

**GNSO Council Chair
Candidate's Statement, October 2015 Elections
Dr Heather Ann Forrest**

I am honoured to be submitting this statement as a candidate for GNSO Council Chair. I have had the opportunity to review prior Chair candidates' Statements and, on reading their words, have reflected upon their service and contribution to the GNSO's work and the immensity of the task that potentially lies ahead. It is truly an honour to be included amongst those the GNSO community believes worthy to tackle the challenges and demands of the Council Chair responsibilities.

I will of course be very pleased to answer any specific questions in the upcoming Q&A. This statement provides an opportunity to address "burning" questions about my capacity and capability to serve as GNSO Council Chair.

1. Background

I bring a range of experience from across the domain name industry. I am a qualified lawyer and spent nearly ten years in private practice working for a large multinational law firm based in London, where I specialised in technology transfer and digital content and brand development and management. Prior to and during the New gTLD Program application period, I worked with ARI Registry Services advising applicants and drafting new gTLD applications for a variety of generics, geographics, brands and community groups. I have served as pro bono legal counsel to an art and theatre non-profit organisation, advising on matters relating to EU data protection law and creative content creation. In my current academic position, I teach Australian commercial and corporations law, Australian and international intellectual property and information technology law, media law and legal reasoning. My research focuses on the intersection of international law and DNS policy. I have served my local community on reference committees related to the arts and local tourism.

I left legal practice in 2007 as the New gTLD Policy Development Process gathered speed because I was fascinated by new gTLDs and the questions they raised. My interest took shape as a doctoral thesis on new gTLD policy and international law's recognition of rights in geographic names. My dissertation was ultimately awarded top honours, *summa cum laude*, by the University of Berne, Switzerland and also awarded that country's top national prize for doctoral theses in law. I have represented the GNSO as co-chair of the CWG on the Use of Country and Territory Names as TLDs since early 2014, and prior to that as GNSO observer on the ccNSO's Study Group on that issue. In this often contentious space I have demonstrated my ability to serve as a neutral Chair. Through this experience and my research in international law, I have also come to appreciate the importance the GNSO's relationship with other SOs and ACs.

Academic freedom – the right to pursue matters of intellectual interest without interference or influence – has taught me the value of having the courage to reach my own conclusions and the importance of reaching conclusions through precision and careful attention to others' views. I bring these values to everything I do – from personal pursuits serving on advisory committees and boards of community and regional organisations in Australia to my current seat on the GNSO Council. Having lived and worked in four different countries, multiculturalism is simply my norm.

I am privileged to have had ICANN mentors – back when such things only formed on willing individuals' own initiative, before the Fellowship Program, CROPP, and other much-needed efforts – from across the GNSO community. I find myself here today thanks to the guidance and support of various GNSO veterans from both the Contracted and Non-contracted Parties Houses, and I am grateful for this opportunity to very publicly thank those people. The idea to seek election as GNSO Council Chair was not mine, but theirs, and it is on the encouragement of those for whom I have tremendous respect that I humbly accept my nomination and participate in this election.

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2. Role of the Chair

As co-chair of the CWG on Country and Territory Names I have demonstrated my ability to lead neutrally, even in the context of an issue about which I hold firm views. In support of that proven track record, this statement is a golden opportunity to answer the question that some have asked, while others have simply wondered silently: Can a member of the IPC honour the neutrality of the role of Council Chair that previous Chairs and candidates have acknowledged? To this I respond simply: why not? This question disturbs me because it signals a serious dysfunction and distrust from within the GNSO. We simply cannot afford this dysfunction at a time when the world is watching us so closely; we must pull the oars of gTLD policy development as collaboratively and effectively as possible. That the Council Chair comes from one House or the other, or one SG or C or another, should have no bearing on our decision. The Council Chair must be neutral, a facilitator of discussion and forward progress in policy development, a constant reminder (to Council members as well as to ICANN staff, other SOs and ACs, and the wider world) of our uniquely held mandate under ICANN's Bylaws. This is abundantly clear to me. I assure you that it is equally abundantly clear to the IPC.

3. Role of the GNSO Council

We participate in ICANN at a time of great flux; the only thing of which we can be certain is that change is coming, through the ongoing work of the CCWG and CWG as well as through the new ICANN public meeting structure, the GNSO Review, a new ICANN CEO, new PDP procedures, next round new gTLD policy development, the initiatives of the SCI, and a long list of ongoing PDP and non-PDP current projects. Until ICANN's Bylaws say differently, our role as the GNSO Council is to be "responsible for developing and recommending to the ICANN Board substantive policies relating to generic top-level domains". The GNSO Council *alone* carries this responsibility under the Bylaws: not ICANN staff or any other SO or AC. As the ICANN-o-sphere is swirling around us, we must focus on refining our processes and procedures to make them more effective and efficient in the face of new gTLDs, new interests in the GNSO, a constant flow of PDPs, a growing number of cross-community working groups, and uncertain outcomes in the IANA transition.

4. Workload/Commitment

The time and energy demands of being Council Chair have been clearly communicated to me by those who have offered both "congratulations and condolences" on my nomination. I am grateful to Jonathan Robinson, our current Chair, for having offered his insight on this issue. I do not participate in ICANN as a representative of clients or an employer. That same pure and basic interest in the DNS and internet policy that motivated me to leave legal practice and devote more time to ICANN as an academic and researcher continues to inspire me. Earlier this year I took leave from my role as Deputy Head of the Law School at Australian Catholic University to provide the fullest possible opportunity to focus on my responsibilities as a GNSO Council member, co-chair of the CWG on Country and Territory Names, faculty member of the Leadership Training Program, and other ICANN participation and related research and publication. I have enjoyed the support this year of the University of Tasmania as a visiting academic. I will structure my university employment in the coming year to provide the time and focus necessary to serve as Council Chair to the very best of my ability.

Dr Heather Ann Forrest

Australian permanent resident, American citizen

Friday, 2 October 2015

Hobart, Tasmania, Australia