignore the needs of government. I think that fits neatly with wanting to address

DNS abuse and particularly on the next round of gTLDs. There are many parties in ICANN who want another round of gTLDs so that they can support applications and perhaps infrastructure to support it. And when that time comes, we have an opportunity to influence what conditions are imposed on those applicants. Things like registry voluntary commitments and the role that ICANN would play in enforcing them, rights protection mechanisms, and things of that nature. So I've just given you a couple of examples of points of leverage that we should look for in the next year or two so that we can find the allies we need to get our objectives accomplished. Because it's clear to all of you that have been active in ICANN that the BC cannot do it alone. We can't even do it if we're aligned with the IPC. That's not nearly enough votes in council to make the difference. And in working groups, we're significantly outnumbered. That doesn't deter us, but it does say we need to be clever in how we approach it. Thank you again, Zak, for the nomination. And I really appreciate the service of my fellow executive committee members. And I look forward to taking your questions at the end of the call.

BRENDA BREWER:

Thank you, Steve. And next we will have Marie Pattullo, nominated for CSG representative. Marie, the floor is yours.

MARIE PATTULLO:

Thanks, Brenda. I, like the others, will try to keep this short. I think you all know me, but just in case you don't, I am Scottish, British, and also Belgian. I live in Brussels, and I have both passports, British and Belgian

for political reasons that some of you may remember happened in 2016. My day job, I am with a trade association like Tim. Mine is AIM, which is the European Brands Association. And we represent branded goods manufacturers. So I hope the link as to why we're in ICANN is obvious. We're not the technical people. We're not the copyright people, but we are the people whose brand names are used for all manner of nefarious purposes, hence the link to DNS abuse and other matters, in particular in NIS2, which of course is a major issue for us on this side of the water. Again, I'm not going to go into policy, but I can. But for me, having been involved in council, it is really obvious, picking up on Steve's point, the disconnect between reality and voting structure. The imposed structure of the houses, and then within that, the imposed structure of the NCSG and the CSG is fake and creates vast problems, because bluntly, no matter what we vote for, we're going to get voted down, unless we've got allies. Now as you know, within the structure of the GNSO, the CSG very often has one vote, one representative, one person to the outside. It shouldn't be that way, but it is. So working within the CSG itself is essential. I'm lucky to have a number of friends in various bits of the community. I call them friends. I hope they would do the same to me. And I do believe that it's only through working collegiately we'll get anything done. Again, like Tim, my day job is herding small furry animals, and also trying to build compromises between people who come from very different places. Sometimes that means you have to go high level, but at least an agreement is better than no agreement. I'm not naive about the work we have to do, but I believe it matters. I also know for a fact that the BC is fabulously responsive when we ask members for input, for help. If you're me, for explanations, I've always got members who will say, "How can I help?" and "This is what you

need." Thank you. Let's keep that going. I would like to stay involved at that level if you will help me to keep it going. Like Tim, I rely on everybody. None of us, none of us in ExComm is a one man band. I realize I've been very impolite now because I should have started by saying thank you so much to Claudia and to Tola for having enough faith in me to put my name forward. I would also, on a personal level, like to thank the ExCom because believe me, it's not one of us working in an ivory tower and only talking to each other every second Thursday. It really is a team. That to me is what makes ICANN bearable. Thank you.

BRENDA BREWER:

Thank you very much, Marie. Now we will open the floor to questions. I ask that you please raise your hand and when called upon, state your name and you may continue to ask your question. One moment, please. You can see we have no questions. One more moment. Anyone want to ask a question?

MASON COLE:

Brenda, I'll jump in the queue if nobody's going to ask a question if that's okay.

BRENDA BREWER:

Please.

MASON COLE:

Actually, Steve, I don't mean to put you on the spot, but since you're at the IGF meeting in Tokyo and it's probably midnight where you are right

now, so thank you for staying up this late, but the BC leadership just had a call with Sally Costerton, the interim CEO of ICANN. Could you summarize for members on the call some of what Sally imparted to us and why it's important to the BC as we enter 2024? Because there were some good points made, some points of alignment between the BC and the ICANN CEO, some points of disagreement as well. But you might be in a good position to help members with that and that might prompt a few questions.

STEVE DELBIANCO:

United Nations stood up the Internet Governance Forum as a special project of the International Telecommunications Union or ITU. That was done 18 years ago. We did it as a compromise because the UN was coveting the role of ICANN and we said, "How about this? How about you work towards a forum where all governments and multi-stakeholder groups can talk about the needs that governments can help with?" So every year they hold the Internet Governance Forum, but it isn't a policy-making body. It's a place where people present and share ideas and debate. It's best if it stays that way as opposed to a body that would make policies. However, because the UN General Assembly has considered resolutions that would, well, frankly, take over the role of DNS management, it's perceived as a threat that governments could do so. And so ICANN will want to please governments between now and the General Assembly vote at about this time of the year in 2025. So throughout all of '24 and most of '25, ICANN will want to be very attentive to governments, both governments that know ICANN and are a little disappointed with the way they've been handled, but also brand-new governments who haven't been part of ICANN before. So Sally

expressed that her goals as CEO is to drive their staff to be as helpful as they can at training new governments that come in. What I thought was missing was an expression of listening to governments that are very concerned about things like registry commitments in the new round, government objections in the new round, concerns about DNS abuse, access to WHOIS, which is so ironic since it was governments of Europe that enacted GDPR, but it's plenty of governments, including Europe, who think it went too far the way ICANN interpreted it. So there's some points of disagreement because I think Sally is focusing only on newcomers to ICANN and telling them that ICANN is the place where everyone can go to the microphone and have their say. And I believe that any government who's spent time at ICANN realizes that having your say is like having nothing at all. The only thing that matters is being able to influence what shows up in the policy that can then be enforced. And I'm not sure Mason, this is what you wanted me to get at, but the BC is in a great position to build upon our relationships with government members. And there were easily 150 GAC members that were here in Tokyo. There were 6,000 people in person at the IGF. It was the most successful and largest one that I've ever been to. And I've been to 17 out of 18. They are very keen to see issues that they raised to be addressed. They're fine if it's a multi-stakeholder approach that includes private sector and civil society, but they want them addressed and they can't tolerate an ICANN that stifles the government or pushes them aside and doesn't treat them at least as an equal stakeholder. So that is what Mason and I believe is the opportunity, is for us to find issues in which we agree with the GAC and then use those as leverage.

MASON COLE: Thanks for answering that question, Steve. Brenda, I yield back to you.

BRENDA BREWER: Very good. Thank you, Mason. One more chance if you'd like to ask a question of the candidates, please raise your hand in Zoom. And I see no other hands. So this will conclude the BC candidates call. And I do want to just share the timeline. You will see that we just concluded the candidates call. Ballots will be sent out and in your inbox by tomorrow, which is Friday, the 13th of October. You have through Thursday, the 19th of October to send in your vote. Announcement of the outcome of the election will be announced Friday, 20 October, which is also the same day of day zero in Hamburg. So there you go. And the new officers take their seat on January 1st. With that, I would like to thank you all for joining. Take care. And that concludes today's candidates call. Thank you all so much for joining.

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