BUENOS AIRES – ccNSO Members Meeting 1
Tuesday, November 19, 2013 – 09:00 to 18:00
ICANN – Buenos Aires, Argentina

BYRON HOLLAND:

Good morning everybody. It's nine o'clock by my watch, so on my very first outing as Chair I wouldn't want to spoil Leslie's long tradition of starting very promptly and on time. I'm going to try to carry on that tradition. Welcome everybody to beautiful Buenos Aires and the opening of the ccNSO workday. Today is Tuesday and tomorrow is Wednesday. The following day is Thursday.

That was a test. I thought about that all night to see if you guys were actually going to be awake on Tuesday morning and I'm glad to see that you are, thank you. I just wanted to say a couple of words before I hand it over.

First and foremost, I just want to say thank you for having the faith in me and the Council to elect me as the Chair. It's certainly my goal to serve this community very well and to, as best I can, try and reflect the concerns and the requirements and the inputs of this community both when we're in this room and when we're outside of this room, trying to advance the cause and interests of the cc community. First, thank you very much for having the faith to put me in the role of Chair.

We have what I think is going to be a very interesting program over the next couple of days, both Tuesday and Wednesday. I'm going to turn it over now so that we can walk through what's coming up over the next couple of days. Just before we do that I want to say that Katrina and the

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Program Working Group have done a lot of work on trying to prepare a very engaging couple of days and I just want to thank them because I think they're really upping the game in terms of driving the program. It should be a great couple of days and this is a preview of what we're going to be doing.

KATRINA SATAKI: Good morning, everyone. I haven't rehearsed it very well. First of all, we would like to highlight some interesting sessions, at least we think they're very interesting.

First, today please join Internet Governance in light of the Montevideo statement. It's a roundtable discussion. We have excellent panelists and a very good Chair.

Another interesting roundtable discussion is waiting for us is Capacity Building. Also, a very nice panel and also Stability and Security from the perspective of global companies. What do they expect from ccTLDs? Just come join, listen, participate.

Let's not forget about the most important event. It's ccNSO cocktail. It's tonight and buses will depart from Hotel Sheraton Park Tower at half past six. You don't need an invitation although if you want a printed one, Gabby still has them, you can ask. Anyone from ccTLD community is welcome. Of course, we thank our generous sponsors for letting this happen, ccNSO cocktail and lunch.

Some other changes we also would like to highlight. We all know this meeting survey that we have. We decided as an experiment to change the format of the survey. We are not going to ask you to evaluate each

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and every presentation. Instead we'll ask for your opinion on which sessions you liked most, which sessions maybe you did not like and we would really appreciate your comments and suggestions whenever you have any idea how to improve our meetings, please share. We really value your comments are looking forward to them.

Thank you very much. Thank you Byron and welcome to the ccNSO.

BYRON HOLLAND: Thank you. I think that looks like a very exciting program. One of the key things that we've been working on from a Program Working Group perspective is to cover not only the issues that are really relevant to us in the room but also, what are some of the hotter and emerging topics from outside this room.

In addition to that, you can also see from some of the panels here there was really an effort to really bring in a number of non-cc participants to the panel to give us a flavor and feeling for what other elements of the community are thinking about these various hot topic issues.

Just before I put my other hat on, a reminder that we will be visiting the ICANN Board after the Finance Working Group presentation and it's in Liberator AB which is the main hall at the other end of this hall so we'll take a few minutes for us to all walk down there so I'll be doing my best from a Finance Work Group perspective to get us finished by 9:55 so we'll have a few minutes to make our way and get seated for the ccNSO Board meeting at 10:00.

Now I'll put on my other hat and go to the Finance Working Group. As Chair of the Finance Working Group this has been a lengthy journey. As

you'll recall, this committee has reported back out in every single ccNSO meeting since our inception in 2010 and our last meeting was this past Sunday. We typically have met every Sunday face to face where we worked through what we believe will be the final report to the Council.

I wanted to take the appropriate time today to walk through the key elements of the final report. As many of you will recall, in Durban we had a pretty robust session where we continued to take significant input from this community and that has woven its way into the final report but just to give a brief history as we roll into the content of the report.

As all of you know this conversation has been an ongoing one, literally since the mists of time of the ccNSO and actually before. Some of you in this room will recall back in pre-2003 ICANN believed that the ccNSO contribution should make up 35% of their total budget. Just to give you a sense of where this conversation had originated and it took a number of years to get to 2007 where the framework that we're currently under came into force.

Subsequent to that in 2010, ICANN raised the issue again that this community was not paying nearly its share or at least nearly an appropriate amount and the previous ICANN CEO had suggested that as a community, we should be contributing to ICANN in the neighborhood of $10 to $12 million. It was from that moment that this Working Group commenced and since that point we've met 13 times face to face. We've had at least that many teleconferences and since the last meeting we also did a couple of webinars that were open to not only us but to other members of the community.

It's been what I would call a very robust process in terms of how we have gone through this, the work that we've done, the reporting out to the community, the feedback from the community through a number of different channels. Of course we've also met with the GAC and reported out on this a number of times. It's been a constant conversation with the board, almost every time we met with them since 2011 this has been a topic and I can tell you it's also been an ongoing topic in working with ICANN Staff to go through this.

It has been a two and a half year journey and a lengthy process to get to the point where the Finance Working Group is able to put forward a final report to the council. That's really what I want to speak to in more detail today.

One of the key elements that I think really bears mention is a fundamental turning point in this discussion and that was really around the model that we came to which incorporated what came to be known as the value exchange. The early discussions with ICANN, both back in time as well as early in this round of them had centered around an almost a fee for service and also what is ICANN's total budget? Essentially, how many domains do we represent and divide accordingly and that was the nature of the discussion.

There was fundamentally a seminal turning point in the discussion where we as a work group posited the notion that in fact we as a community provide significant benefit to the overall community and that our presence in our domestic environments, the things that we do in our domestic environments, the contribution that we make in our 143 different national jurisdictions are actually of significant value to ICANN

itself and that in fact, that has significant value for the multi stakeholder model in general and to ICANN in specific.

That notion, what I would say is a fundamental philosophical turn in the nature of the relationship or at least it's perceived by ICANN and that in turn created a significant change in how we approach this whole discussion and eventually how we came to a common understanding with ICANN about what the contribution rates should be.

I just wanted to really highlight that because it is somewhat esoteric but it is also very real and operational at the end of the day. To breathe life into it, this chart gives a sense of what that actually means, that ICANN without a doubt brings benefit to the cc community and if you look at the table on the left, there's a range of activities that we would probably all agree that to greater or lesser degrees depending on our registry, ICANN provides benefit to us as a community.

But, as the table on the right shows we also provide significant benefit to ICANN and while this list is not meant to be exhaustive, it gives a sense of – we both receive benefit, global benefit from the other party.

With that in mind, we started to break down the associated expenses or the expenses that ICANN believed were associated with the cc community. As we worked through that process we broke them down into three discrete components. The first was specific expenses and they were relatively easily identifiable but they are expenses that ICANN expended directly against this community and no other community - policy support specifically in relation to this community, secretariat support, things that were only expended against this community.

The second grouping of expenses were shared in nature, that yes, we as the cc enjoyed the benefit of some of ICANNs activities but so did other communities and that it was fair and reasonable that some of those costs be allocated to the cc community.

As you can imagine this is where an awful lot of the conversation focused around, orbited around in that what were they to begin with? If you think of, as I'm sure you all read ICANN's financial statements in depth, if you think of the list of line items, of expenses we're certainly not participating in all of them and in fact it's a very short list.

The first was what is that short subset of ICANN expenses where we share with other communities and then what's an appropriate allocation against the cc community? This is where an awful lot of the conversation revolved and then there are the global expenses.

That's really where this notion of value exchange came to light because ICANN does many things that we benefit from as the table showed but it was very difficult to put a hard dollar value on those and ICANN benefits very substantially from the things that we do in our jurisdictions but again, difficult to put a dollar on even though we did do a fairly good job of unpacking that notion when we did the survey.

If you'll recall, the survey we did in 2010 around the expenses that we as a community believe that we expended against ICANN related activities. That's where ICANN agreed with us, in essence, that they would not try to allocate a dollar value against the global expenses that ICANN occurs recognizing that we bring equivalent value and while I'm sure the accountants in the room will have trouble with that notion. I think that we as operators or organizations have to be comfortable with – that's

roughly equivalent and we're going to move on and not be allocated a single dollar in that bucket, if you will.

How does that actually break down? The table in front of you sort of brings to life or operationalizes that conceptual framework and you can see here that the specific benefits are identified. There are four of them and they are clear around policy support, secretariat support, travel support for members of this community and overhead associated with those.

The total there was $825,000 and I think it's pretty safe for most of us here as managers or operators of our organizations where we all have budgets, this is a very discrete and very short list. I think that it's safe to say, certainly in the specific, we could probably all agree on this. In terms of the shared benefits, again if you thing of ICANN's profit and loss statement or income statement with all of the expenses, again this is a very short and specific subset of their total expenses.

That's around governance, the Board members that we have relative to the total board, ICANN meetings and again in a sense this is a specific expense for this room. The support that we receive here but it's an allocation of the total meeting expenses but very specific to us.

That's one of the things that could've gone either way but because it's allocated from the whole it ended up in this shared expense category but again it is very much supporting us. ICANN also recognized that these meetings are generally sponsored by a local host and that was another discussion point.

You can see here in the numbers column that this is a negative and this is ICANN recognizing that we as a community substantially participate in funding an ICANN meeting. It's another important point and an acknowledgement by ICANN. Then the other services we receive through IANA and IDNs are an allocation of the total cost.

The third category is global benefits. We've spoken about them. I think the important point to note here is the dollar value is zero. We recognize we both bring value and at the end of the day we'll call it equivalent so that the total expenses associated with this community are just over $3.5 million broken down in detail. I wanted to take an opportunity – so if we go back to the previous slide. Let me tell you though, the number at the bottom right, the one that concerns us all - $3.5 million.

Just to go over it again, the specific benefits are $825,000 and the shared benefits are $2.7 million for a total of $3.5 million. I think it's also important to note that there's really only eight expense categories that we even participate in. Again, back to thinking of the long list of expenses that ICANN incurs this is also a very short and specific list.

If we go back to the previous slide, I wanted to take the opportunity here – we all have our cards. I just wanted to get a sense of the room so we'll recall that there are three colors. Red means don't like it, green means I like it, orange means I'm in the middle, I'm on the fence.

I want to talk first about the conceptual framework. Have we created a reasonable framework from which to view the cost associated with the ccNSO by ICANN? Is this framework and the notion of a value exchange a reasonable and fair way to view how we would contribute?

If I could just see green, red. I'm going to say, no surprise I say green. Okay, so in terms of a conceptual framework, a couple on the fence but significant majority of green. Thank you. Also there are many members of the Working Group here in the room as well.

We'll have the opportunity to have more fulsome discussion. I just want to get through the actual report and then we'll come back to discussion and also some other opportunities to show the cards.

The other element, in a sense the third component that I wanted to talk about, of four is the principles that we came up with, the guiding framework overall. There's the actual model and we looked at a whole range of models and then there's the guiding principles that would breathe life into how we do this. I do want to take the time to actually go through them because we put forward the final report to the council. It's very important that we all understand the principles that have been put in place.

We had much discussion and much input on these and these principles have been refined and refined and refined. This is V I can't remember what V it is anymore. There's been enough of them and that's in part because we had a pretty robust working group, differences of opinion but also we've taken feedback as recently as the webinars in Durban.

There are 10 principles. I'm going to just tease out what I think are the highlights of each but I would encourage you to also read them. As I think we all know, the final report was posted just after our Sunday meeting so it is available online for everybody to see the detail. It's about 15 or 16 pages. I would encourage you to read it. It impacts us all or has the potential to.

I think the first principle is ICANN and the ccNSO each recognize the value of the TLD community and ICANN bring to their relationship. Here we start to unpack the notion of ICANN committing to that core understanding of the value that we bring to this community and the multi-stakeholder model.

Second bullet point is that ICANN and ccNSO recognize and acknowledge the value exchange model. That is absolutely critical, ICANN is recognizing that third critical component, recognizing that fundamental philosophical turn that we took in this discussion where it's not just a series of services and an allocation but a recognition by ICANN that we contribute as much as they do on a global basis.

The third point is that we recognize that they spend money against us. They do spend money specifically to support this community and that ICANN should be reasonably compensated. We should pause on that just to make sure we're all on the same page. They should be reasonably compensated for the work that they do on our behalf.

The next bullet and I've certainly had much input on this particular notion is to remind ICANN that they have a public interest mandate and that as part of that they must continue to improve its management practice and be cost efficient.

Coming to a conclusion here doesn't mean that they can go away and spend more money, that we will continue to hold them accountable as one of the core principles of our community, hold them accountable for their management practices and being cost efficient and I think we've all seen that the SLP does an admirable job of that.

The next point is recognizing that while many other outside our community might think of us as a relatively homogeneous group or we're all just cc's, the fact is there's remarkable diversity in here from a size perspective, geography perspective, cultural perspective, operational capability perspective, revenue perspective, domains under management and governance models, business models and that ICANN and the broader community must recognize that and we recognize it internally and it's part of what forms the conclusions that we come to.

Next slide, the Finance Working Group has developed a banded model for voluntary contributions and I think that's critical here. The banded model for voluntary contributions, in fact the title of the guidelines highlights that key component that we and ICANN recognize that our contributions are voluntary in nature. Carrying on in this bullet point that even though we set out a framework here and a recommended set of guidelines that the financial relationship at the end of the day is to be determined by ICANN and the individual cc manager.

While we've created framework, we've created guidelines, we've created something to hang our hats on. The fact is as national entities we still have the opportunity to have a direct relationship with ICANN which would at the end of the day supersede the voluntary guidelines if need be.

Next bullet point also recognizes something that I think is very important and that is we are recommending an increase in payment and as such there would be an opportunity to phase in any increases but we also heard because it's a banded model, at certain points when I end up increasing my domains under management by one domain.

When I go from 999,999 to 1 million, that one domain could be very expensive by tripping into the next tier so we also want to recognize that in order to smooth that curve out, that there could be a phase in as a registry moves from one tier to the next. That's, I think, a key component.

Second last guideline was recognizing that some of us operate more than one top level domain, maybe more than one registry and that there would be an opportunity to reflect that complexity to the benefit of the cc manager so it speaks very directly to that point.

I think the final point here is a very important one and that is given this discussion, the length of this discussion, the history of this discussion that we will close this chapter for a minimum of five years and part of this arrangement ensures, it gives stability to us around this discussion and closes this conversation for at least five years. I think that's another important point when it comes to the guidelines.

Now you've seen the conceptual framework, you've seen the guidelines overall, you've seen how it breaks down in terms of the value exchange model. I would like to break out our cards again here because understanding the model, having a greater understanding of expenses associated with us and seeing how we will interpret it and in a sense operationalize it through the guidelines.

The question I would like to ask given we need to have some relationship with ICANN, what you see here in terms of the financial breakdown and the costs associated and against us or on behalf of us, is this a reasonable – a reasonable breakdown of expenses associated against this community?

If I could just see green, orange…People are thinking about it a little more. Okay, so I see two oranges and a significant majority of greens. Thank you very much.

Before we get to questions, the final thing that I wanted to come to was how we believe we should allocate those expenses. Hopefully you can read this table. Fundamentally there is what is the conceptual model, what are the expenses associated, what are the guidelines that would operationalize it and then how are we going to allocate this expense among ourselves?

There was considerable discussion here. As you know, today we have a banded model roughly but the early work of this committee at which we reported back numerous times at the beginning of this process is we looked at what I would call seven and a half different models, seven models with a variation on one.

Different ways that we could allocate this expense, the total number, the 3.5, we looked at some of the regional organization models like CENTR for example. We looked at fee for service models. We looked at fee per domain models. We looked at other ways, seven different ways to allocate it and given all the constraints, given all the differences in the room essentially what we came to is the need for a proxy that could try to reflect the wide variety of operator types, styles, business models, sizes, etc. that we have in this room.

After looking at that every which way and looking at all the different models it was the conclusion of the Finance Working Group that the best way to try to unpack this was to have a tiered model. Different than what we have today but essentially an evolution of what we have today

recognizing that the landscape in 2007. Where today's model comes from is quite different than the landscape we have today.

We increased the number of tiers because we have some very large registries but recognizing that we have to find a balance between all our difference sizes and scopes, recognizing that there are different capacities to pay we came up with a seven tier model that as best as possible given the limited number of variables that this equation actually has when you start unpacking it, we came up with the seven different tiers that you see here in front of you.

I think it's also important to note in the third column, the number of cc's in any given band because some folks wanted a smooth curve, why can't you create more of a true bell curve or a smooth curve? Part of the challenge is just the number of cc's in any given category are lumpy so it's very difficult to do that from a math perspective and we address that through a guideline which is the opportunity to smoothly or phase in the payment as you transition between tiers.

It's probably also important to note the right hand column and that's the revenue that would be associated if every single cc paid. You can see that it's in fact slightly larger than the expenses, the 3.5 we've seen allocated on behalf of this community and that's a recognition that not all cc's or ccNSO members participate. We have 143 members but as we know there are more cc's than that and not all of them are here in this room.

While I would strongly encourage all of us to carry our weight and pay the freight, we have to recognize that we are not all participants in the ccNSO environment so recognizing that those of us who are traditionally paying

right now, if we do pay we will get to the $3.5 million number but I just wanted to also highlight this along the way if there was any questions.

Knowing that we have about 15 minutes left, I wanted to open it to questions and also take one last show of cards before we do that which is looking at this tiered model, of course recognizing that it is a voluntary model that would live under the principles that we've just reviewed.

Given the constraints, given the guidelines, given the conceptual framework – is this a reasonable and appropriate banded model for us to go forward with? We may not love it, probably none of us in this room are looking forward to paying more money but I think we need to recognize as a community that we should pay our reasonably incurred bill.

With that, could I see – is this a reasonable and appropriate way to approach the allocation of expenses? We have a strong majority of green, two reds and four oranges. I believe that's what I see. Chris is putting up a green in the back, okay. There are seven oranges, sorry. Okay, thank you very much.

That was a significant though certainly smaller majority than the previous two. There are seven oranges and two reds so I recognize that not everybody loves this model. As I said, I recognize that not everybody wants to pay more but I believe and the Finance Working Group believes that we should pay our reasonable share and that's how we come to this conclusion.

We have probably 10 minutes for comment and discussion. Nigel?

NIGEL ROBERTS: Good morning. I'd like to congratulate those who worked on the worked on the finance side of this and managing to come up with an agreement and a bottom line figure that I think, on average, we can reasonably agree with. I'd also like to emphasize and to note that the word voluntary is key to this. It's embedded within in. There are various reasons for that.

There are some ccTLDs that are constitutionally unable to pay ICANN both for reasons of their own internal structure and for reasons of the US government's requirements on payments from certain countries. From our own perspective we've actually never paid anything to ICANN and it's not for want of actually wanting to pay. If somebody's asking us for $500 then I'm really quite happy to pay the amount. The amount is not key to us.

What's key to us in the past has been an implication and sometimes an actual statement that by doing so we had to enter into a contract with ICANN. I know those days are gone but I'd just like to say that we'd be very happy to pay our two lots of $500 providing we can actually get some fairly plain wording to say, "This is voluntary and not in connection to any relationship that ICANN might have as the IANA contractor, for example." But otherwise, fantastic.

SPEAKER: I think generally this model is great.   You've advanced this financial contribution model almost to the end but the reason why I had partial orange was because of the difference in the amount between the bands so I was wondering if there was any possibility of maybe for example, specifically in band C from 1 million to 2.5 million?

.kr is closer to 1 million and is currently paying something very close to something between C and D to have to go up so much would put a bigger burden than we thought we were going to be responsible for. I was wondering if there was any possibility of maybe breaking down the band a bit more?

BYRON HOLLAND: Having looked at this equation backwards and forwards, there are very few variables here. There's only a certain number of registries in a certain number of categories and if we start with the number that we want to try to get the 3.5 million, there's only so many ways that this equation can generate that number.

I think having wrestled with these bands considerably, there isn't a better way to do it but we recognize your comment and that's where we go back to the principle that we put very specifically in the principles that there's an opportunity to phase in the transition between tiers. I believe that that will satisfy the concern that you have because at the end of the day, each of us will have a relationship with ICANN and ICANN will send us an invoice but it's to be determined on a bilateral basis while we provide a framework here.

I think your concern is actually addressed on the life that the principles give to this agreement. I would also like to say, Xavier is pacing anxiously in the back of the room probably because he wanted to come up here and voice support for the agreement that we concluded. We are a little tight on time but the other piece that is important is that ICANN has just also sent us, the finance Working Group in the community a letter acknowledging this

We do have formal acknowledgement and agreement with the key tenets of this agreement. I think we're going to be a little too pressed for time unfortunately to go through that but I did want to thank Xavier for all the work that he and his team have also done on this because it's been a tough discussion at periods over time but ICANN has formally acknowledged it.

Chris did you want to say something?

CHRIS DISSPAIN: Thank you Byron. Good morning everybody. I just wanted to say one thing. It's really important to remember that this proposed revenue band chart hangs together with the principles. They are one thing so if you think the principles are really great, you need to understand that what flows from those principles are that we're going to have this proposed revenue model.

I'm conscious that for me to be speaking about this is perhaps a bit weird because I am going to be reducing the amount of money that I pay to ICANN because of the banded model but I just want to say congratulations. I know how much hard work has gone into this and really, really well done. Thanks.

BYRON HOLLAND: Thanks, Chris.

ANNABETH LANGE: First of all, congratulations, you've done an amazing job. Really, it's been tough and you ended up with a good result in my view even if perhaps I

would prefer the CENTR model but okay. But you're talking about voluntary contributions, do you mean then voluntary to pay or not or to choose another band so it's a little confusing. I agree with [inaudible 0:52:50] that as long as the principles cover up for the transition from one tier to another, that will help a lot of us.

We are also in the position that we pay more than we should after this table.

BYRON HOLLAND: Thank you Annabeth. To try to strip out any confusion here, voluntary is voluntary. Clearly we and I believe that we should pay our freight but this is a voluntary framework – period. No small print – period but I believe it is incumbent upon this community to pay.

As far as the transitions between tiers go, one of the things I should have said is that there are some elements here in red and these were modifications made since Durban and if you look at bullet point number 2, you'll see the updated text of the guideline which says very specifically there's a phase in as a result of adoption or reaching a higher band so the principle very specifically speaks to the concern that you have. Hopefully that eliminates any confusion. [Jorg].

[JORG]:   Thanks, Byron. As everybody seems to be agreeing completely let's make a contradictory point to it. To my point of view there's at least one point missing and that is money's been spent and money's been spent hopefully to benefit us, to benefit the cc's. Nevertheless, money could be spent in whatever sense ICANN thinks that it will fit us. I feel that we do not have

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a say in whatsoever has been decided so we get the check we have to pay but we do not have a say how the money's been spent.

For example, I would see a lot of points where even right now I could cut costs so the amount of money we would have to pay would be going down significantly and looking towards what's going to be planned as the development plan for ICANN, for example to just quote EG – we are building up our Staff to up to 300 people. I fear that a lot more costs are going to be incurred on us, right?

This is one thing I would love to see being tackled within that model as well. We need a say in what is being spent on probably our best behalf. That is one point and the other is just – sorry value doesn't scale by number of domains.

BYRON HOLLAND: Thank you for your comments. I appreciate you keeping me honest. I want to make a couple of quick points and then I want to hand it to Xavier but we really do need to be conscious of time because we have a short walk and then maybe a final, really quick point to Patricio.

On the expenses, one of the things here that we do get is certainty over time, right? We've put to bed this conversation. We've talked about $3.5 million number and there's an acknowledgement by ICANN that that will be the foreseeable cost so we don't expect if Fadi wants to go to 300 people, that's not on behalf of us.

That's why we have the other key point, a very, very limited short set of expenses associated with supporting us not whatever else happens. I think we can have comfort that we're not going to be part of some

massively expanded budget, which I know Xavier is going to confirm on our behalf. That's the key point.

Second point, domains don't scale. You and I could argue about that. What we're trying to find is a proxy that is reasonable. Perfect, I never said that. Reasonable, it is reasonable. It's the model we live under today. It's the model CENTR lives under for the most part. Because it's voluntary, because there's phase in we have done what we believe is the best that can be done given the variables we have to play with that accommodates large registries and small registries and everybody in between.

Obviously you guys have one of the largest. You're an outlier in the whole scheme of all registries so how do we try to accommodate that? I believe we have. It's over 5 million. Obviously .nl just over that number has a different equation than you will even though you're double the size so at a certain point out on the end of the spectrum we've done what we believe is as fair as we can get. That's why we say reasonable and not perfect.

Xavier, sorry – 30 seconds.

XAVIER CALVEZ: I just want to support everything that Byron has said as it relates to the participation of ICANN in developing this model, its support to it. You will read the letter from Fadi and the only intent that ICANN has is to be able to reflect its support to this model, the value that it sees in trying to be reasonable and adequately documented, not throwing numbers at you guys that make absolutely no sense so the letter from Fadi reinforces the

support to the model – to a reasonable model and also to indicate that we want to be able to move past it.

The discussion with the cc communities should be less about that contribution and more about other things - about the support to this community, about the involvement of the community into the overall ICANN. Very much support to this. I don't want to be too technical to try to address your question on the costs are going to increase and therefore our contribution is going to increase.

We had this discussion with the Finance Working Group. How would the $3.5 million look over time? We didn't do precise calculations but the high level assessment was suggesting that this number would be either stable if ICANN would expand or slightly decreasing because some of the cost line items would be shared over a bigger base if ICANN would increase so there's no logic in this model that would make the total amount increasing mechanically.

BYRON HOLLAND: Thank you, Xavier, and I'm sorry I'm going to have to cut it off now because we don't want to be late for the Board meeting. I just want to take a few seconds to say this was a large Working Group. A lot of heavy lifting was done.

I'd like to thank all of the members of the Working Group for the work done. To Xavier, who we've had numerous tough discussions with and his team for being honest candid, sometimes whether we liked it or not, thank you Xavier. Certainly to Bart and Staff who have been with us on this journey for two and a half years and to my colleague from .ca, Alan,

who's joined me and has done a lot of the heavy lifting in the turns of this document, as we have modified it and modified it and modified it. So thank you to Alan as well.

Thank you to this community who has most definitely kept us honest and continued to raise the challenges from which we believe we have come to a much better solution over time.

The final document that we're going to be putting to the council is posted. The letter from Fadi will be posted. Please read them both. They will give you much more detail than I've been able to describe in the last 45 minutes.

Patricio, did you want a final word?

PATRICIO POBLETE: I will send my comments to the list.

BYRON HOLLAND: Okay, thank you so now we have to go to the end of the hall to the big room to the meeting with the board. See you there in a couple of moments. Please make haste.

[ccNSO-members-2-19nov13-en.mp3]

BYRON HOLLAND: Hi folks. We're going to allow the FOI Working Group about two minutes to get organized, given that we were a little slow with the Board meeting.

KEITH DAVIDSON: Good morning everybody. My name's Keith Davidson, the Chair of the FOI Working Group and with me today is, on my left, Bernie Turcotte, who's contracted by ICANN to provide support to this Working Group, and on my right is the Vice Chair, Vicky Burr. Within the Working Group we've just concluded our work on revocation, and…

Please can you take a seat reasonably rapidly everybody? Bernie has quite a long presentation. We have about 30 minutes on the Agenda and we'll focus today's discussion on the aspects of revocation, which are really important to this group.

This is the surprise thing that might happen to any ccTLD where you're confronted with a re-delegation that you weren't anticipating. These are the aspects of policy and procedure around that, so it would probably be quite a useful session that you don't do your email in and you actually listen very carefully, because it's complex and very detailed. With that, thank you Bernie, please take us through the presentation.

BERNIE TURCOTTE: Thank you sir. For those who come on all those conference calls, they're used to that statement. We'll begin as usual. Since we have new people all the time, we'll walk through the basics first and then we'll get to the meat of today's presentations, just to give you an idea on the background. We'll go through the scope, the process, the topics, activities since ICANN

Durban.   We'll talk about consent, significantly interested parties, and revocation.

The scope – this include RFC 1591 and GAC Principles 2005 only. Let's remember the FOI is about adding color and depth to existing policies and guidelines. It's very tempting to stray into the, "Let's invent some policies or guidelines to match some of the gaps or other things," and there's always someone on the Working Group that brings us back in line. Nigel has been good for that, and we really, really do stick to that.

Outer scope is changing applicable policies and guidelines, and the IANA functions contract, including the contract implementation issues or procedures. So, the process – the Working Group prepares a draft set of interpretations for a specific topic in an interim report, i.e., the Consent Report. The Working Group undertakes a public consultation of the draft interpretation.

Currently there's an ongoing public consultation for revocation.   The Working Group reviews comments and input from the public consultation and then the Working Group prepares a final report of interpretation for a given topic.

The GAC and the ccNSO support for the final report for all topics. Support from both communities is required; the ccNSO community and the GAC. Submission of the final report to the ICANN Board by ccNSO includes a confirmation of support by the GAC and the ccNSO, and the framework and its associated recommendations.

Now, what topics have we been interpreting? Our first topic was consent for delegation and redelegation requests. As we work through this topic

we actually came to the understanding that technically if you go through all the policy frameworks in place, there is no such thing as redelegation. There is a transfer function, but there's technically no redelegation.

Significantly interested parties, SIP, has been referred to in the past under various names. There's actually a long list of acronyms and names that this has been referred to. If you go back to these documents it's actually called significantly interested parties. It's been called local Internet communities, it's been called a variety of things.

One of the pieces of work that we'll be doing once we've finished a substantive interpretation is doing a glossary of official terms that we recommend, so we stop using things. It was a very fluid situation and people were adapting terms as it went along, which I guess is one of the strengths and weaknesses of our community; that we're very flexible at coming up with new terms for things.

As we move into a formal framework of interpretation I think it will be important, as an adjunct to that work, to set up a formal glossary so that everyone understands the same thing and the terms that we use are clearly defined and not misunderstood by anyone – either in this community, in the IANA, or by the Board. Becky?

BECKY BURR: I just want to add one piece of that – this is particularly important because what we've found over time is that the words that the IANA reports used, changed suddenly. Those changes had – and not suddenly; sometimes they were big changes – but they suddenly shifted the meaning of the process over time. Having a set of fixed terms that people rely on will

allow us to know that if the policy's changing, it's being changed in a deliberate way with the appropriate input.

BERNIE TURCOTTE: Quite correct. Revocation or unconsented redelegation. Again, as I mentioned earlier, technically we couldn't find a good history for redelegation – there is no policy basis for redelegation. There's a policy basis for transfer of management responsibility of a ccTLD, and there's a basis for revocation. There is actually no policy basis for redelegation.

The term exploded onto the scene at one point, everyone thought it was a good idea and kept going, but given the mandate of the Working Group, which is why that topic that was originally labeled 'unconsented redelegations'. This was used all the way through the Delegation, Redelegation Working Group where we explored those items distinctly, when we got into the work of looking at the policy basis for things, it became clear that the only thing we could refer to really was revocation.

As mentioned earlier, the Working Group has reached consensus on recommendations for the revocation of the delegation of a ccTLD, and the public consultation is ongoing. Glossary, we've spoken about. The final topic once we complete all of this will be recommendations for IANA reports on delegation and redelegation.

As Becky mentioned earlier, the IANA reports are about the only snap-shot the community at large gets, relative to changes of management of ccTLDs. Also, sometimes there are dramatic shifts in language, which are completely undocumented or unexplained. Or, sometimes, as has been

documented in the RD Working Group, reports are woefully unclear about what actually occurred, or why a change was made.

I think one of the things that we came to is once we're going to re-add the color and depth to the policy and clarify things clearly, give a very clear understanding of what words mean and should be used in certain contexts, then we will go that final step. We thought this was very important; to produce some advice saying, "If you're going to produce public reports on delegations and transfers, they really should be clear as to what they contain."

Activity since Durban – the Working Group met by teleconference five times. We've published a progress report, which is basically a sub-set of this presentation. We've published a public consultation on draft recommendations for revocation. Status on consent – the final report on consent can be found here. The presentation will be online so there's no problem. The status on SIP public consultation on these initial recommendations is now complete.

The FOI has yet to complete its recommendations on this. There was some ongoing work after the public consultation, which was after we began revocation. So as we move along we'll be putting a bow on that one. Status on revocation – as I said, it's a public comment period that's now open and closes on 20th of December.

So you've got plenty of time, when you're on the plane and you don't know what to do, have a read and give us you're comments if you will. I'm not going to run through all the details. Before I get into the details on revocation, are there any general questions on this stuff other than revocation process topics, etc.? Yes, sir?

PETER: Thank you Bernie. My name is [Peter inaudible 00:13:55] from CENTR.
                                Did I understand you correctly when you said the concept of unconsented
                                redelegation was relabeled revocation, because there was no policy basis
                                for redelegation?   Does that mean that there is a policy basis for
                                revocation?

BERNIE TURCOTTE: Correct.

KEITH DAVIDSON: Just to provide further color and depth, Peter, RFC 1591 refers to the
                                concept of revocation and when and how that might occur. It does not
                                refer to the term 'redelegation' at all, so I think the word 'redelegation'
                                has largely meant 'revocation' plus the delegation of the ccTLD to
                                someone new. Just for total clarity…

BERNIE TURCOTTE: Any other questions? All right. Let's dive in. Contrary to our updates for
                                the last year and a half, we do have a fair amount of meat to go through.
                                What I propose is…   We've identified the key statements from the
                                revocation report. I'll walk you through all of those items and then we'll
                                take questions, because they do fit one into the other, and we'll make
                                better use of our time that way.

                                RFC 1591 identifies three mechanisms available to the IANA operator.
                                Delegation, transfer and revocation. You go through it, you peel it, you
                                tear it apart, you read it any way you want, there are only three things

IANA can formally do, relative to ccTLDs, and those are it. Under RFC 1591 a transfer requires the consent of the incumbent ccTLD manager, period. No ifs, ands, buts, or ors.

What we've done with our first topic of the FOI Working Group is define very clearly and unambiguously what 'consent' means. Revocation refers to the process by which the IANA operator rescinds responsibility for management of a ccTLD from a manager. Again, the only option for IANA, if it's not getting consent from an operator to transfer, is to revoke.

The FOI Working Group interprets FOI 1591 to limit revocation to cases where the IANA operator reasonably demonstrates that there are persistent problems with the operation of the domain, or the manager continues to engage in substantial misbehavior, despite the efforts of the IANA operator using all means at his disposal to resolve such conduct. It's a mouthful but the next slides will help you decode some of this.

If a manager is engaged in substantial misbehavior, or there are persistent problems in the operation of a ccTLD, and the ccTLD manager is unwilling or unable to rectify the problems to the reasonable satisfaction of the IANA operator, and/or stop the offending conduct, the IANA operator my propose a transfer. If we go back a couple of slides, transfer means the operator has to consent.

If the manager does not consent to a proposed transfer, the only mechanism available to the IANA operator to deal with ultimately intractable problems is revocation. There are only three things the IANA operator can do – it can delegate, it can transfer and it can revoke. If it's a current ccTLD it's been delegated so there are only two things left;

transfer and revoke. If the operator is unwilling or unable to consent to a transfer there's only one thing left.

The FOI Working Group interprets the intent of RFC 1591 to provide revocation as the last resort option for the IANA operator.   The IANA operator should use all means at its disposal to assist the manager, the change conduct considered to be substantial misbehavior by the manager.

Revocation should only be considered if the IANA operator reasonably demonstrates that the manager is unable or unwilling in an appropriate timeframe to resolve, specify material failure to carry out these responsibilities under RFC 1591, and/or carry out those responsibilities in the manner required by RFC 1591.

If the IANA operator revokes a delegation, it should attempt, in collaboration with the SIPs, to ensure the ccTLD will continue to resolve names until a suitable replacement can take over. Revocation does not imply that the ccTLD will be removed from the root. We're talking about revoking the right to manage the ccTLD. We're not talking about revoking a ccTLD.

The FOI Working Group believes it is consistent, general principles of fairness, and with RFC 1591 to afford an effective manager the opportunity to appeal a notice of revocation, issued by the IANA operator to an independent body. Now, this is going to be long and painful but it's important.

The FOI Working Group notes, however, that the IANA operator will rarely be in a good position to evaluate the extent to which a manger is carrying out the necessary responsibilies of a ccTLD operator in a manner that is

equitable, just, honest, or accepting so far as it compromises the security and stability of the DNS, a competent manner.

Accordingly, the FOI Working Group interprets RFC 1591 to mean that the IANA operator should not step in regarding issues of equity, justice, honesty, or accepting so far as it compromises the security and stability of the DNS, competency, and that such issues would be better resolved locally. So basically, in the previous points we were talking about the responsibilities of a ccTLD manager versus RFC 1591.

In 1591 we've got those requirements very clearly spelled out. If you go down these things – and let me tell you that anyone in this Working Group can tell you we went down, that way and that way… We've done it, every single way you can look at this, and I think this is a key element to what we're talking about, and makes sense when looking at the whole thing. So that's the package that's out there for consultation. We'll take questions on those points.

DON HOLLANDER: Don Hollander from APTLD. Thank you very much. Clearly a lot of fun was had going through RFC 1591. I know that APTLD has long had a very strong interest in this, including it meeting in Manila a few years ago, it had quite an extensive session reading it paragraph by paragraph. I have two questions: in the previous slide, what do you think 'rarely' means, and in an earlier slide about transfers, if there is consent on both parties of a transfer, must IANA make the transfer?

BERNIE TULCOTTE: I'll take the second one first. What we say is that a transfer cannot occur unless there is consent. It doesn't mean IANA has to approve it. There are many factors relative to transfers, which go beyond consent. What we've done is look at the policy framework, which is RFC 1591 and GAC 2005, and it says it cannot occur unless there is consent.

It doesn't mean that the operator does not have the right to have other criteria for ensuring they meet the terms from an operational point of view. That's the second question. For your first question I think I'll hand it over to Becky.

BECKY BURR: 'Rarely' means rarely, and I'm not being facetious. Actually, we don't need to define it here. I understand if the recommendation was, "In those cases where IANA has the ability to evaluate integrity, fairness, honesty, then it has the right to do so," that's not what we're saying. We're basically saying it's going to be hard and therefore those cases should be resolved locally. Do you understand what I'm saying?

It's conceivable that the IANA in a particular case could 'know', whatever that means, that something seems wrong. But we're still saying those kinds of cases should be resolved locally, not by IANA. We considered every word in the dictionary as far as I know, based on this. Almost never… I don't know what words we considered specifically… I'm happy to think of a different word…

BERNIE TURCOTTE: Putting the [cartiche? 00:25:43] in the mind of a mathematician, the point is that this statement is not applicable to every case. This statement is a

statement generally applied to all cases, therefore the solution is to leave it to local. I don't know if that helps. I believe we have a young lady in the back here?

CAROL MCKAY: Carol McKay, Sira. What constitutes 'substantial misbehavior'?

BERNIE TURCOTTE: I don't think we've put in the detailed language here. We do go through it in detail in the document, so what I can say is it's in the public consultation and I'd be glad to take you through that offline.

BECKY BURR: But generally we can say it requires a degree of seriousness and a degree of magnitude of the problem, and persistence. It's not just a one-time occurrence, unless it was something that was so bad that it compromised security or stability.

BERNIE TURCOTTE: Any other questions? This will be the last question.

SPEAKER: My name is [Jorg Swagger? 00:27:30], .de. If my recollection is right then RFC 1591 is referring to community support as well, so what, according to your suggestion, would there be a need to act on the loss of community support as well, and how would that be determined?

BECKY BURR:	You have to go back to the reason for which the community is losing support. If it involves substantial misbehavior, as defined, or compromises security and stability, then IANA would be required to act, based on that, and community concerns would be relevant by IANA would still have to have the facts to back up the substantial misbehavior or competent operations of the name.
	The community support comes in also in the initial delegation and subsequent delegations. If there is a loss of community support for one of the fuzzier reasons then the Working Group considered this and thought that that was something that should be resolved by the local community, not my IANA.
	In other words, I don't know of Nigel's here, but I have conceded the [PIT KAREN? 00:29:28] transfer based on the signatures of 46 out of the 47 residents wouldn't meet this standard, because it would have still required IANA to have those substantive reasons.
KEITH DAVIDSON:	I hope that answered the question, but I think we need to draw this to a close because we have our next session lined up and we're already over time. In winding up, can I just say that there has been unanimous agreement from the Working Group on the current draft on revocation. It wasn't a matter of seeking consensus, we did through many iterations on these words, achieve that unanimity, so that is important.
	Can I suggest that if anyone has some questions or ongoing issues to please come along to our Thursday Working Group session? It's a three-hour session on Thursday from 9:00 until 12:00 I think. It's in the agenda

and schedule. Please come along because we do have a somewhat different agenda this time where we're not pushed for time, so if there are questions we can address them comfortably in that room.

Remembering too, this is the end of the construction of the framework itself. Our remaining work is around the glossary or terminology to be used, rather than anything more substantive than that. Then at the implementation processes…   But the three chapters of the actual framework are now concluded. With that, thank you and back to you, Byron.

BYRON HOLLAND: Thank you Keith and the rest of the FOI members. I think that was very helpful. We'll allow three or four minutes for the panel to get up and organized, and then we'll pass it back to Keith, who will be chairing the next panel. Okay everybody, we're going to get started momentarily with the next panel on the discussion around Internet governance in light of the Montevideo statement.

Keith Davidson will be chairing this. We're currently missing one of the panelists but I've been told word has gone out and we should expect her imminently. In the meantime, short of dragging this out in a play for time, I think… Two minutes? At this point I'll turn it over to Keith, the Chair of this session.

KEITH DAVIDSON: Thank you Byron. Can I ask as a first step for my colleagues on stage to introduce themselves and their affiliation, so we can all have an understanding of who we have on stage today? Starting with Lynn?

LYNN ST. AMOUR:	I'm Lynn St. Amour, President and CEO of the Internet Society.

RAÚL ECHEBERRÍA:	I'm Raúl Echeberría, CEO of LACNIC. I have to say that after 15 years of coming to ICANN meetings I'm very proud to have been invited to speak here. I think this is the first time that I speak in the ccNSO meeting.

KEITH DAVIDSON:	You're going to have to work to make sure it's not the last time!

CHRIS DISSPAIN:	Chris Disspain. I'm the CEO out of the ccTLD .au and I'm on the ICANN Board.

BYRON HOLLAND:	Byron Holland. I'm the CEO of Sira, .ca operator and Chair of the ccNSO.

KEITH DAVIDSON: Okay, and the absent member is Theresa Swineheart, who is standing in for Fadi today, representing ICANN's view. So it would be fair to say that on the panel, Lynn, Raúl and Chris, to the extent that he's an ICANN Board Member, and Theresa Swineheart, members of what's known now as the I-STAR group – it's an informal group that meets occasionally.

So that leaves Byron as the odd one out in terms of not having participated in I-STAR, but certainly having participated in the discussions that occurred on the general topic of Internet governance and

Montevideo forwards in Bali a month ago. If I can just set the scene. In Bali there were a couple of meetings on the topic after we received the I-STAR's Montevideo statement.

Those meetings in my mind did nothing to clarify or give me an idea of the definitive purpose of where ICANN and I-STAR were seeking to take the topic of Internet governance. There were some competing views in the room, constantly, about which directions and which were the most critical issues. So in thinking about that, perhaps we can go down the panel?

If we could just have each person give us two or three bullet points of what they see as the absolute critical issues that have arisen and need addressing going forwards? We'll start with Lynn? Have you got some clarity on that?

LYNN ST. AMOUR: It sounds like 'no' isn't a possible answer. Just so that I'm clear, in terms of the issues that we see in the Internet governance landscape, as opposed to…?

KEITH DAVIDSON: Yes, or what are the issues that led to Montevideo and what are the two or three key elements that you believe, or ISOC believes, is driving some need for change, or where the future of Internet governance needs to be taken, that it wasn't heading in before?

LYNN ST. AMOUR: Let me just give two sentences first on the I-STAR meetings. They were started roughly three years ago, twice a year, about two days per

meeting, and it was about building relationships between the organizations. We'd previously had very close working relationships through the WSIS activities, and it was just felt that this was an important time for us to meet.

Subsequent meetings – it was about sharing our strategies, priorities and key plans – weren't secret, but they weren't public. We didn't want them to become a standing venue where people thought problems would be solved, because we all have our own communities and processes that we rely on very heavily, and we each have our own role in the Internet ecosystem, which is why there has previously been no statements coming out of the meeting.

By the time we got to Montevideo, particularly in the light of all the surveillance activities, we felt that the situation then, particularly with surveillance, was just so severe that it was important that we actually make a statement. We had also previously said that it was probably appropriate to see about working more closely with the ccTLDs – whether that's through the regional organization or some other mechanisms – and in that sense wanted to become a little more visible about this informal coordination mechanism.

We decided to issue a statement. The initial intent was to decry the surveillance that was underway, and of course because we are as we are as organizations, we always continue to support the deployment of IPv6 and we continue to support further globalization of the IANA function, and ICANN as a critical party at that table as well, who was also interested in reinforcing the ICANN globalization.

So the statement was pretty much to come out with a strong statement on surveillance and at the same time use that as an opportunity to put out some other key messages. We continue to be concerned about the impacts of surveillance and what that's actually causing in many countries around the world, with respect to some possible reactions. That's why some of the words were around 'globally coherent Internet' and some of the other phrases.

That continues to be the number one concern, and to be clear it's obviously a concern; the surveillance that's being undertaken, but even more of a concern is the actions that that's potentially driving in many countries across the world as they try and understand how they can prevent or minimize some of those activities.

So that's the most immediate, I think. Obviously there's an awful lot of activities happening in the Internet governance landscape over the next few years. Frankly, I think they never stop. 2014 is an important year, largely because of the Plenipot, but also because of some WSIS activities looking at the future of IGF and a number of activities. So we're following a lot of the other specific Internet governance activities.

KEITH DAVIDSON: Thanks Lynn. Raúl, feel free to give us your RIR perspective, or the perspective of the five RIRs, but please identify which one of those perspectives you're giving at any time.

RAÚL ECHEBERRÍA: Okay, thank you. I will speak on behalf of LACNIC. Whilst I think that's the position of the other RIRs, I'm not very different, I'd prefer to just take the

responsibility and speak on behalf of LACNIC. I think that when all the Internet organizations arrived in Montevideo… Well, I didn't arrive, I was already there…

But when all of us arrived in the meeting I think we all had the common view that we needed to do something with regard to the last developments and revelations in the same activities and other things. Also, the fact that the Dilma Rousseff is [inaudible 00:44:37] UN had created a political event, needed some action from our side.

So I think there was a common view, a broad consensus about saying something publicly, and it was very easy to get a consensus on the text. Maybe some of us would have drafted the text in a different way, but it was very efficient, fast work and 11 organizations were putting pen to paper at the same time, so I think the result was very good.

I saw some discussions later about, "What does this word mean?" or, "What was the intention of using this word instead of this word?"… It was a very good result. I see mainly two important points there. One is the call for the globalization of ICANN, and obviously for some of us we're talking about globalizations also related to the IANA functions. The other thing is the call for working and the development of the framework of Internet governance that could certify a broader range of stakeholders around the world.

This is important because the revelations on NSA activities increased the perception that there are some things not being discussed properly anywhere. It's not important whether this is true or not. It's not really important to spend time discussing that, because the perception exists, so

this is the most important thing.   So it's important to address those concerns and have some discussion.

Obviously from mine and LACNIC's perspective, we only have two options: be part of the solution or be part of the problem. We choose to be part of the solution, so we are to engage proactively in the discussion with other stakeholders, trying to fix this perceived gap in the Internet governance.

I think that it was a very positive and constructive statement, and even in the first day there were some suspicious reactions of people trying to identify the 'hidden agenda' of the signatories. I think that when the discussion started to evolve, the reaction was positive and I think that we will remember that statement for a long time – so we'll keep an open discussion on this topic.

KEITH DAVIDSON: Thank you Raúl. Chris, again, if you're putting forward a comment on the basis of .au please identify that separately to any comments you might be making from an ICANN perspective.

CHRIS DISSPAIN: Okay. Most of it's going to be me speaking for me, but if I change hats I'll let you know. I wasn't at the meeting in Montevideo, and if I understand you correctly Keith, you started this by saying at the explanatory meetings that we held in Bali, you were unable to get clarity around the reasons. People seem to have lots of different reasons why this was necessary, and the Montevideo statement having been a catalyst and a trigger.

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That's what I'd like to address and the answer is you're right. There are lots of different reasons why this is necessary. Some of them matter more to others, some of them don't matter to anyone. Those reasons include the Snowden surveillance and revelations, which some people just shrug about and say, "We don't care really – we knew it was going on and why would anybody be surprised?"

Other people have the view that something needs to be done about it, and others have a view that because of it there have been changes in the power structure of the Internet; of the multistakeholder landscape. That happens to be my personal opinion. I think that the revelations have led to a weakening of the US Government's position, and it's very difficult for them to currently take the moral high ground.

Therefore one of the leaders, who pushes everyone else towards multistakeholderism, has been severely weakened in that argument. Then there are a whole heap of other things. Some people say that there are a number of orphan issues, a number of issues to do with Internet governance. Not things being done by ICANN, or being done by the RIRs, but issues that don't have a home, and therefore something needs to be done about them.

Currently there is a vacuum and that vacuum tends to be filled by governments who will simply hold a meeting and say, "No one is dealing with X, therefore we will," and once they've made that decision that becomes the way that it is. Now, some people don't care about that. Some people think that if it's not an ICANN issue or an RIR issue, it doesn't matter and it can be dealt with by anybody.

Others believe that all Internet governance issues should be able to be at least… The decision about who deals with them should at least be made in a multistakeholder way. The decision may be that the issue is dealt with by governments, but that decision should be dealt with in a multistakeholder way. So that's another reason why we should start this dialogue. There are other examples.

One of the reason why there's some confusion is because individuals who believe we should start this dialogue, are perhaps passionate about one or two of them and not so passionate about the other ones, so you get confusion because you get conflicting stories. The fundamental principle that I believe binds us all together is that we could start an open dialogue on using multistakeholderism to solve Internet governance issues. That's it.

It doesn't matter why and it doesn't matter what shape it takes. It's simply a thing. It's a dialogue that we need to start. No disrespect intended to the engineers in the room. I speak as a lawyer and I know what lawyers do, and engineers have a tendency to want to know the size, the color, the depth, the weight and what it's going to look like when it's finished. The answer is, I've no idea. It's a dialogue.

Some people are obsessing about the name. Should it be called One Net or Three Net? Some people are obsessing about who's going to be in charge, who the leaders are… Some people are obsessing about secret meetings and whatever. The reality is, bottom line, should we or shouldn't we have an open – and not just open to ICANN and the RIRs and the I-STAR community, I mean open – dialogue on the future of Internet governance?

Right now, the dialogue on the future of Internet governance isn't open. It exists here, it exists in governments, it exists at the IGF, but fundamentally the IGF basically has the same group of people. It's time that others started to get involved and we started to get some real conversation about the future of Internet governance so that people understand what's going on.

The fear for some is if we do not have the power of the people behind us, government will grab all of these issues. It's not about protecting ICANN. I actually think ICANN's pretty safe – it always needs to improve and all of that stuff, so it's not about the old days when we were all together in the ccTLD world where this whole thing was all about, "ICANN's constantly under attack," it's not about that. It's about much bigger issues than that, and ICANN is merely a piece in the dialogue.

If ICANN happens to host the website or one of the RIRs happens to host the website, none of that matters. What matters is the dialogue. Thanks.

KEITH DAVIDSON: Thank you Chris. Welcome Theresa. I said some terrible derogatory things about you in your absence, but Theresa, if you wouldn't mind introducing yourself and your title within ICANN, and then give us your views regarding ICANN's reasons for engagement and what the important aspects are that you see coming out of the Montevideo statement, post the meetings in Bali? Thank you Theresa and welcome.

THERESA SWINEHEART: Thank you. First of all, I'm really sorry I'm late, I ended up going to the wrong room. There we go. Whatever Keith said is true, I guess. Some of

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you can share what it was so I can live up to it fully. Just to be clear, I'm here speaking in my role at ICANN. I'm also on the Board of the Internet Society, but I'm not speaking on behalf of the Board of the Internet Society in any way whatsoever. Nor am I speaking on behalf of being part of the multistakeholder advisory group – for clarity.

Just a couple of observations. I can only agree with the comments that have been made before. There are multiple dialogues going on around the Internet governance space throughout time, and since the WSIS process there has been multiple dialogues happening around Internet cooperation. We live in a really privileged arena. We live and operationalize.

We as in all the institutions and organizations that have been following some of the Internet governance dialogues on a more day-to-day basis. So we know what it means to talk about a multistakeholder model and we know what it means to try to find a solution. Raúl has the wonderful casa in Uruguay, which is an exemplary example of everything housed in one place.

Correct me if I'm wrong, I don't want to speak on behalf of the house, Raúl, but if someone was to call and say, "I have a problem about this," people know each other and they could talk and work together and say, "Okay, we know how to find a solution." There's a vast part of the world that actually doesn't live this day-to-day as we do. I think we've heard over the years, in different political arenas and business arenas and whatever it is, efforts to seek and find solutions to challenges around what people perceive to be emerging Internet policy issues, regardless of what you want to call it.

Whether these are real concerns or not, I think we've seen throughout history some are housed in lack of understanding about how to find technical solutions, some are business opportunities or trying to find business solutions, and some are very real political dynamics that may exist because of different values and different systems. Some have to do, oftentimes, with capacity and capacity building initiatives.

So the cooperation that exists among all the different institutions over time I think has shown that there's ways to do that. As a result though, I think we have an opportunity to show and to evolve how to strengthen Internet cooperation globally, so those who are not familiar with some of the things that we have the opportunity to be so familiar with, can also see how this works. We can help address perception issues overall.

So really I think part of the opportunity that's come out of both the dialogue in the Montevideo discussions, and as was captured in the statement as well about catalyzing the community to really show the evolution and global multistakeholder Internet cooperation, is an important contribution that we can make as a broader community to the discussions that are happening in other international foras, where we as participants may not always have an equal seat at the table.

To show that there's a decentralized dialogue that does take place, and that in a decentralized dialogue there are threads of similar themes, it's important to have multistakeholder processes, it's important to recognize and work with existing and evolving developments and institutions – things of that sort, and to be part of that.

So I think part of this catalyzing the community aspect is really showing to the outside world as well, the world that's not privy to all our day-to-day

discussions, that there are dialogues happening and how to show that in a better way so people have a place to go to. So from an ICANN perspective, it's really being partners with this and being partners and contributors to this and to show that to the broader community overall.

There's also the reality of some pressures of as entities that are not part of day-to-day engagement in the respective institutions are trying to find a place to go as they're trying to find a place to take their solutions or their problems to on emerging policy issues. There is the reality that oftentimes they point to the ICANN model and say, "They have a structure, that looks pretty good. It's got some glitches but it's actually a good structure, the entities have a home, and it has this GAC."

For governments that can be quite appealing – that they see their place in the structure. Part of what we really need to do is, ICANN has a very limited remit and it has a very limited mission and mandate, and it needs to keep it in that way – it should not be taking on other issues. So in order to also show that that's not the model to turn to to find solutions, yet let's showcase the evolution of what we have as a community more broadly.

We also need to find ways to demonstrate that; to help deal with what are in some cases just pure perception issues or lack of awareness issues. We need to show that there's an evolution of Internet cooperation, and we are the owners, as the broader community, of demonstrating that, as opposed to other entities defining it for us.

We've heard of all these debates around what 'enhanced cooperation' means, and the CSTD Working Group on enhanced cooperation is doing some very good work on that, and Raúl and others are parties in participating in that on a day-to-day basis. The output of that is a

contribution to this discussion on how we strengthen Internet cooperation.

I also think though, from an ICANN perspective, being partners with others to show that we're actually the engagers of this dialogue and will together be showing how to evolve this in a way that functions and in a way that we, as a community, more broadly know operationalizes well. That is an important contribution to these discussions, and next year and in the past years and in the future, there will be continued dialogues and forums that may not know how to operationalize this well.

Maybe trying to define it outside of the remit of a multistakeholder process is not okay. We should be, as a community, the owners of that discussion. We should be participating in other discussions, to be informing them in forums where it may be going in a direction that's outside the multistakeholder process, but we should also be taking ownership of moving our own dialogues forward and evolving them.

Those are just some general comments and from and ICANN perspective, why we think it's important to be partnering with everybody else in these dialogues. I hope that helps address some things.

KEITH DAVIDSON: Thank you Theresa. I guess in the interests of clarification or transparency, I just realized that Theresa, Raúl and myself are on the ISOC Board of Trustees, and Lynn of course is President and CEO and on the Board. So by no intention, four of the ISOC Board are here and I think other than Lynn we can all assert that we're not speaking on behalf of ISOC in any way shape or form. Thank you Theresa.

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Byron, obviously you weren't present in Montevideo but you were certainly present in Bali and in at least one of the meetings if not both of them, so I can't really ask you to comment on Montevideo but I can ask you to comment on what you took away from Bali and what your understanding of the drivers were.

BYRON HOLLAND: Sure. Sitting down here at the end of the line, what's left to be said? Maybe I'll take it in a slightly different direction. First off, I speak as Byron, not as the Chair of ccNSO or in my capacity as CEO of Sira, though clearly I'm informed by both. When I look at the outcome of Montevideo and what transpired at the IGF in Bali, I look at this from the perspective of a journey of a series of milestones or events along a path.

This dialogue isn't going to end in Brazil or at the Plenipot – it will no doubt continue on. But those are clearly major milestones with some more important and significant than others. I think the conversations that we're having here today are as a result of events on that path, that inevitably change how we get to the end destination. As a day-to-day operator, one of the things I always ask myself is, "What's the end goal?" and if you have the end in mind, how do we work back and how do we understand the events that we live through today and the impact they're going to have on the destination tomorrow.

Clearly the NSA and the Snowden revelations were a key catalytic event in changing the course of the path. If we say that the current major milestone we're working towards is the Plenipot, the NSA revelations altered the course of the path. They haven't changed the destination but

they've certainly altered the trajectory by which we'll arrive there, and started to challenge the trust in the Internet that many folks have.

Some, as Chris has already said, will say, "We already knew all that," but I don't actually think that's true, even by the people who say it. I think the breadth, depth and scale of the revelation was breathtaking, even to the most hardened conspiracy theorist. As such, it's not what we might have thought, even those of us who know that states engage in spy craft and that's what they do.

That changed the trajectory because trust is so critical to the functioning of the Internet, and the I-START actors, and other actors like the ccNSO, and others who believe in a multistakeholder model. I think the Montevideo event, which was a scheduled event that typically no statement comes out of, reacted to this change in course, which I personally believe was entirely appropriate and very helpful.

It then catalyzed a dialogue that – as I'm sure we all feel at this ICANN meeting – would likely not have happened, had that not been the case. Hopefully we're past, "Who stepped out in front?" and, "Was it too far out in front?" and those sorts of logistical issues, as opposed to the content. I think the interesting thing about the Montevideo statement is that really nobody's challenging the content.

In spite of the fact some are arguing about how it happened and where it happened and what I would call not meaningful elements of the conversation – nobody's really challenging the content of what came out of Montevideo. I think that's incredibly important for all the actors in the ecosystem to bear in mind, because it's been quite a unifying statement.

It's focused our attention and brought into sharp relief the fact that there is a current end destination – let's say it's the Plenipot – and what is the goal? The goal is to, I would say, ensure trust in the multistakeholder model but to also reinforce and ensure that the multistakeholder mode that's brought the Internet to this point, which has served up two billion plus users and created this incredible engine for communication, the sharing of knowledge and the creation of wealth, continues on.

It will adapt, it will change, it will morph, but fundamentally the multistakeholder framework needs to be ensured. One of the places it would come under potential fire is most definitely at the Plenipot. To me that's the end in mind. How do we ensure that we have a vibrant, strong, trustworthy governance model for the Internet, which is the multistakeholder model, and that we secure its success and no overreach or incursion into our remit – our collective remit.

Be it the I-STARs, the ccNSO and other actors who breathe life into the multistakeholder model. So I say, keep the end in mind. If we have where that destination is, we work back to how we're going to ensure that, and I think the Montevideo statement is one of those crystallizing moments that allow us to focus on the end goal.

KEITH DAVIDSON: Thank you Byron. I'm shortly going to open this up for general questions and discussion for probably the best part of 45 minutes, so start to perhaps think about the questions you'd like to put to the panel, because I think this is a dialogue session involving the ccTLDs, not a preaching from the front of the room.

We've touched on the issues like the orphan issues and the need for someone to adopt the orphans. There's been some discussion in other forums and I think here, about what the Brazil meeting might be and mean, what the context of it is and how it might be built and so on. There's also been, outside of this discussion, a discussion around the IANA contract, and that's something that's near and dear to the ccTLD hearts.

Of course, there's ongoing relationship between the IANA contract and the US Government. There's some concerns that have been expressed to me from members of the ccTLD community and Fadi's statements in recent days, about the I-STAR representing the ecosystem, and of course with the absence of ccTLDs from that environment, whether it can be purporting to represent the entire ecosystem, or whether it should differentiate and say it doesn't represent ccTLDs and so on.

So there are a number of issues that arise out of that, and I think also importantly, in terms of background, the ccTLD world has been very much an early supporter and enthusiast for the Internet Governance Forum and Internet governance processes that have occurred to date. I think on a country by country basis, ccTLDs have created or been the catalyst in creating local IGFs in country, on a sub-regional or regional basis, and have been major supporters of the global IGF, as have the RIRs and ISOC and ICANN and others.

So we've played a part to get Internet governance to where it is. I guess the question that would be obvious from the audience is, "What do the panelists believe the roles of the cc's are going forward in this somewhat different environment?" I won't specifically put that question but I'll just open up the floor and see where we can get to. We have Mike Runner,

Gabby, Martin I think, first? Can you identify yourself for the benefit of the panelists who may not know you?

MARTIN BOYLE: Thank you very much. It's Martin Boyle. I'm with Nominet.uk. This is certainly a very timely discussion – one that is perhaps over time. In fact my focus really is everything has happened, we're not going to put the genie back in the bottle, even if we wanted to. The discussion, I think, would have happened anyway, because we've got the WSIS review going on this year. That will go to the UN GA. We've got Plenipot and don't believe it will stop there.

Where I'd like to see us moving to is engaging a very real discussion on trying to work out – and this really echoes Byron's point – what we think 'good' looks like, and also what we'd consider 'bad' to look like. Then we should start trying – because cc's do have a very privileged position in their local community in talking to their governments and engaging in the national processes – at least having that common understanding of how these things are going to affect ccTLDs as we move forwards.

Now, to the bits that concern me in particular, that is the principle three of the Montevideo statement, which is about ICANN and IANA and increased internationalization. Very good idea, but how do we get there and what does an internationalized ICANN look like? What does an internationalized IANA look like? What are the processes that we need to put in place so that we don't end up with something that is out of control?

What is the accountability? How can we ensure the accountability? How can we make sure that it is answerable to the community? Then the

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second area of concern that I have is this wider ecosystem, and ICANN and the other groups being in silos doesn't help. There are skills that we can bring to the market and we need to start identifying what those are so that people can point to examples of good practice that build on multistakeholder dialogue.

The earlier we start doing that the easier it will be to try and work out where Byron's 'end' position should be. Thanks.

KEITH DAVIDSON: Thank you Martin. I saw Chris indicating a willingness to take this question. If anyone else on the panel after Chris wishes to respond, please do.

CHRIS DISSPAIN: Thank you Keith and thank you Martin. In respect to the silos I completely agree with you. I think we need to break out of that, and I also think it's important to remember that if this One Net dialogue thing is successful, that doesn't mean we have to stop doing work in our own group in the ccNSO, in ICANN, with the RIRs, with everybody else.

The dialogue is an open, public thing, and there's stuff that we do from a technical argument basis that's not going to fly in that sort of arena. We need to do that ourselves. In respect to IANA… Bizarrely I knew this would come up. I can't think why. I think we need to be very careful. There is possibly an opportunity to long-term internationalize the IANA function – for want of a better term.

I would put it no higher than there is possibly an opportunity. I recognize that some people think we never should and some people think it should stay the way that it is, and there are others who think that having a US auditor sitting over the top is not a good thing. It's clear that the IANA function is of major importance to the ccTLD community, but let's be clear – it's also of major importance to other communities.

It's of importance to the RIRs and it's important now, in fact, to the gTLD community more than it every has been before. So I think we'd be kidding ourselves if we imagined that the ccTLD community could figure this out in isolation – unless of course we decided that we wanted to isolate it in the sense that there should be separate functions for the different jobs.

So I think all we're doing right now is putting on the table that there is a light in the distance that, whereas in the past we've been told there's no way this is ever going to change, there is a little light in the distance indicating the possibility that it could change. It would be sensible for us to start thinking about how we will think about it if the light gets any closer.

In other words, what do we think the model should be for working out what the model should be? I hope I'm being clear. I'm trying to say it's not about what IANA should be replaced with – I don't mean replaced but you know what I mean – it's more about how will we get to what that model is that we should be thinking about. What's the structure for doing that?

There is none. So we need to think about that. We all have our own individual opinions. It's not a ccNSO PDP, because it doesn't just affect

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ccTLDs. It's a really interesting question, and I think we need to be really careful and calm, and start thinking about methodologies for getting there. Thanks.

KEITH DAVIDSON: Thanks Chris. Raúl firstly wanted to respond, then Jari at the back of the room and then John.

RAÚL ECHEBERRÍA: Thank you. I identified between your questions and Martin's questions, seven points to answer. So I will answer in a telegram way, just 15 seconds each maybe, regarding the…

KEITH DAVISON: A Twitter way?

RAÚL ECHEBERRÍA: Exactly. I think that the first thing is regarding the IANA functions. I think that all of us want to see the US Government out of the oversight role, and so we as the RIRs – but I think all the Internet community – has the responsibility of providing some solutions, options, for dealing with IANA functions the day after the US Government go out. This is something that's a work-in-progress.

I think we have to have discussions and we have our own mechanism and each organization has their own open and bottom-up processes for discussing with the community, but at the end of the day, and sooner

rather than later, we have to provide some proposals for dealing with IANA functions. There is no final answer today.

Regarding ICANN globalization, what does it mean? Today, for me, for LACNIC, ICANN globalization means to have ICANN based in a jurisdiction that's not in California in the US and being incorporated as an international organization in a different venue, with a global accountability process. This is more or less what it means.

What is the role of the ccTLDs in the process? The same as any other stakeholder; to become involved in every discussion. What is One Net? One Net, as Chris said, is an open initiative. It's an initiative that aims to promote an open and frank discussion on how to involve the Internet governance model to try and satisfy a broader branch of stakeholders. It is normal that… Keith said before that there are different views on that – it's normal. There are different views because it's an open and involved initiative.

If you join, if you haven't joined it you can join. If you join you can influence the process and you can influence what the One Net initiative is. So at this time nobody can agree or disagree with One Net in essence because there is no such thing. It's something that's under construction. So please join this discussion and try to influence, with your contributions, according to your views.

Somebody said… I think it was you Keith – you mentioned that Fadi said recently that the I-STAR organizations represent the Internet technical community. I have to confess that I didn't hear Fadi say that, but the comment is very precise and very clear. The I-STAR doesn't represent anybody. The I-STAR doesn't exist as a body, it's just a meeting for

coordination purposes among different organizations with operational roles in the Internet.

The I-START meeting only represents the organizations that participate in those meetings, and each organization has their own mechanism for participation. So when we issued that statement, the only thing that we said was what was in the statement, and it doesn't mean that we're representing nobody else. So there is no intention of representing anybody – that should be very clear.

With regards to the Brazil meeting, what we expect from the Brazil meeting, I think that the Brazil meeting… I expect to have a open multistakeholder meeting when all of us can participate in different ways in the deliberation of the agenda, in the format of the meeting, and we can get some kinds of conclusions that put us three steps ahead of where we are now.

Not ten steps ahead, because I think it would be very difficult to get consensus or a sense of consensus for going too far forward. But I think if at the end of the meeting we've gone a few steps ahead in the deliberation of some kind of common view about the future of Internet governance then the meeting will have been a success.

Mid-term solutions – I think it's important to mention that the IGF is an incredible, innovate experience that we've built in the last eight years. I think this is something that we have to care about because this is really something that has changed the international bureaucracy landscape. It's a different forum, it's a different kind of place for conducting discussions. At the last IGF that we had in Bali proved that the IGF continues to be a very good place to have discussions on very sensitive topics.

So I see that both the process and the solution go through the IGF. The process... I think that all the things that are happening now – the [inaudible 01:24:50] Cooperation Working Group, the Brazil meeting, the One Net initiative – we have to try and make all those things converge in the next IGF meeting that will be held in the first week of September in Istanbul.

So it's the first challenge, because for the next IGF meeting we have to introduce some improvements in order to get some light conclusions – but we'll need to do something different than what we've done in the past eight years. Why I say that the solution also goes to the IGF is because I think that the first thing we have to try to do is try to evolve the IGF so that... In my view, this should be the effort we have to make in order to get a new Internet governance framework.

This would only be if, after a long time trying to evolve the IGF in order to build a new framework based on the evolution of IGF, we realize that we failed, after a long time of trying to do that. I would then be able to discuss the creation of a kind of new thing, but I think that the first effort we have to make is to try to work on the evolution of IGF and try to satisfy the different stakeholders expectation in doing that. Thank you.

KEITH DAVIDSON: Thank you Raúl. I think Jari was first in, John.

JOHN CURRAN: I don't think Jari can be first, because I have the mic, so...

KEITH DAVIDSON: Jari was first.

JOHN CURRAN: He can take my place if he insists.

KEITH DAVISON: No, Jari was first on my list. I don't know how you got the mic but Jari and then John… Then…

SPEAKER: Keith, am I on your list?

KEITH DAVIDSON: No, but you are now. Jari, John, Matthieu, [Rolaf].

JARI ARKKO: Thank you. This is Jari Arkko, Chair of the IETF. I saw the Montevideo statement mostly as a call to action for doing even more in areas that we've already been doing some work on. Isn't it true that we have to know what good looks like and what the end goal is, and we need to work for that. I'd like to make the point that this is part of a longer-term evolution.

We really need to do far more now than we've done in the past, but still it's part of the existing processes and discussions, and the historical evolution. Just to give you one example, if we take the protocol parameters part of IANA, which the IETF depends very much on, it's

obviously a very important function, but it has evolved over the years quite a bit, in terms of the organization and practice and so forth.

Just to give you some examples, RFC 2850, the IAB Charter, defined IAB as the body that's responsible for oversight of this particular function. RFC 2860 was the Memorandum of Understanding between ICANN and IETF on doing this function. We have yearly SLAs – we have an SLA that's revised yearly, since many years ago, and we have tracking systems in place for what's happening.

In 2009 we published RFC 6220, which is the specification of the role of the protocol parameters, registry operators, such as IANA, which is basically a delegated authority of the IAB. This system actually works very well today, and we're happy with IANA and the participation of everyone that's been involved.

That being said, the evolution continues, and we've been pretty clear in the past, as well as in Montevideo, that our goal is further independence from any particular governments for instance. Of course, we'll do this in a very careful and considered manner, and in cooperation and discussion with everyone else who cares about this and needs to be involved.

I think our organization, not just talking about the IETF or the IAB in particular, but ICANN and everyone else. We have a lot of mechanisms and processes and communities in place to discuss most of these topics, and I emphasize the need to use those.

KEITH DAVIDSON: Thank you Jari. I think it's worth noting for the record that the reporting mechanisms that Jari was referring to for the entries of the protocol

space, in the IANA database, are really quite outstanding and quite useful. I don't know that all of the ccTLD community have seen that reporting functionality and so on, but it's very different to the sets of reports we get from IANA, and perhaps some sort of dashboard effort might be something that the ccTLD community should talk about developing in the future. But thank you Jari. John?

JOHN CURRAN: Yes, John Curran, President and CEO of ARIN. I'm going to pick up on your remarks and Jari's remarks, and the prior speaker regarding accountability. When we talk about evolution of these functions, something people have to think about is that oversight and accountability for the IANA functions can be interpreted different ways by different people.

There is the operational: are the registries up and running? Are the servers doing their job? Are requests being processed? The SLA reporting things, and that's an operational oversight role. Then there's the oversight of policy, which is: are the policies being developed? In some cases, like in the cases of the IETF, those policies are RFC documents and at the IETF they're not even per se within ICANN.

So when you start thinking about oversight and accountability as IANA functions evolve over time and with this globalization effort, keep in mind that the IANA looks different to different parties, and that not only are there different users who operate very differently, but there's also the policy and operations level.

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It's important that, for example, the root zone be operated very responsibly, because not only do the ccTLDs have entries there but of course the gTLDs, but also the IAB has entries, the IETF has entries in the reverse DNS. All of which get operated by the IANA and end up in one zone file.

So the operations are, in many ways, co-joined, and that means something for operations' oversight and accountability, even if the policies that are driving those entries are coming from different places. So it's not a very simple matter. This looks very different depending on where you're standing in the ecosystem. I just want to point that out for people's thought exercise.

KEITH DAVIDSON: Thank you John. That was very useful. I think it is important that we recognize the silo'd nature of the IANA database – that the ccTLDs, the gTLDs, the technical IAB/IETF entries, and the RIR's IP address allocations, are all discrete silos in the IANA database. You're very right to remind us that there are the horizontal silos as well, of the policies, the procedures, and also the authority to make changes. Thank you for that.

I've got a speaking list of Matthieu, then [Roloff], then Peter, and Russ? Okay. Thank you.

[ROLOFF]:   Thank you. I was somewhat helped by Raúl's remarks about the IGF, but I'm still worried about the potential damage that this whole process can cause to the IGF. Chris, you mentioned something like that it's the same group at the IGF, and this dialogue has to go somewhere else?

CHRIS DISSPAIN: No. What I said was that the IGF is made up of similar sort of groupings to what we see in civil society and governments, and so on and so forth. The dialogue doesn't have to go anywhere else, it just needs to be wider. It needs to be wider. People who don't know that the IGF exists may well care if they find out that there's a possibility that governments could end up – and I'm paraphrasing here for effect – controlling their Internet.

It's a dialogue at that level. The threat to the IGF – I don't believe there is a threat to the IGF, it's simply a dialogue. The IGF is a UN sanctioned meeting that happens every year and is multistakeholder. It's embedded. It's possible that the UN could decide to cancel it from the end of next year, because it's mandate is up for renewal and we should all work extremely hard to make sure that doesn't happen, but fundamentally, it's there, it exists and it's UN-sanctioned. There's no threat to that from having a dialogue in One Net.

[ROLOFF]:   Is Raúl's opinion that this should be somehow ploughed back into the IGF? I think that's what you said, Raúl. Is that broadly shared, or is that opinion just yours? I agree, but I haven't heard it very often yet.

RAÚL ECHEBERRÍAL: We are two.

[ROLOFF]:   It's a beginning! There's three?

KEITH DAVIDSON: That's a rough coalition, and I'm not sure if Theresa's offering to be number four or wants to make a point, Theresa? Can I ask people to keep their points really brief and on topic?

THERESA SWINEHEART: I think it's an excellent opportunity to have awareness that the IGF exists. I think, as Chris and others… Again, we have the opportunity to know about the IGF and to go to it, and may of us do, but there's an entire world out there that doesn't know about it, doesn't know the opportunities about national and regional IGFs and doesn't know that strengthening and engaging in more support for the global IGF is an important thing.

So I think this dialogue can be a very, very important opportunity, not only to share the thinking around what all of the different entities are doing, and how to strengthen Internet cooperation, but also that the IGF is an incredibly important platform for entities to be engaged in and for stakeholders to be engaged in, and to strengthen and support that.

You've heard me mention this in my private life – that that includes financial support for it and making it an entity that could be really there. So I think we use the dialogue and it's a great opportunity to strengthen that.

KEITH DAVIDSON: Thanks Theresa. Did you not have a question? Oh, you did? Matthieu?

MATTHIEU CRÉDOU: Thank you Keith. [Roloff] was before me. That's why I left my place. I am the CEO of AFNIC, manager of .fr. What I intend to do right now is give a quick high-level comment about the whole initiative, starting with the Montevideo statement and everything that follows from One Net to the Brazil meeting. I know a lot of the panelists have been very active in this, and this is mean to be an honest and constructive feedback.

I'm no lawyer so I'm not very fond of just pure dialogue. I'm an engineer by training, Chris, I'm sorry.   I like goals.   I do management, change management, and I think this is a long-term effort that's certainly going to… You're undertaking something that's bound to change a number of structural things in the Internet governance field.   In this respect I know that a change management effort needs to get together three different factors very early on.

One factor is to establish urgency. I think you're doing a pretty convincing job there in showing that the US has lost its moral high ground and there is going to be a number of consequences for that. The second thing is to assemble a powerful team. One factor for powerful teams is diversity and I'm really struck by the fact that this panel cumulates probably more than 100 years of Internet governance.

Byron is the new leader. He's only been there for three, four of five years, but the rest of this panel has been there almost from the start. If we want to drive this effort, we need to bring new people. We need some time to even step aside and leave new people to take the lead. Otherwise, if we don't engage new people, people outside of the Internet community and people outside of the traditional Internet governance field, we're never going to change anything deeply.

That's my second point. The third one is clarity of vision, and that's where I echo Byron's point. Clarity of vision cannot be a platform for dialogue or multistakeholder. I don't think that's nearly close to what we need, if we want to actually create lasting change in the international field. I've joined the One Net mailing list recently and I think this is the key missing factor right now, to clarify a vision or at least principles, that are shared by this community and by this initiative.

Currently, when I listen to each of you about IANA, about the platform for dialogue or the comments that were made about Montevideo, which were basically about getting rid of US oversight, I think there's a lot of ambiguity and that's going to hurt the whole initiative in the future I'm afraid. Thank you.

KEITH DAVIDSON: Thank you Matthieu. I think those were three very good points there. Peter's going off the list so we'll have Russ Housley in a moment. Can I just ask my fellow dinosaurs – I think that's what Mattheiu was calling us – just before we go extinct, to just reserve their comments and as soon as Russ has made his points we'll go through a summing up, which will take us through to the end of play, I think. Is that okay? Russ?

RUSS HOUSLEY: Russ Housley. I'm Chair of the Internet Architecture Board and this is a return to the IANA part that John and Jari have already spoken to. It's an area where the IAB is trying to take some leadership. We have been doing this for a couple of years, starting back with NTIA did the NOI. We talked

about a trajectory towards less US government involvement in the IANA functions, and we reiterated that in the FONI.

We have documented, in some of the RFCs that Jari spoke about, a model that's working or us in the protocol parameters and involves an operator, a policy center and oversight. We think that same model needs to be applied to all three legs of the IANA stool. We're beginning to document that. We have an Internet draft in the IAB program on IANA strategy that's taken the initiative to write that down.

We fully intend to bring that to all parts of the Internet community for comment. We definitely want to get it right, so I guess this is a bit of outreach, that as this document comes along we'd certainly like this community to review and comment and tell us where we've got it wrong so that we can fix it.

KEITH DAVIDSON: Thank you very much Russ. I think we're getting to the end, and there are a lot of unanswered questions already for the panelists, so can I give each panelist two minutes maximum to sum up, and also tell us what you think the cc's should be doing going forward. We'll work down the panel, thank you, starting with Lynn.

LYNN ST. AMOUR: I was going to see if Byron wanted to go first but… We have some discomfort with the notion of orphan issues, because it implies that they're just forgotten or not addressed, and in fact a lot of the challenges we see in front of us are there because they are challenges. They're

setting new policies, new regulatory, breaking barriers… They're there because the solutions aren't obvious. In some cases they're not known.

A quick side-plea – ISOC started working on what we were calling a taxonomy – we're calling it a framework now – that tries to categorize types of issues. It's not meant to be a full matrix of every issue, but it tries to categorize them so we can start to identify the solution paths associated and the roles associated in solving in those paths. If you go to our homepage you can actually find it from there.

We rolled it out at Bali, we rolled it out at the IETF. We're asking for a lot of input in terms of helping to stress test it, if you will. It's clear that what might be a role for government in one category of issues, is probably a different role in a second category of issues. So we're really trying to inform the discussion, because a lot of the challenges we're all facing…

By the way, surveillance is not my framework, the first issue is not trusting the Internet but trusting our governments. The Internet is a piece of the infrastructure and there are things we can do to improve that, but I think we need to be really thoughtful about how we categorize a lot of the challenges.

We're all living in a really complex system here, when we talk about Internet problems, challenges or issues. It's covering social, economical, it's breaking down boundaries, it's encompassing technical as well. So this is a process, and from the Internet Society's perspective, we first start with trying to understand what the challenges are, what the issues are, what the things are that need addressing or attention.

We rely very heavily on the principles that actually gave us the Internet and gave us all the supporting structures; things that distributed and decentralized our key components. We rely heavily on [Tunis? 01:45:35], because [Tunis?] was a multi-year process, which involved governments and all stakeholders. While we didn't have all the voices we'd like in that, we had a considerable voice, and I think we had a very big impact on the outcome of Internet governance discussions.

But what WSIS gave us was framework, terminology, it gave us definitions for Internet governance, it gave us principles we still rely on every day, which is either about non-duplicative roles, supporting the current arrangements… It was enhanced cooperation and IGF in some of the structures. There's a lot that's good and it actually allows us to have a global dialogue.

Even those people that may disagree with some of the components in the [Tunis] agenda, recognize it, know its context, know its terminology, and that's extremely useful when you're trying to have a global discussion. We then quickly start from we should understand the current system, and with these challenges look to the current institutions, structures, processes and frameworks and see if they can evolve to address those.

The easiest thing might be to go and create a new institution, a new framework of a new process, but it's actually the hardest to integrate into a current system and an ecosystem and make work. So from our perspective, that almost ought to be a last resort. If we can't find some place in this greater ecosystem to evolve, then we look to create some of these new institutions or structures. But from our perspective we'd still like to look to the current.

To the final question, cc's obviously are incredibly important, and in the work the ISOC does, we work a lot with cc's across the world for a lot of our development activities. They really are central, not just for what you do and what you can do, but frankly for the communities that you actually build in your countries. A lot of the cc's we talk to, I think support a lot of the principles and support those processes.

We need to find a more robust way, I think, for maybe the I-STARs – and I can't speak for the other I-STAR organizations, but certainly for the ISOC – to actually engage with ccTLDs across the whole range of issues that are in front of us. I'll just stop there, for time.

KEITH DAVIDSON: Thank you Lynn. That was a long two minutes! Theresa wants to make up for being late by going early, so we'll now skip down the queue to Theresa.

THERESA SWINEHEART: Whatever he says after I leave is true too. I'm sorry. It's one of those meetings where you're double-booked and can't find rooms, but that's fine. Quickly to the cc's – it's essential to be involved in all these discussions. The ccTLD community is the community that, at the national level and in the regions, is engaging not just with their own direct communities around the technical space and operating a ccTLD, but frankly around what the finger on the pulse is of what's happening on a wide range of Internet governance and Internet policy issues.

You're dealing with businesses, you're dealing with your own governments, you're dealing with civil society. So it's absolutely essential

to be involved in these discussions and all the forums that are having discussions around these areas, because you have a finger on the pulse of what's happening; the new ideas, the new thoughts, what works and what doesn't work, how to operationalize things and how it might scale across the region. Also, how it might scale at the national and global level as well.

Then to the point that was made earlier with regards to new people and getting new people engaged, it's absolutely critical. Here, ccTLDs play a wonderful and important role, because they're directly connected to new leadership that's emerging in the different national, regional and global dialogues. I would say huge role and great opportunity, and whatever I can answer when I leave – whenever you see me I'm happy to do that. My apologies, I need to exit early.

CHRIS DISSPAIN: I'll be quick. Matthieu, assemble a powerful team? Yes. New people. That's why it's an open platform dialogue, to get as many new people around discussing this issue as possible. Clarity of vision? Agree. If we had come up with a vision we'd be being accused of top-down. So what we've done is we've created a thing that enables a vision to be come up with – if you see what I mean.

I'd like to remind the ccTLDs that for the last four of five meetings, whenever the Board has sat down with the cc's, one of the questions you've asked is, "What is the strategy for dealing with Internet governance? What is the strategy with dealing with the 'threat' of the ITU?" This morning when the cc's met with the Board, no one asked that question because we have a way of dealing with that now.

So here we are, things are happening. Leaving execution aside – and I acknowledge that these things could maybe have been executed better – no one should be the slightest bit surprised that there is disconnection right now. There are some people that are complaining, there are some people who think that they're not involved.

Anyone who understands team dynamics will tell you that the first stage of team dynamics is forming, and the second stage is storming – and where we are right now is storming. We'll get through that and the dialogue will start properly and we'll be able to move on. Finally, what should the ccTLDs do? A number of things: first of all, sign up for the mailing lists.

Secondly, involve yourselves in the discussions and thirdly and much more importantly, remember what we, as ccTLDs, always say: "We are sovereign. We are in charge of our own country." That is an incredibly powerful place to be when you want to influence a government. Go influence your own governments. Tell your own governments that when they say, "We speak for our people," they'd better be sure they are actually saying what their people want them to say.

The whole point about grass-roots campaigns and stuff like that is to convince governments that actually, this is what the people want. Governments have a tendency to say what they think they want. That's what I think we should do. Thank you.

KEITH DAVIDSON: Thank you Chris. We're back on the mics now. I understand they're all working. Thank you Chris. Powerfully stated. Byron, for the last two minutes.

BYRON HOLLAND: Thank you very much. The newbie? I hadn't thought of myself as that anymore, but I guess in this company I am. I just wanted to make a couple of quick points. One, I just want to reiterate: keep the end in mind. What is the goal that we're working towards here? Two, I want to reinforce Chris's point, which I would have said even if he hadn't said, which is: we have the opportunity to speak to our governments.

Many of us have a fairly privileged position and/or access to our governments. Over the course of this year it's most definitely the time to use that. Often I think governments, to some degree, aren't as informed in the space as they could, should or might be, and we have the opportunity to provide independent, neutral, expert advice. Take that opportunity, most definitely.

I want to pick up on a point that Matthieu said. Two key points. One is around new people. I think that behooves all of us. We have national environments, national jurisdictions. It behooves all of us to engage all the different stakeholders, and I mean geographical, cultural, linguistic, whatever your country offers, but also most definitely around age diversity.

I had the privilege of being in front of the Fellowship Group this morning and speaking to them. That is a young, highly engaged, extremely knowledgeable, very savvy and articulate group. They are out there.

Make sure you're tapping into that. The final point I want to make – and this is really touching on Matthieu: I'm a businessperson. I don't apologize for that.

I'm not a lawyer, I'm not an engineer and honestly I come to technology from being around it, not being immersed in it. But what we have here is a change management opportunity. We have, potentially, a very disruptive event if things go poorly at the Plenipot. We have a sense of urgency. Montevideo kicked off a sense of urgency.

We need to seize that moment and successfully move towards an end goal, or the change, which is the solidification of the multistakeholder model, as the defining model in Internet governance. So we have the sense of urgency. We are creating the coalition. I would strongly urge you to be part of that. That is going to be the guiding coalition that can then develop a sense of strategy and vision as to how we're going to do that.

Communicate it broadly. That's your responsibility and my responsibility. We have domestic jurisdictions. It's incumbent upon us to communicate this issue very effectively and then empower that community to get involved, to speak to national governments. Nobody's said the word here yet – the ITU is not a thing. The ITU is a very useful body of individual governments who respond to their citizens and organizations.

You are one and represent another. Take that opportunity. Then hopefully along the path here we can do the obvious, which is create some short-term winds building to that final destination. So please get engaged, be part of it, and on the email list don't say, "Plus one," or,

"Thank you," because it's getting out of hand. But with that, Keith, over to you.

KEITH DAVIDSON: I think that… Thank you Byron. I think you summarized better than I could have anyway. I won't attempt to summarize the panel discussion. I think it's been very, very useful, so just before we thank our panelists, I know a number of ccTLDs are already members of ISOC, but those who aren't, please form an orderly queue to see Lynn before you leave the room.

Thank you panelists.   In absence, Raúl and Theresa, but thank you panelists. Please join me in… [applause] With that, back to Byron, the Chair of the ccNSO for messages about lunch I guess.

BYRON HOLLAND: I will keep this very brief. Sira is the sponsor of lunch today. I'm sure you've heard more than enough from me, so the only thing I'm going to say is that lunch is just outside and to the left. I'm sure Gabby and Kristina will help orchestrate an orderly process to get to lunch. Enjoy, and thank you. Just a reminder that we will be back with the GAC after this, at two o'clock.

[ccNSO-members-3-19nov13.mp2]

BYRON HOLLAND:	Hello again everybody. We're going to get started again in a couple of minutes, with some statements from our candidates and some Q&A. We're actually going to start with a few minutes of Q&A with Chris, our Board candidate. So if we could get started in one or two minutes please?
	Okay, we have the next 30 minutes to have some statements from our candidates for the soon to be open Council seats for Africa and for Europe. Just to start with, we're going to have Chris Disspain, who was just here, come up for an opportunity for Q&A from our Board candidate.
	So while I'm reeling Chris back in, you can start thinking about any questions you may have for him. We'll try and limit him to five or so minutes, because then we'll have the opportunity to hear from the two candidates from Africa and the two candidates from Europe. Chris Disspain?
	As we all know, Chris is our candidate for the cc Board seat. As he is uncontested, there probably isn't a need for him to make any long statements or convince us, although maybe I'm wrong on that. Chris does have the opportunity to say something, but then probably the most important part is whether there's any questions for Chris. Chris?
CHRIS DISSPAIN:	Thank you Byron. Hello everyone. Thank you very much indeed for re-nominating me for the ICANN Board. I really appreciate it. In the two years the growth in the ccNSO has really been amazing and I'm conscious of the fact that there are faces in this room that I don't actually know all that well. So I'll do my best to make an effort over the next few months to… Perhaps at Singapore, to spend a bit more time in the ccNSO.

Look, this is not about me speaking, this is about you asking me questions and then me speaking. So if anybody has any questions they'd like to ask me, at all – and it can be a question about me, the Board, it doesn't have to be anything to do with that; you can ask me a question about stuff happening in ICANN, anything you like. The meaning of life? That got two hands up! Three hands up! Okay.

BYRON HOLLAND: That was almost simultaneous, so I'll try and make it fair and go from left to right. Peter Van Roste. I'm not talking about your political persuasion.

PETER VAN ROSTE: Thank you. Thank you for taking up that challenge again. I have a very simple question. In your view, what's your greatest accomplishment on the Board so far?

CHRIS DISSPAIN: Staying there? [laughter] I think you won't be surprised to hear that a vast amount of the Board's time has been spent on the new gTLD stuff. That wouldn't come as a surprise to anybody, right? I think that what I've done, if I had to choose something, it's the fact that I'm basically doing the GAC advice stuff on the Board, or the NGPC, which is effectively the Board in this particular instance.

I think that's effectively done. We're now through the GAC advice, category one, category two. I don't know how up-to-date you guys are with it, but there was a fair amount of advice from the GAC on new gTLDs

and we've found a way through it. I think I've managed to do that and still [audio cuts off] without causing conflict.

In other words, the GAC thinks it's a really great deal for the GAC, the Board thinks it's a really great deal for the Board, and actually it's a crap deal for both of them, but at least it's a deal. That would be the thing that I'd choose for the last two years. I also think that I've helped to… Groups of people tend to coalesce and become a team if there's a common enemy.

The common enemy left a year ago, and so there was work to do with the loss of that, the loss of a reason to… We've done a fair bit of work on the collegiality and the professionalism of the Board and I think I've been fairly good at helping with that as well.

BYRON HOLLAND: Thank you Chris. We'll move on.

DON HOLLANDER: Don Hollander from APTLD. Chris, ccTLDs have a special nature in the Internet environment, which you well know. They're certainly unique and sovereign. How well do you think your Board colleagues, and in particular your President, recognize that and are reminded of that?

CHRIS DISSPAIN: It's nice to hear the words, "Don Hollander from APTLD," again Don. That's a good question. In fact, my experience from both outside, before I was on the Board and being on the Board, was that the people who

tended to forget about the ccTLDs' unique position was the ex-ccTLD people who went to the Board.

In fact, Mike and I work extremely hard whenever a point comes up in respect to cc's to make sure that everybody remembers all the stuff that we all know, and I won't repeat. I have to say that most of the Board is very well aware – either of what the situation is, or they're aware that they don't necessarily know and therefore they refer to us.

In respect of Fadi, he's still learning but he learns pretty quick. He takes feedback properly and he's picked it up fairly quickly. Byron will tell you that a huge amount of the progress that's been made in respect to the finance came from a complete change in posture, and that complete change in posture can effectively from Fadi who said, "Why are we worrying about this?" in the sense of why do we insist that there's this amount of money?

That would be right I think, Byron? So I think that's an illustration of his understanding that we are different. He's been instrumental in attempting to expand what is called the I-STAR grouping, by saying to them, "You really should have some representation from the ccTLD community." To be fair to them, it's not an organization, it's literally just a meeting.

But that's not the point – the point is that if you want a meeting of the I-STARS, the I-STARS need to include the real stars!

BYRON HOLLAND: Thank you Chris. I'll have to make this the last question so we can…
Dotty's going to ask two short questions, and then we're going to have to
move onto…

SPEAKER: I'll give way to Dotty.

BYRON HOLLAND: Are you sure?

SPEAKER: It was a quick question anyway, so… With your permission… This is about
your two-years on the Board so far Chris. Are you still having fun?

CHRIS DISSPAIN: Oh, yeah. I'm having fun.

DOTTY SPARKS DE BLANC: I know the Board feels it has had great success with the new gTLDs,
however, how do you think they can explain the fact that the
multistakeholder issue has kind of gone down the drain? What happened
is what happens in a lot of places, and that is the man who has the gold
makes the rule. Basically, the control of the new gTLDs has gone to those
with deep pockets, and the little guys are just left to flounder. I think
that's an outrage.

I'm interested in what defense they're planning to present, because I'm
certainly not the only person who thinks this.

CHRIS DISSPAIN: I agree, basically, with what you said. The rules going in, in the sense of if you're in competition, auctions, community policy, etc., rule. None of that has actually changed. Things have changed during the process, based on GAC advice, etc., but the fundamental threads that make up the issue that you're taking about, Dotty, haven't.

However, having said that you are correct. The result appears that the deeper your pockets the more likely you are… I could simply answer that by saying it's a fact of life, if you choose to go down the commercial route. I actually don't believe that. I think that's an intensely – and no offence intended – American view of the way things are, whereas I actually take a different, smaller, liberal view.

I don't know the answer to the question, as such, Dotty, in the sense that I don't think the Board has, as a group, put its mind to the issue. I would encourage you and anybody else who feels as strongly as you obviously do, to bring it up in the public forum on Thursday. I would encourage you to be as passionate about it as you just were.

BYRON HOLLAND: Thank you Chris. With that I'm going to have to bid you adieu. Now we have the opportunity to hear from two candidates from each of the two available Council seats. If I could ask the candidates from Africa to come up; Chris and [Sulaman 00:15:13], and you'll each have three or four minutes to make a statement, put forward your position as to why you think you're the most appropriate candidate?

Then we'll have some questions from the audience and then we'll do the same thing, subsequently, for the Board candidates from Europe. We won't do this debate style. We'll just have a statement and then Q&As from the audience. We'll try to limit it to six or seven minutes, recognizing that will put us a few minutes over the time allotted, but I think we're okay given the next Agenda Item and given the importance of this.

Then, as I say, we'll follow the exact same progress for the European candidates. Chris Tshimanga, hopefully I haven't butchered that too badly. Please correct me if I have. Go ahead.

CHRIS TSHIMANGA: Thanks Byron. For those who don't know me, my name is Chris Tshimanga. I'm the Administrative Manager of CD NIC, which is a .cd for the RC, the Democratic Republic of Congo. My background is I've got a bachelor's degree in telecommunication engineering, and I'm a prospective master's degree student, where my research consists of the voice of IP growth and the strain on the network security alleviation.

I've also got a finance management certificate from university, and I also have project management MNA that we've run across Africa, my continent. The reason why I postulate to this Council position, with the different challenges that we have as ccTLDs, running against policy development and ensuring best practice policies in our various ccTLDs, there are needs to learn everything and meet people like yourselves.

With an idea every day, it comes to make me as I'm meeting with you and taking the ccNSO forward to the next level. So it's time-demanding, I

know, and you need a candidate with an ear open to formulate and translate challenges we come across into policies and best practices.

Because I've got time to learn, from some experts like you in this room, I'm ready to move the ccNSO to the next level. That is why we need a candidate like me, and I'm ready to face the challenges. Thank you.

BYRON HOLLAND: Thank you very much Chris. Are there any questions for Chris? Okay, then we'll move onto [Suleman? 00:19:28].

[SULEMAN]:   Hello. Good evening. Sorry, my English is very bad but I'll try to speak. My name is [Suleman Ontenaga] from the Ivory Coast, .ci. I am the .ci manager and have been for 20 years. Since 1992. Besides this work I am a teacher of computer science. What do I do in my country? First, I created the first exchange point in the Ivory Coast. I helped to create two copy root servers.

I've given many conferences in Africa and in my country. I am also a Vice President of AFTLD. In this position I try to establish server partnerships between AFTLD and other organizations. I contribute actively to building workshops, looking for sponsors and defining topics. So I know African ccTLDs.

My candidacy here is to help African ccTLDs to grow, between ccNSO and AFTLD. We have a lot of workshops, and I want to relate what we've done in the ccNSO to the African community. This is why I'm here to share with you my candidature. Thank you.

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BYRON HOLLAND: Thank you very much [Suleman]. Are there any questions for [Suleman]? No questions? Going, going… Gone. Thank you very much gentlemen. Good luck. [applause] If I could ask [Roloff] and Nigel to come to the front, please? Same basic process, several minutes. Please use it judiciously and we'll follow up one after the other with questions. In no particular order, but since you're closest, Nigel, please?

NIGEL ROBERTS: Thank you. My name is Nigel Roberts. Many of you do know me. I've been involved in this ICANN process for many years, since in fact before ICANN was formed. I sent out my personal statement just before this meeting so I'm not going to rehearse everything that's in it.

Just to say I'm running because I want to win – please give me your vote! If you have any questions, either based on what's in the personal statement, or any other questions about how you might think I'll do the role… I was on the very first ccTLD constituency council, when it was still part of what was then called the dNSO. I was on the admin committee of the ccTLDs between the interim; after the ccTLDs left, the dNSO and before the ccNSO was formed.

I took a step back between 2004 and 2008 while I was doing law school, and we've just finished a significant piece of work that you've all been hearing about; the Framework of Interpretation Working Group work, and I think I can add value to Council for you.

Most importantly of all, and this isn't in my statement and it's something I'm absolutely sure that [Rolaf] and I agree on, the whole point is that we

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have a robust and fair election process. I think [Rolaf] would make a great Councilor but I'd rather you voted for me please.

BYRON HOLLAND: How can you argue with that statement, right? Okay, thank you very much. Are there any questions for Nigel? Any questions? Okay. [Rolaf], over to you.

[ROLAF MYER]: I'm still unsure if you're making it easier for me or more difficult Nigel. My name is [Rolaf Myer]. I'm the CEO of SIDN. SIDN is the registry of .nl, the Dutch ccTLD. I've been CEO at SIDN since 2005. When I joined the organization I was tasked to professionalize it and to strengthen its national and international position. I think my team and I have done quite well on that job.

The only thing where I feel that the time we were number three in size, and we're now number five. China overtook, and so did .tk. .tk is okay, because they're not a true ccTLD I think, but China is a pity. Nigel is far behind. [laughter] But I think he's running a good show. No, I'm sure he is, by the way. I sent out my election statement yesterday. I'm not going to rehearse it, just like Nigel.

The one question I want to answer for you, just in case you won't ask me, is why I'm here. I did a first term and why did I do that and why do I want to continue? The first part of the answer is because I think I like – like all of us... I truly believe in the multistakeholder model. But there are some spaces where it definitely has to improve. Will it be able to survive? As a ccNSO I think we can contribute to improving that model.

I think the true failures of the ccNSO are first of all, we make global cc policy. I think that's a very limited task. We have our occasional PDP but luckily we don't have that many. I think the second role that the ccNSO has is that we help ccTLD managers, members or not, to form opinions. The ccNSO helps them to put that opinion across, collectively. I'm convinced that the ccNSO has developed into a very powerful NSO, and that's because of the way we're organized, the people we have in this group, and the time that we spend and the way we prepare. Thirdly, I think a great value of this group, or this SO, is the experience we can share.

I think there we are completely different from all the other ones, because roughly we do the same work, but we do it in a different economic environment, in a different political environment, in a different government structure, but we're not competitors, and that makes it very efficient and very effective to work together, to exchange experiences, to exchange knowledge and to collaborate.

Those are the reasons why I really like the ccNSO. I'm also convinced if you want to use it, and if you want to use the merits of it then you also have to be willing to invest time and other means. That's why I'm here. if you want me, I'll spend another two/three years working in the ccNSO Council.

BYRON HOLLAND: You might as well stay up there in case there are any questions. Are there any questions for [Rolaf]? Any questions at all?

[ROLAF MYER]:   Any questions for Byron?

BYRON HOLLAND: Okay, thank you very much. Despite predictions we're now ahead of time, only by a few minutes, but thank you very much gentlemen. Best of luck to you. [applause] Just so everybody is aware, the elections start next Friday and they run until December 13th. So you have a couple of weeks to get your vote in, please make sure you do. Your vote counts. You have two weeks to do it, please do so.

On that note, we will move to the next and final segment of our day, which is updates from SO and AC and we will begin with the NomCom. If I could ask them to come up here? We have 15 minutes for the update from the NomCom. Then we'll be moving in to IANA and onto the ATRT.

YRJÖ LÄNSIPURO: Good afternoon. We have here… Well, my name is Yrjö Länsipuro, the Chair of the Nominating Committee for one day more. After that, Cheryl will take over. She was the Chair Elect on the 2013 Committee, and then the 2014 Chair Elect is Stephane Van Gelder, who already was a member of the 2013 Committee.   Lastly, the Associate Chair of the 2013 Committee was Adam Peake.

We want to tell you what we have been doing. I understand that you are in the middle of your election process, but of course there's also the NomCom that gives the ccNSO Council some members, without asking you. Well, not quite, because of course we got the advice from the ccNSO Council Chair, and like we get advice from all constituencies, and we try to follow that.

I hope that you are happy with the two people we gave you. That's exceptional, of course, because usually the NomCom, each year, selects one new member for the Council. But this time, as you know, there was a resignation and we had the chance of selecting two. Our process. Some people who've been here a long time, no doubt you know that the NomCom was known as a 'black box'.

It was basically like those guys who select a pope, who go in seclusion, sit there and then finally there is white smoke and out comes the pope. We have been trying to do something about that image. Not only the image of being secretive and black box-like, but actually a year ago, when we started this journey at our kick-off meeting in Toronto, we decided that we want to strike a new balance between transparency and confidentiality requirements for the NomCom.

Of course, they are contradictory. We have to be absolutely confidential about names, otherwise we wouldn't have any candidates. But we also want to increase transparency as much as possible. So basically, deciding that the process is open and data is secret, we have held open, working meetings at all ICANN meetings so far – three. There will be one tomorrow at 10:30 in Italia room, and I hope that many of you can attend.

The other thing, that was actually Stephane's idea, was a monthly report card to the constituency stakeholder groups, about what we've been doing that month. I think that by this measure we can increase transparency a little bit, and it's up to Cheryl, after this, to continue. Please, take the floor.

CHERYL LANGDON-ORR: What a segue! My name is Cheryl Langdon-Orr, for those of you who've not met me before. I wear a number of hats – some in this room, but I've had the honor of serving with Yrjö as his Chair Elect for the last 12 months on the NomCom for ICANN. One of the things of leadership – and you've already been introduced to Stephane – of a Nominating Committee does, is we don't vote.

The representatives that you send; you send one to sit at the table on behalf of your community, other parts of the ICANN world do the same thing. They do the voting, we do the due diligence administration and make sure everything runs properly, etc., etc., so we are a non-voting leadership team. I'm doing this because each year the Chair has a right to ask for an Assistant Chair, as Adam served with Yrjö I'm not going to lose talent, am I, so guess who I'm keeping?

Yrjö will continue to serve this year, so you're looking at one, two, three as a leadership team. But I'd also note that we've got a number of people in the room who you may not recognize because they're our 'NomCommers' – incoming and a few outgoing. If Ron, Fatimata and… If you can just stand up, wave around, go, "Hello, here I am"?

These are the people who vote, who will be making the decisions, who you can approach, who you can talk to. They are all, not just your rep, but all of them are available for interaction, right up until the end where we all go into seclusion and start making decisions. One of the things I was hoping we might be able to do today…

Yjro, you mentioned that we heard and we had very, very clear, concise – and above-all thank you very much ccNSO Council, written – information on the types of skillsets and characteristics you wanted as a receiving

body, which gave the NomCom... That you wanted to have in the person that we send to you.

So I'd like to ask you now to review what's been sent to the 2013 NomCom and see as a community whether you want to tell your Council to make any changes, any adjustments, if you desperately need a particular characteristic or skillset. What we do from that information that we collect from all receiving bodies, including the Board, is whilst there are these overarching sets of principles and criteria that all leaders need to have, we look at those and they come into the waiting and the deliberations and the banding that happens in the process.

So if you can try and get onto that as soon as possible? In a perfect world we'd like to have that quite early in the calendar year of 2014. We do have to be finished our process by mid-year, and so the sooner you give that to us the sooner we can publish that and the sooner the people who may be putting in this SOI to perhaps be appointed to your Council, will be able to see the types of particular skillsets and qualities you're after.

I think you might just want to tell them a little bit more about the time courses? Thanks.

YRJÖ LÄNSIPURO: Yes, there's another request we can make too, and that's to say we need good candidates and we need many of them. We were happy in 2013 to have actually 111 candidates for various posts, and that was an all-time record. Of course, it makes our task actually more difficult because we have to select from more people, but anyway, that's what we need.

We would very much like you to, if you think you have good candidates in mind for the Board, for the SOs and for ALAC, please tell them to apply, or you can also send in recommendations directly to NomCom. That is something that we'd like you to do. The cycle is that after the kick-off meeting, Friday and Saturday, at some point the announcement will be out and the SOI Forum, the Forum for the submitting of EOI, and the deadline typically has been April/May.

Then the final selection meeting will be, in this case, in London. So that is roughly the timetable. Perhaps you have questions?

STEPHANE VAL GELDER: Sorry, very quickly – I just want to add two general points to what's been said, and the very detailed explanations you've had. The first is that as the 2013 NomCom work to increase transparency, and did so, I believe, extremely successfully, I think there's agreement, certainly amongst the leadership team. As we go into our NomCom meetings and discussions, I hope with the Committee itself that we aim to continue and work on community engagement.

Transparency was important because, as Yrjö mentioned there was a feeling that the process itself was obscure, or not visible enough. But engagement is, in my mind at least, equally as important. That is up to the community as well to really interact with a process – and that's the second point that I wanted to make, that I find both unique and stimulating.

In a governance environment, the fact that there is a NomCom is something that's quite precious and quite unique, because it allows

outside blood, and people that may not be part of the community in a natural way, to find a way into the community. That's something that we should really, I believe, fight for, defend and build upon, because it is another jewel in the ICANN community's crown. Thank you.

CHERYL LANGDON-ORR: I'll just jump in after Stephane and say part of the community outreach, of course, is for you to use your networks to spot talent. You don't just have to be the talent yourself. If you have in your own network, or extended networks, people you believe would be ideal for any of the leaderships positions… Notice we're avoiding saying 'Board' a lot? That's deliberate, because it's not all about just putting leaders on the Board, it's about putting leaders in all parts of ICANN.

Anyone who you think… There is a bunch of little giveaways, and everyone who will be a NomCom member will have some of these business cards with them forever more, I think, now. On one side it says, "Be a candidate yourself," and there's a URL. On the other side it says, "Recommend a candidate," so you can in fact just say, "I think Mary Blogs would be ideal," and put Mary Blogs's name in there.

We will reach out to them. So please use your networks to help us network to the right people. I guess we're now back to any questions?

BYRON HOLLAND: Are there any questions?

CHERYL LANGDON-ORR: There will be a pop quiz next time we meet, so I hope you all paid attention. Bye for now.

BYRON HOLLAND: Okay, well thank you very much, both for the presentation and the work you do. Okay, we're running a couple of moment ahead. Next up is IANA and Kim Davies. Kim, thank you for joining us. You have up to 20 minutes.

KIM DAVIES: Thanks again for allowing me the opportunity to come to you and update you on what we're doing within the IANA service. For those that don't know me, my name is Kim Davies. I work primarily on root zone management within ICANN. That means we're responsible for delegating TLDs and then the ongoing management of the entire set of TLDs in the root zone.

Since we last met, what have we been up to? Well, we concluded a several year-long preparation for a number of new gTLD delegations, and we've in fact begun implementing new gTLD allocations. We've also performed a number of IANA contract-related consultations. Those consultations have resulted in the posting of a number of new things, including new documentation, some of which I think will interest you, as well as a number of new reports, which I'll go through.

We've also been working on the performance of some of our processes and I'll go into detail on that too. So, new gTLD processing. As we heard in the previous discussion with Chris, new gTLDs has been a large part of ICANN deliberations, discussion and operations, really for the last few

years. Where does IANA fit in that process? Well, as I mentioned, the ongoing management of TLDs interfaces with the IANA department.

Just as you do in managing your ccTLDs, whenever there's an administrative change for a TLD, whenever there's some technical changes that need to be done, they will need to interface with the IANA department in order to affect those changes. First up, they need to have their TLDs delegated in the root zone for the first time. Now, in the past we've done maybe ten to twenty delegations per year.

The new gTLD program obviously increases that to a much higher number. We recognize that our existing methods needed to be reviewed, we needed to work out how to optimize the process, we needed to make our department perform in so we could accept that the volume of new gTLD requests we're likely to receive, and execute them in a timely way without impacting on all of the things we need to do for you guys.

In order to do that we did a few things. Firstly we upgraded our root zone management system. This is the system you log into via the web to submit your root zone change requests. We also did integration with the new gTLD application system. Some people call it TAS, some people call SFDC, but there's a different web interface that new gTLD applicants go to in order to submit their gTLD requests.

We've hooked our system into that system so that if a new gTLD applicant goes to the delegation system it all involves a smooth hand-off to IANA. We went through all the steps of how we process delegations in the past, and we worked out how we could best optimize the process. We wanted to automate it as much as possible, without sacrificing quality.

We wanted to work out how we could make a repeatable process that does all the right checks and balances but doesn't take any more time than necessary. We also worked on producing better documentation. I think root zone management for some is a bit of a black art, so we wanted to try and expose it as much as possible, produce simple instructions and make that go smoothly.

One thing I want to highlight is this work… I know I'm talking a lot about gTLDs in a ccTLD forum, but a lot of this work will directly and indirectly benefit you. Firstly, I mentioned earlier that we want to maintain and improve our service to you as well, so if we can deal with gTLDs in a timely way, that means we don't need to move any resources that might impact ccTLD processes.

Secondly, a lot of the improvements we're doing are really applicable to all TLDs. For the most part, the work that IANA does is indiscriminate as to whether it's a g or a cc. It all works the same internally. With that in mind, in the last month, since the 23rd of October, we've delegated 31 new gTLDs. For comparison, the column on the right is roughly the same number of TLDs prior to that – so we've delegated around 30 new TLDs in about three years. Now we've done it in about three weeks.

So it's a bit of a shift inside that department about how many we need to process, but I think we've done a relatively good job. One thing I wanted to highlight about this… I'm on the FOI Working Group and part of the early discussion of that Working Group was how complex and difficult it is to penetrate some of the reporting that IANA has done in the past in terms of delegations and redelegations.

EN

One of the things we've done with gTLD delegation reports is really focus on how we get the key information readily visible and easily accessible. We completely redesigned the delegation report format. I think it's a great improvement on what we've done in the past, for previous gTLDs. Here's a little snapshot of a piece of it, but essentially, it clearly spells out the criteria of what we're checking for, it clearly shows whether they match or don't, and it clearly spells out the relevant pieces of data.

So I think that the lessons we've learnt from this – and hopefully with your support – we can look at applying this as well to our ccTLD proceedings, so that in the future when we do ccTLD delegations and redelegations we'll have much clearer reporting, which I think is beneficial to everyone. So, how have we done?

Well, this is the statistics for the first three batches of new gTLDs. This is really everything up until yesterday. We delegated seven more this morning, so that's not on this graph, but these are the average amounts of time that it's taken us to do these delegation requests. 1.9 days, 1.9 days… It's skewed a little.

Everything beyond the first four includes a weekend, so you can subtract two off all those, but we're doing complete delegation requests in less than one business week. Generally two to three business days. This is something that I think we're proud of. As I said, we've taken a lot of steps to optimize our process and I think it's reflected in this chart.

Just for comparison to the other kinds of requests that we do, here's a snapshot of the last 15 days of IANA requests. You can see that the average processing time on the right, the delegations and redelegations are really taking the same amount of time as ordinary root zone change

requests. So the same amount of time it takes to do an ordinary NS update or update your administrative content.

The two graphs I just showed you is part of something we're rolling out, which is a number of new reports that are available for you to look at. We have new graphing dashboards in terms of how well we're doing, based on live data. We have a new performance, or an SLA report, effectively setting out here are the standards that IANA wishes to live up to, in terms of how quickly we do changes, and reporting against those SLAs.

We're also bring new transparency to root zone changes by producing an audit report. This monthly audit report documents all of the changes we made in the previous month. Here's a snapshot of the SLA report, for example. We enumerate all the changes we've done, when we got them, how long it took to process them, and whether we met that SLA. So we think this is a good starting point to allowing you to measure us in a better way. I think over time we'll evolve the actual numerical SLAs.

Maybe they should be more aggressive, maybe they should be altered a little bit, and in dialogue with you it'll help inform us on how we want that to evolve. Most importantly, by publishing this data you can hold us accountable, that we're doing our job in an appropriate amount of time and to the right measures. Here's a snapshot of the root order report.

You can see again, listing off all the changes that we've done for a particular month or a particular time period – who submitted it, what the change was, what happened and so on. These are some new reports that we're now publishing. I think we have two months' worth of reports available now and we'll continue to publish them month in, month out.

We have a few more still to come, but these are the results of public consultations we've been doing in the last few months, on what reporting we should be doing. These are the consultations we did. I know some of you responded to those consultations. We're very appreciative of the input, and certainly that's not the end of the input. If you have any further observations or comments on these things, please do let me know and let our team know.

Another thing that's a result of the consultations is a raft of new documentation that we didn't have before. One of the commitments in the new IANA contracts was to publish user documentation, explaining how to use some of the key IANA functions. We produced draft documentation that we put out for public consultation, and based on that feedback we've now published that documentation online.

Our goal is that this is a foundation upon which we can build up a knowledge base of help articles. We have user instructions, but we also have specific topics that we commonly get customer requests about. We'd like to build up articles that explain certain facets of what we do and how to interact with us.

Some of the documents we've published recently, first of all include an overall description of how root changes are done, a new guide to how delegations and redelegations of ccTLDs are performed, how delegations of gTLDs are performed.

We have a new FAQ on redelegations. We get a lot of questions about how redelegations are done, how we judge them and so on, so we've built up an FAQ. Based on your questions moving forward we'll update that and add new questions as appropriate.

We list out what the eligibility criteria are for TLDs. We explain how we validate consent for our root zone change. In the context of a TLD redelegation we ask you to provide an operational and technical plan and we provide guidance on how to write one of those. We've also updated the technical requirements documentation as well.

The link is at the end of my presentation, but just a few screenshots to give you a sense of what's up there. Here's a screenshot of that; preparing an operational plan. I don't expect you to read that but it's just to illustrate what's on the IANA website right now.

Lastly, we're quite pleased that a few months ago we had a team of independent assessors come to ICANN. They sat down and did interviews with all the IANA staff. They went through all our internal policies and procedures, and they awarded us a 'Committed to Excellence' Award 2013. What this means is we scored sufficiently high to be recognized as 'Committed to Excellence' and what that means is that effectively we have an internal set of procedures, measurements and reporting that we're constantly looking at how we do things and improving things.

We have a formal methodology against which we do that. For those that have been around for a while, we've been doing this internal assessment for about four years now, led by Leo Vegoda in my department. This is the first time we've had those outside independent assessors come in and actually score us. So there's still more work to be done.

This isn't the end of the road but it is a recognition that the IANA department has taken it seriously that we need to have clear, consistent internal processes, and need to be accountable to what you as a community need, and that we have the proper processes in place

internally to measure ourselves, to improve ourselves and to improve ourselves for you.

In summary, I think we've really exceeded expectations in new gTLD handling. I've been involved in the new gTLD project really since it began inside the company. Initially we were estimating maybe the redelegation requests would take four to six weeks. I think in all the guidance we've given out recently, the estimate had been revised down to two to three weeks, and we're turning them around in as little as one and a half days.

I think that's a reflection of the effort we've put into improving our processes, and I hope some of the lessons we've learnt from that, and some of the experiences we gain, again, we can apply to improving some of the other things that IANA does as well. New reporting – you can see some of those reports I showed you at iana.org/performance.

New documentation – the documentation that pertains to root zone management is at the URL up there. As I mentioned, we're committed to continual review and improvement. That means an ongoing cycle of annual reviews, looking at how we do things, documenting, analyzing and having experts come in and look at how we're doing things and give us recommendations to improve.

Finally, coming to these meetings for the last two years has been a bit of a challenge because we've been in a holding pattern in relation to the IANA contract renewal and some of these other things, but I think we're excited now. That's more or less behind us now. We can now get back to doing incremental improvements and coming back to you at every meeting with new things that we've done, and having a dialogue with you about what you want us to focus on.

There will be more to come and I'm looking forward to the things I can tell you about at the next meeting. With that, thank you very much and I'm happy to answer any questions.

BYRON HOLLAND: Thank you very much Kim. It certainly seems like there have been very significant steps forward and I think that's much appreciated from the community, and certainly as a cc operator it is. Are there any questions for Kim? Comments? Thoughts? Two thumbs up? All right. You get the late afternoon time slot, so we're talked out I guess. All right, well, thank you very much Kim. I appreciate that.

We continue to be two or three minutes ahead of time. So thanks. Next up is a report on the ATRT 2. Becky, are you…? You're all coming up here at once? I can count on you to self-organize? Come on up, I can move over. The more the merrier. There is a draft report here. It's in the… Can you repeat the question, Peter? Okay.

BECKY BURR: We're conducting a new experiment in how we develop comments, because there's a little comment exhaustion. So someone on the Secretariat, or maybe Byron, had the great idea to send the draft ATRT 2 report and ask for volunteers to draft comments on specific sections in it. We got volunteers and the volunteers are going to discuss their sections. This isn't necessarily an initial comment period, but it's observations and views.

EN

Who has the lowest number comment? I don't have the list of who signed up for what. #7 and #8? Why don't we go down the row and talk about what recommendations you've agreed to write on and summarize them?

HONG XUE: Okay, Hong has been working on Recommendation #9.

SPEAKER: #7 and #8.

BECKY BURR: Okay. I'm #11. Let's start with #7. Why don't we start with you?

HONG XUE: Okay. For Recommendation #9 there are actually five Sub-Recommendations. I principally agree with all five Sub-Recommendations, but some Sub-Recommendations need some clarification.   For Sub-Recommendation #1 – a mandate Board response to AC's formal advice. I agree with that and it's quite consistent to Fadi's reply to SLP letter, as ICANN is going to develop a responsive and institutionalized structure. What is the meaning of 'response'? Is this that they've taken note or they're going to take action, like the Board's response to GAC advice? That's been formalized.

How about the response to the other AC? So that's for #1. The second one is very important.   It's for restructuring the review mechanism. Currently there are two review mechanisms.   One is an independent review, another one is reconsideration.   They are not functioning very

well, but it's not very clear from this recommendation. They only propose more processes.

Well, as a member of the SOP Working Group, we're not interested in more processes, we're interested in substances. The current recommendations suggest we should have an Expert Group to form a report first, and then form a Community Steering Committee, and then the Committee will come up with the proposed reformed review mechanism. So this is the process.

I suggest we at least add some principles to define what kind of review mechanism we need, such as how to keep it neutral, independent and really justified. Okay?

BECKY BURR: We need to keep this short. We have 25 minutes for the whole discussion. [Rolaf], are you going to come up? You have a section too. Who else is here? Is Katrina here? [Hero? 01:05:55]? Okay, great. Is [Youngham?] here? I haven't actually seen [Youngham]. [Vikar]? Okay, we're going to skip a few of them.

Why don't you talk about #7 and #8? I think we should acknowledge that most probably everybody hasn't read the recommendations yet, and so it would be very useful for you to start out by giving a brief description about what the recommendations were. Let me just preface it by saying the format of the recommendations is quite useful.

The ATRT essentially said, "Here were our recommendations in ATRT 1 on these particular topics." Then they evaluated whether the work of that recommendation implementation was complete or incomplete, or

incomplete, or complete but something new had come up. Then they gave a description of that but indicated what recommendations were going to be going forward.

SPEAKER: I was about to say that I'm not going to read the recommendations, because they're really long and we have just two minutes, but summing up… Recommendation #7 – basically, having received no input from the community, the team basically agreed on the proposals but we wanted to stress a specific point. We understand that the main issue regarding problems with communications and so on, is the complexity of initial language used when proposing translation.

That is, no plain English is used. The language is very complex, so these understand really creates complexity when translating; some confusion with the translated versions. So we encourage and stress the need for reports and interventions to use plain English, short sentences, no pneumatics and having Chairs reinforce that as much as possible; to really keep easy English to ease translations.

Beside that, in the different recommendations, that they say, "They're going to do this and that," the same as Item #9. When there are no metrics in the recommendation effectiveness section, we stress then the need and urgency to set clear deliverables, deadlines, onus and if possible before ICANN 49, because that has just wishes, good will, and that's all.

Regarding Item #8 – it was basically about the time on the period comment and so we understand that the recommendations that are

proposed are fine, even if they're not too detailed, but we understand that there is also the need to capture some statistics for forward planning.

That is that it may also be interesting to get some insight, for example, on the respondent profiles, which region they're sending that comment from and so on, as well as, if possible, which part of the infrastructure – registry, registrar, IP, business, whatever, and if possible the personal one.

Finally, encourage also the community members to champion the use of engagement tools, such as myICANN, inside their own constituencies, to facilitate that communication process and to encourage people to use the comment process.

SPEAKER: First of all, I have to confess I don't like long reports, and this is a long one. I went for the summary first, but then I was tempted to read the whole thing, which I did in the end, and I have to complement the Working Group, because it's very well structured. I think the content is very good and it's very clear that you spend a lot of time, effort and especially brain-power on this study.

I can really recommend all my fellow ccNSO people to go through it. I picked widely. I picked the advice on the financial accountability and transparency, and this subject coincides very nicely with my Chairmanship of the ccNSO SOP Working Group. I had the opportunity to share the recommendations with the group during our face-to-face meeting this Sunday.

We all concluded that the advice that the ATRT 2 team gives on financial accountability and transparency is very much aligned with the feedback we've been giving ICANN over time, and especially the feedback that we've been giving ICANN recently in our letter, where we expressed our frustration and concern, so to speak.

In short, what the Working Group recommends is ICANN to improve the financial governance, the procedures in the budget consultation process, and especially improve participation and enable the Board to take into account all input, before the budget is being approved. They also recommend – this is my own rephrasing – a stronger focus on cost-effectiveness, which is something I've heard very often.

They also recommend to frequently benchmark ICANN against other organizations, for instance on the size of the organization and all issues related to staff compensation. They propose three years, and there is to be a Working Group, especially on staff compensation. We felt that if you benchmark there you have to do it more frequently than every three years. That's our feedback to the team on that subject.

The last recommendation was that the general budget be based on the multi-annual financial framework. I think it's very similar to what we recommend, but I would suggest to rephrase that into that the budget is based on an annual operational plan, and that annual operational plan is based on a multi-year strategy, and the strategic goals are translated into annual goals and objectives, and then ultimately from there you can calculate your budget.

For the rest, I think we felt they were good recommendations and we are going to watch closely on how ICANN is going to follow that up.

BECKY BURR: I'm going to talk about Section (11), Recommendation #20, #23, #25, #26 and a little bit of #24. These were recommendations largely related to the accountability mechanisms.   The first one was to ensure that inputs received from an advisory committee – GAC, RSAC, SSAC, would have proper attention.

The ATRT 2 Team found that there was some improvement, but still not a defined process, and actually no real obligation to even respond. So the recommendation is that the bylaws should be amended to require the Board to respond in a timely manner, to formal advice from all of the ACs, with an explanation of action taken and the rationale.

I think the devil is in the detail, but particularly the timely requirement is important to all of us, because when it takes the Board a long time to get back to the Advisory Organizations, important work that we're doing gets held up. ATRT 1 had recommended that ICANN convene an Expert Panel to conduct a broad and comprehensive review of the independent review process reconsideration.

Also, that the Ombudsman review whether the scope was adequate, whether things could be done to make it more cost and time efficient, and whether by expanding the scope, the Board could improve accountability. The ATRT 2 noted that ICANN did convene and Experts' Panel, but it did not resolve a question regarding an independent and binding review of Board decisions.

It suggested that ICANN should convene a special community committee to discuss options for improving accountability through restructure of the

independent review and reconsideration process, and using the report of the Experts' Group as a baseline. Along with the same recommendations was in particular, a need to clarify the reconsideration standard and its scope, and to establish a timeline and standard for formats for reconsideration requests.

Finally, they looked at the work that ICANN's done with respect to evaluating the work of the Ombudsman program and the scoping on that, and noted that… This is one of the complete 'but' findings – there is a whistle-blower protection program in place, but it is deficient and it's therefore probably not being used.

So the recommendation was to establish a viable, whistle-blower protection program so that staff members can feel secure about reporting conduct that they think is inconsistent and problematic in this area. Any company knows that that's important to have.

Then I gather the Ombudsperson raised the question of whether the Charter for the Ombuds should be amended to provide an explicitly defied role for the Ombudsman, with respect to ensuring the transparent flow of information, maintaining peace and harmony in the community – and I'm pretty amazed that somebody asked for that responsibility.

Then, resolving unanticipated issues arising in connection with the new gTLDs in the dispute resolution. On this one I couldn't really tell whether the dispute resolution was dispute resolutions in connection with new gTLDs. That was ambiguous to me. I thought that's what you were maybe talking about, but I wasn't sure.

BRIAN CUTE: I'm not sure that we put that much of a point on it. It certainly wasn't intended to encroach on the scope of what otherwise might fall under reconsideration or independent review. So looking at it through that lens, there's opportunity there to establish new procedures, but certainly not to substitute for what is in place in the other mechanisms.

BECKY BURR: Okay, so like [Rolaf], I found that the report was very well written and very nicely structured. I wanted to find a way of thinking about it and analyzing it, and it just flowed right into that. I think that we will be supportive of the recommendations. I do have one question – I'm going to turn this over to you guys and let you talk a little more generally, but one of the things I was very interested in is…

The first ATRT recommendation was an Experts' Panel. Now you're calling for a Special Community Committee, which sounds like a very different thing, and it sounds like it was a very deliberate choice. I would be very interested in hearing a little bit more about that choice. It's no secret that I thought ICANN did a pretty sloppy job on the Experts' Panel, so I hope this is an opportunity to correct some of that.

BRIAN CUTE: Thank you Becky. I'll first just make a couple of process points. This is a draft report. It's out for public comment. The comment period closes tomorrow. A reply comment period will follow for 21 days. It closes on December 13th. We're very eager to get written comments, and we appreciate very much these inputs, which we're taking on board, but if you have written comments to add as well, please do so.

We are going to provide the report by December 31st. We're at the phase of our process where we're really listening carefully to you and the community on what recommendations are on target – so we know to go forward with those – and which ones are not. So we are willing to modify the recommendations depending on the input we hear.

To your question about the Expert Working Group – and I'll ask other members to weigh in here – the sense that we got on this question of reconsideration and independent review, listening to the community and to the Board, is diametrically-opposed views as to what transpired. From the Board perspective, following on ATRT 1, and Expert Working Group was put in place.

It was populated by individuals who had the requisite skillsets to address the issues, it went through a process, the community was involved, It established adjustments to those mechanisms, and therefore the implementation work has been completed.

Some input from the community speaks to a quite different understanding of what transpired – not substantive interaction with the community, a narrowing of the scope of a particular mechanisms and not a sufficient process at the end of the day. In light of those diametrically-opposed views, this is a recommendation that we have put forward in draft. It would call for community-based engagement, not necessarily a repeat of an Expert Working Group put in place by the Board.

We felt community engagement on this question is clearly important, and even heard from the Board, when we asked in particular, "Are there any recommendations that we should deem as priority or urgent?" and this

was pointed to by a Director because it is recognized that there is a disconnect of perception on this issue by the Board.

So this is what we put forward, and if this is not the best approach or mechanism, or there's a better way to approach this issue, that's what we're listening carefully for.

BECKY BURR: One question would be whether… I actually think that the community input is critical here, and I like that approach. I think though the Experts' Panel suffered from some deficiency. One question would be whether a Community Committee could get some support from… It depends on what the make-up is, but would they have access to the experts in some limited way? Something like that.

Any questions about ATRT 2? It is long but it's not a slog. Any other comments? It's the end of the day. You drew the end of the day slot.

HONG XUE: I have a question that's been addressed by Becky just now. ICANN, in the new gTLD program, actually outsourced a dispute resolution to a couple of service providers. In many cases the parties were not happy with the decision of service providers. So they re-appealed to the Board to reconsider the decision rendered by the Expert Panel appointed by the service provider. I wonder whether that is also in the scope of your Recommendation #9.2?

BRIAN CUTE: Thank you for that.   That wasn't explicitly in the scope of this draft recommendation, but we have heard that question from other parts of the community about these panels, and whether these reconsideration mechanisms, or appeal mechanisms can be triggered on the basis of action by those panels. So this is the second time we've heard this point and we'll take that into consideration.   We understand it's an open concern.

BECKY BURR: Are we still ahead of schedule?

BYRON HOLLAND: You are still slightly ahead of schedule. We have seven or eight minutes left.

BECKY BURR: Are there any other questions or comments? Would you just talk a little bit about the Board capacity? The first three series of recommendations?

BRIAN CUTE: Sure.   The first three recommendations focus on measuring Board performance, and Director performance, and the effect of compensation on the pool of candidates that are attracted to become ICANN Directors. ATRT 1, one of its recommendations was to provide compensation for Directors. There's an interest there to see what the effect of that was on the quality of the candidate pool.

We had a very good engagement with the Board about these three. There was a sense from the Board that focusing on the performance of the Board is the more important, as opposed to the performance of Directors. The Board shared with us that they have done 360' or peer type reviews of all the Directors, that in trying to do that for all Directors at the same time it was very unwieldy and difficult.

They indicated that they now do very intensive peer review for Directors whose term is coming up and they may be reappointed to the Board or not. There's a sense from the Board that those reviews are quite effective, that they are quality-type reviews, and so a sense of the Board that if we could focus our recommendations on the performance of the Board overall, and what type of metrics could be applied to that, that that would be a well-focused recommendation.

BECKY BURR: Okay. Thank you very much. Good work.

BRIAN CUTE: Thank you all. Please provide your comments. Thank you very much.

BYRON HOLLAND: Thank you to all who've done a huge amount of heavy lifting to put out a 233-page, easily readable report. Thank you very much. Just one final note – we've picked up a few moments here – in terms of our next Agenda Item, which is the ccNSO cocktail party, the logistics for that are at 6:30 pm this evening. In a little over an hour we will all meet at the front door or the Sheraton Park Tower Hotel.

That's the far end of this Hotel. There are two separate towers. It's the one furthest from where we are now. It's out in front of the lobby of the Park Tower Hotel at 6:30 pm, and that's where the buses will be to pick us up. We'll be returning about 9:30 pm. Okay?

You're free to go now from here, unless you'd like to stay, but it's a 6:30 pm pick up, from the front of the lobby of the Sheraton Park Tower Hotel. I don't know where we're being taken but I'm assured it's going to be good. 6:30 pm. We've got a free hour.

[END OF TRANSCRIPT]