



Public Interest Discussions at ICANN

- ❑ What is *the* Public Interest?

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The Public Interest...

- ❑ How do we know when we see it?
- ❑ Can it be operationalized?
- ❑ Does it have an end point or is it made meaningful more by practice than by a specific product?
- ❑ Can tensions between private & mutual interests be anticipated?



ICANN & the Public Interest

Amended and Restated Articles of Incorporation of OCT 2016:

“{...} **promoting the global public interest** in the operational stability of the Internet **by carrying out the mission** set forth in the bylaws of the Corporation {...}”

“Such global public interest may be **determined from time to time.**”

“Any **determination of such global public interest** shall be made **by the multistakeholder community** through an inclusive bottom-up multistakeholder community process.”

ICANN & the Public Interest

The public interest is also present in the Strategic Plan:

Vision

- ⊙ ICANN **builds trust** through serving the public interest, and incorporating the transparent and effective cooperation among stakeholders worldwide to facilitate its coordination role.

Objective

- ⊙ Evolve and further globalize ICANN
- ⊙ Support a healthy, stable, and resilient unique identifier ecosystem
- ⊙ Advance organizational, technological and operational excellence
- ⊙ Promote ICANN's role and multistakeholder approach
- ⊙ **Develop and implement a global public interest framework bounded by ICANN's mission.**

2014: Proposed Definition by the Panel on Public Responsibility Framework

2014: IANA Functions Stewardship Transition Announcement

- Limited bandwidth, focus on transition proposal.

March 2016: Transition proposal complete. Continue explore PI in a bottom-up dialogue.

ICANN55 HIT Session to explore the public interest within ICANN

At-Large Advisory Committee WG on the Public Interest created

ICANN57 HIT Session to explore the public interest within ICANN

Resources available:

- Desk research
- Wiki space: <https://go.icann.org/2mKgWlv>
- Mailing list: publicinterest@icann.org
- Staff support

Next Steps?

More active participation; community leader(s) to guide the process.

Public Interest Discussions

- ⊙ Definition of the global public interest proposed by the Panel on Public Responsibility Framework (as it relates to the Internet):
 - ⊙ *“ensuring that 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.”*

Public Interest Discussions

Definition vs. no definition

- Provides structure
- Highly context-driven

How is it understood & applied in different contexts

- Explored Europe and India

Everything ICANN does is rooted in the public interest

- Develop best practices in multistakeholder systems
- Enhance diversity in stakeholder participation

SSR of the DNS (or diversity) is but one element of the public interest

- The aggregate of **all** special interests = the public interest
- PI is an abstract concept, it needs adaptable process, not a fixed definition

The public interest is designed to be self-executing in the new Bylaws

- *If the bottom-up, multistakeholder process is followed, and the end result is supported by consensus, then the global public interest is automatically served.*

Discussions are Ongoing

- ⦿ Currently working to identify way for more active engagement and participation across the community

- ⦿ The creation of a loose/informal structure to help guide future work