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KATHY SCHNITT: Okay. Good morning, good afternoon, good evening. This is the At-Large Ad-hoc working group on the transition of US government stewardship of IANA function on Tuesday, the 2<sup>nd</sup> of December, 2014, at 13:30 UTC.

On today's call on the English, we have Tijani Ben Jemaa, Glenn McKnight, Cheryl Langdon-Orr, Tomoohiro Fujisaki, Gordon Chillcott, Olivier Crépin-Leblond, Eduardo Diaz, Yasuichi Kitamura, Mohamed El Bashir, Jimmy Schultz, Leon Sanchez, Suen Ojedeji, and Alan Greenberg.

In Spanish, we have Alberto Soto.

We have apologies from Fatima Cambroner, and a tentative from Jean-Jacques Subrenat.

From staff, we have Heidi Ullrich, Terri Agnew, and myself, Kathy Schnitt. And the interpreters are Sabrina and Veronica.

I would like to remind all participants, please state your name before speaking for transcription purposes. And Olivier, back over to you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this. Have we missed anyone in the roll call by any chance? Hearing no one shout their name out, let's then proceed with the first part of our agenda, that's the adoption of our agenda. Today we have a long, very long call, with a number of things. First we are quickly reviewing the progress of other operational communities.

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*Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.*

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Tijani, I believe, will be able to speak to us about discussions that have taken place in the regional Internet registry space. Afterwards, we will be following up with our work, post Frankfurt for the IANA community working group on the transition of stewardship, the name issues side of things. We've got a number of small subsections on this agenda, and we will be able to do with all of them simultaneously or separately, that's really for us to decide at that point.

So first, review of the flowchart, if needed. We did go through the flowchart in the last two calls, and then we really need to have answers to these important questions that have been asked, where we need to form a common response. And in fact, we need to go further and form a buildup on our common At-Large position.

We've got a link on the agenda to Alan's message that he sent to the cross-community working group, and we've also got the message and a mind map of the different threats, possible threats, and mitigation of those threats for the various entities that are proposed for creation. Then, as you might have all seen in your mailbox, the 21 day public consultation has now opened.

We've got links to the different parts of this public consultation, including forthcoming webinars, and we will be discussing those. And finally, if there are any updates on RFP 4 and RFP 5 which, I believe at the moment do not appear to be forming a part of the current proposal, because they obviously haven't been drafted yet, then we can spend a little bit of time on that, although I'm not sure if there is so much need for that, at the very moment.

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Are there any amendments or additions to the agenda? Or indeed, any other business to add to this? Seeing no one putting their hand up, or shouting something out, the agenda is adopted. So let's move to number two on our agenda, and that's the review of the action items from the last call. The first one was for the members of the At-Large Ad-hoc working group to share their concerns on the mailing list, their concerns regarding the documents which we had shared during our last call.

Of course, concerns about any of the entities that are being created, etc., and that, well that's ongoing, of course, we're going to be discussing this primarily on this call today. Now, on the other two action items, one is important because there is feedback on this, and that was for Heidi to check the process by which the recent renewal of the IANA contract was made, especially to what extent the process was mandatory.

Just to expand on the question, Heidi did come back to me and ask what exactly that, what we were specifically asking on this. And I focused on the question of whether the, when the IANA contract comes up for renewal, and when it has come up for the renewal in the past, was a RFP mandatory, or was there an optional RFP? And more sort of renewal of the contract by default, etc.

And I believe Heidi is on the line and would be able to provide us with feedback from ICANN on this matter. Heidi Ullrich, I'm aware it's very early in the morning for you. I hope you've had your first coffee.

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HEIDI ULLRICH:

This is Heidi. Hi Olivier, I'm on my second. And I'm just going to pop in the response, which I wish to share in its entirety. There is a link involved. So let me read that for the record. It's the RFP was not mandatory, the 2011, 2012 RFP was the first since the contract was awarded in 2000. Information on how the NTIA determines to move to a RFP can be seen at the link given in the chat, including the notice of inquiry and further notice of inquiry, as well as the RFP.

That's the response that I received Olivier.

OLIVIER CRÉPIN-LEBLOND:

Thank you very much for this Heidi. It's Olivier Crépin-Leblond speaking. Are there any comments or questions on this? I know that this was in response to a discussion also, which I think has taken place on the CWG itself. And I'm not sure whether there was an answer at the time on the CWG. Obviously, it popped up in our working group because we needed to be clear about this.

Seeing no one put their hand up about this, oh. The function doesn't work apparently. Okay, it's early on, try for third coffee and then maybe this one would probably work. Yeah. Okay.

Thanks very much for this Heidi. Let's let everyone ponder on this and digest it a little bit. Oh, I see Eduardo has put his hand up. So Eduardo, you have the floor.

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EDUARDO DIAZ: Thank you. This is Eduardo for the record. I just want to understand in which context, I know that you explained, why is it important that we know the RFP was mandatory or not? What was behind that question? I cannot remember, if you can enlighten me, thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much Eduardo. It's Olivier Crépin-Leblond speaking. And I think that the reason for this was because they were questions as to whether the new system would need a mandatory RFP each time there would be a contract renewal, and so some ask the questioned about that, and no one knew the answer on the working group at the time, and that appears to be the answer. Alan, you had put your hand up. Was that the answer you were going to provide?

ALAN GREENBERG: Yeah, no, thank you Olivier. All I was going to say was that within the CWG, there are some people who feel it is mandatory to put a RFP out each time. That at each time, we test the waters to see if there is someone better to do it, others are advocating doing it only if there is some indication of need. So the question came up, what did the NTIA do? And clearly what they did was only if there was a perceived need.

It's not clear who is going to win on the CWG, but at least now we know what the history is.

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OLIVIER CRÉPIN-LEBLOND: Thank you very much for this Alan. It's Olivier speaking. And in fact, in our agenda item number 4B part 2C, we've got a question in there which we have to answer, and to which we have to reach consensus on within the At-Large community. Is there a presumption of the contract will be renewed by default? And that's a position we're going to have to take.

But we haven't reached that yet. Let's then close the action items. Thank you very much for this answer Heidi. Let's thank this answer, and I would probably would have to send this over, forward this to the community working groups so as to just make sure that's known by other participants.

And let's go to number three now, and that's the review of the other operational community progress. And I don't want to spend too much time on this. Obviously there has been much going on elsewhere. We've got the RIPE meeting that finished in London a while ago, and there has been some follow-up on that, but really this week was the AfriNIC meeting that took place in Mauritius.

And we have, as you might have heard before the call started, four members of AFRALO who were there, who are present, and for this I will ask just a quick update, I guess, maybe Tijani? Do you wish to, I know we've got Seun as well on the call. So let's start maybe with Tijani to provide us with a quick update of where AfriNIC is with regards to the stewardship transition. Where is the input from the numbers community?

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TIJANI BEN JEMAA:

Thank you Olivier. Tijani speaking. I will not speak a lot, I will let Suen do that. But I will start by saying that I think that the numbering function will not be difficult to compile in the proposal, because the procedure was very well done, there is the constitution of the [inaudible], which is a body composed of three people from each RIR, two from the community and one from the staff.

So there is a perfect regional balance. So the constant of each region will be brought to the CRISP. Second, because the five RIRs are more or less, how do you say, in harmony. And for the AfriNIC meeting, there was a representative from the four other RIR, so everyone was present there, and the proposal of the part of Africa, of the proposal of the CRISP, is being done.

And this meeting was creating a face to face way to congregate the point of the view of the region. Obviously, the point is because I do not see the community discuss the substance, the, if you want, the content. They were speaking more about process, etc. Yes, we didn't discuss the importance. For example, Avri was there and she asked questions. She said, "Do you think that we need one oversight body? Or do we need one oversight body for each function?"

And this question wasn't answered. The community didn't answer it. It seems that the community was not interested by that, which I find [inaudible] because it is one of the main questions that we need to answer. Also, I also asked other questions about conduct, but I didn't

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see a reaction from the community. But AfriNIC is very well prepared for the proposal, and I hope that... By the way, they did a survey for the community for the regional.

For example, do you think that the numbering, the IANA numbering function should be operated, should continue to be operated by ICANN? And the answer was the majority yes. So was very good because this was for the general principle, but for the details, if you want, the practical issues, I didn't see there is an involvement with the community. But I am a little bit comforted, because one of the community members, there are two community members [inaudible] from Africa, one of them is from Africa, [inaudible], and then through him have a very good input to this. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this update Tijani. Next, if he is ready, and I hope you can speak, Seun Ojedeji.

TERRI AGNEW: And at this time, Suen does not have audio, but we are working with him on it.

OLIVIER CRÉPIN-LEBLOND: Okay thank you for this Kathy. We'll come back to Suen then later. Was that Kathy or was that Terri? I'm sorry.



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TERRI AGNEW: This is Terri, thank you.

OLIVIER CRÉPIN-LEBLOND: That Was Terri, okay. Thank you. I just gone here... Okay, let's then move on. Are there any other updates on the other operational community. But my feedback on what Tijani has just told us here is that it's good to see that things are progressing. I have followed the discussions on the mailing list. The Internet engineering taskforce has also got a call for comments.

There is a last call for comments on the IETF transition proposal, and that is currently linked to our agenda as well. It would be good for us to read through it, of course not on this call but in your own time, read through the proposals. Again, not something that is completely breaking with what we have today.

The concerns I have heard so far from some feedback is that it perhaps doesn't go deep enough into the legal aspects of things. It's a proposal that resorts to pointing at the various RFPs, request for comment, which are the Internet standards documents that the IETF produces. And is, as I said, pretty straightforward document. And we have until, the community has until the middle of the month to respond and to comment on it for the amendment, suggesting the amendments to it.

And of course, it's an open process, so you are all able, as individuals, to make comments on this, and you're obviously not only welcome, but encouraged to do so. Alberto Soto, you have the floor.

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ALBERTO SOTO: This is Alberto Soto speaking. Thank you Olivier. I have posted on the chat, three links. One is for LACNIC, there was a document already discussed here, very briefly, but there you can find the complete document. In the AfriNIC link, you have the video of files for the meeting, and then the document of the IETF, which is open for public comment right now. That's all the information I have to share with you, thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much Alberto, and thanks for these links. I don't know whether these are on our documents page. As you know, on the homepage, we have links to various locations. If I could ask staff to please take note of these and make sure that they are added to our references page, that would be very helpful. Eduardo Diaz, you have the floor.

EDUARDO DIAZ: Thank you Chair. This is a question for Alberto. Alberto, is there any way that you can provide us a little summary of what is happening in LACNIC, with respect to this transition? I don't know if you have time to read the document that is in this link, and maybe provide us a new perspective, if you've read it. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks Eduardo. Alberto?

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ALBERTO SOTO: This is Alberto Soto speaking. Can you hear me?

OLIVIER CRÉPIN-LEBLOND: Yes we can, please go ahead.

ALBERTO SOTO: This is Alberto Soto speaking. Sorry, it was muted. Well, in LACNIC, in the meeting in Chile, the document was discussed and it was to continue. In fact, there are no problems with ICANN and the activities that are being carried out. So there were thinking about continuing in the same way. However, in the second day of the meeting in Chile, there was a creation of a [monk], which is a committee composed of multistakeholders to control or supervise the different activities.

Of course, these activities should have no modification in the operational point, or part, however this committee would be in charge of controlling the activities, and transparency would be given by the composition of these committee, which is composed by different multistakeholders. I don't know, or it is not clearly stated, what the different stakeholders are, because the document mentions different multistakeholders, but no members are mentioned.

And I have read many documents so far, and I don't remember very clearly, but I remember that in one document, it read that multistakeholders would be determined timely. So this gives or leaves the questions open. However, LACNIC will continue, within ICANN, with

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a body, we should be... And I don't know if it's going to be an internal or external oversight body.

I believe that there was another RIR, which has defined this, and it was APNIC or AfrinIC, and this document was taken by APNIC and modified accordingly. That is all I have to say so far. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this Alberto. It's Olivier speaking. Can you just please repeat what this multistakeholder would be doing? I wasn't quite sure I understood what this purpose was supposed to be.

ALBERTO SOTO: Alberto Soto speaking. This is the situation. In principle, everything was going to continue with the status quo, I mean in terms of LACNIC's proposal, but then accountability was raised as a topic. So the idea was that, that multistakeholder committee would be in charge of supervising accountability.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this Alberto, very interesting indeed, and obviously, that brings forth the question as to whether there would be separate accountability for the members, and then for the names, or is this a multistakeholder committee would be the same thing. But that's a question we'll have to deal with in the future.

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Are there any other comments on this? Alan Greenberg, you have the floor.

ALAN GREENBERG: Yeah, thank you Olivier. It's Alan speaking. I really don't think there is any question about that. Clearly, the RIRs in the IETF are planning to do their own oversight. So, you know, they're not looking to create some large infrastructure to do that work for them. They set the policy, and they're in a position to judge whether it is being done or not. So I'm really not sure why there is a question.

OLIVIER CRÉPIN-LEBLOND: Thanks for this Alan. It's Olivier speaking. Well, there would be a question, of course, with regards to At-Large, the multiplication of oversight bodies [inaudible], that this community has. Then again, we might be involved with all of these oversight bodies in a separate way. So it might be a non-issue too. Tijani Ben Jemaa, you're next, and then let's close this queue and move on to the next item afterwards. I think we've had plenty of updates. Tijani?

TIJANI BEN JEMAA: Thank you Olivier. Tijani speaking. Alan, I am not as sure as you are that there will be three oversight bodies. I really don't have any clear trend for that. Now we have only the NTIA oversight for the three IANA functions, and the question is now, is that will we have something

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similar, something that is one single body for the oversight but which deals with the three functions?

This is something that can be done which is not impossible. We can have a compilation of three concept of oversight for the three functions. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you Tijani. Alan Greenberg.

ALAN GREENBERG: Thank you. It's Alan speaking. I wasn't saying that we cannot do it, or could not be possible, I'm saying, as I'm reading the tea leaves as it were, I don't think that's going to come out. Right now there is indeed more oversight than just the NTIA, the RIRs, and the IETF obviously, if something were to go wrong and IANA would not be maintaining their parameters and their numbers properly they would get into the act very quickly.

So I believe they are an implicit oversight body right now, and certainly, one could structure the oversight anyway one wanted to, but I can't see them getting out of the business of making sure that their policies are being followed. So whether there is another body on top of that is perhaps a different issue.

So I wasn't commenting on viability, I was commenting on likelihood of how this would play out. Thank you.

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OLIVIER CRÉPIN-LEBLOND: Thank you for this Alan. And I have been notified now that Seun Ojedeji is on the call and is able to provide us with an update on the AfrinIC that took place in Mauritius, adding to the points that Tijani Ben Jemaa has provided us. Seun, are you here?

TERRI AGNEW: And they just said that he just dropped again, so they'll try him once again.

OLIVIER CRÉPIN-LEBLOND: Okay, well sometimes things like that happen. Thank you very much for this. Let's then move on, if we have some time, we will be coming back to Seun Ojedeji afterwards. Thanks for all of these updates. We've already had, as you heard, an interesting discussion on this issue of oversight, and we're now moving to the follow-up to the IANA community working group work, which as you know, if you have been following the discussions on the community working group mailing list, has turned now into quite some discussion with points that have been made, etc.

They are three things first I wanted to check with the participants on this call. First, the review of the flow chart agenda. As you know, as you can see, there is a link in your agenda that goes over to a flow chart, that flow chart has somehow changed a little bit. Apparently it will be included in the final proposal as one of the appendixes. But the

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characteristics of the entities that you see on page one have changed a little bit.

If you look at the current, the ones that are given here, the IANA contracting entity at the bottom of page one is providing the issuance of RFPs, and reviews of [inaudible], etc. Some of these functions appear to have now been moved over, a couple of notches up to the IANA periodic review team, that has now been renamed the multistakeholder review team, thus dropping the periodic name, which implies that it would be a standing body, not just a periodic, an ad-hoc body, and it will have a lot more work than just doing the periodic reviews.

It will also be issuing RFPs, etc. A lot of this is still unknown, and this appears to be some of the concerns that we have voiced. We as in many of us who are members and participants in the community working group. And there certainly has been some pushback in a number of directions.

Does anybody wish us to review those periodic review team contracting entity, or reviewing the first draft of those documents? I think that all of this, we've already done during our last call, and hence I would suggest, perhaps, that we move to the important questions. This really is part of the At-Large working group in finding a common position that we can all pursue, or maybe if we don't have a common position, find out why or what our various positions are in our working group.

The first question was the NTIA backstop function. Should it be retained? And that was a concern from some in the community working



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group. The backstop function is effectively the last resort to block something wrong that could happen in the rooms, an update or something, that would effectively would be blocked at the very last moment.

And at the moment, it appears that the current proposals don't provide for any such ability. Correct me if I'm wrong, I don't know if there are members of the working group are here. I note Alan Greenberg has put his hand up. Alan, you have the floor.

ALAN GREENBERG:

Thank you very much Olivier. It's Alan speaking. I don't, I'm not sure what the stance is. We certainly discussed it a fair amount. The back stuff is not only the last chance of refusing to do a change, it's also periodic, regular and periodic reviews of the reports that come out of IANA, monitoring that service levels performed. It's the whole set of things which presumably are also done by other parties, but are done by the NTIA also.

I guess I can't see going forward, making it go away. I can see continued to do it, having someone continue to do it, and then deciding it's moot after deciding some amount of time, when we, it clearly isn't showing up any problems or anything like that. But I would find it somewhat inappropriate to simply make it go away, when we really don't have a feel for what it is.

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Now, a long and detailed discussion with the people in NTIA who do the work, can change that position, but to my knowledge, we haven't even attempted to do that. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this Alan. Just you mentioned earlier, the reviewing part, will that be undertaken by the multistakeholder review team?

ALAN GREENBERG: I don't know. The multistakeholder review team, we're still told, is only going to meet periodically once a year or as necessary, certainly not on a month by month basis, and at this point, we have not talked about any staff associated with that, to do regular day to day work.

OLIVIER CRÉPIN-LEBLOND: Thank you for this Alan. Olivier speaking. And so maybe we would need to put together and agree with each other, what we would recommend, whether this periodic review team would be periodic, meeting once a year or so, or will it have to be a standing committee that meets monthly? Maybe that's the right time...

ALAN GREENBERG: Yeah, just for clarity Olivier. The current rules, I think multistakeholder, the periodic has now been dropped, and it is presumed that perhaps that it is a standing committee, but it's not a lot of meet unless there is

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anything to involve this. There is this huge fear of scope creep that's worse than the fear of gaming, so we just replace one fear with others it seems.

OLIVIER CRÉPIN-LEBLOND: Thank you for this Alan. Eduardo Diaz, you have the floor.

EDUARDO DIAZ: Thank you Mr. Chair. You know, this MRT group, you know, even if it's going to do all of the things here, there is no, you know... I have a concern that its committee is going to be outside of ICANN, and it's not going to be within ICANN. And if that's the case, say that group is outside of ICANN and groups, people from ICANN are already here, you know, we're going to create...

My opinion is that we are going to create a parallel ICANN-like organization. And that organization is an oversight, because even if it's a multistakeholder group, they can go rouge. They can do things that... Because really, what you do is you send people to this, you select people to go to these meetings, I mean to this group, and do whatever they have to do, but that doesn't mean that they can do as bad as other groups, you know, like I hear and read about the ICANN Board being, you know, doing something [inaudible].

So going back to my first concern, where is this group going to reside? It's important. Thank you.

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OLIVIER CRÉPIN-LEBLOND: Thank you for this Eduardo. Next is Tijani Ben Jemaa.

TIJANI BEN JEMAA: Thank you Olivier. Tijani speaking. I think that, as far as the review team, we have to work out removing the periodic word, and if we don't manage, we try to make it very, very short. Because I agree with what Alan wrote on the document. And I do think that this happens to be produced, that it has to be standing. But if we fail to change it in this way, we have to [inaudible] or to work, so that the period is very short.

About what Eduardo just said, I forgot. I will come back, sorry.

OLIVIER CRÉPIN-LEBLOND: Thank you Tijani. Olivier speaking. When you mention, "Make the reviews very short," do you mean make the interval between reviews very short?

TIJANI BEN JEMAA: Periodic, so make the period of periodic very short. That means...

OLIVIER CRÉPIN-LEBLOND: The period between reviews.

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TIJANI BEN JEMAA:                   Between reviews. There is not a review of nothing we do, we can say nothing to do, but we will ensure that we can address any problem that happens between two reviews. That's it.

OLIVIER CRÉPIN-LEBLOND:       Thank you Tijani, Olivier speaking. And on the first question of Eduardo, he asked whether this review team or multistakeholder review team, which is the new name for the periodic review team, where is this going to reside? Inside or outside of ICANN?

TIJANI BEN JEMAA:                   Yes, this is... So, I come back to the document of Alan. I agree with the conclusion he has, but I don't necessarily agree with the rationale. I don't think that all of our work should be built on having the agreement of the US government. Yes it will be important, but if we make a transition that is not a re-transition, let's fight, [inaudible] problems with the US government, and let's try to make it better. But the conclusion, I am not arguing about the result of the [inaudible] analysis, but I say that we don't have to base our analysis on this algorithm. Thank you.

OLIVIER CRÉPIN-LEBLOND:       Thank you Tijani. Next is Alan Greenberg.

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ALAN GREENBERG:

Thank you. I'm not quite sure I understood that, where the US government comes into the MRT, or what was the PRT. But with regard to that, the emails are changing the position, sort of, as we speak. The current version seems to say it would largely be the ICANN community, but not structure, plus others because there are some parts of the multistakeholder group that we're looking at right now that are not within ICANN.

But it would not be within ICANN. So, somehow some other body convenes a group of, composed largely of ICANN's stakeholders and others, it's not at all clear who does the convening. And, you know, certainly one of my concerns is, when we talk about it has to be a robust multistakeholder model, the convener often makes choices about who gets invited. And we've seen that users have not gotten invited at various times over the years, and therefore the multistakeholder model from our perspective is not representative.

From other groups, it is representative. The GNSO is a multistakeholder body without [inaudible] for more representation of users. So who convenes, it matters an awful lot. With regard to the periodicity, I think if we suggested that it must meet monthly, whether there is any work to do, you would find that being fought tooth and nail by some people who believe that if it can get together, and doesn't have a fixed, specific work to be done, it will invent new things to do and they don't want that.

So that was the reason that it was periodic, that it doesn't even exist when there is no work to be done. I think people are now willing to

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accept that work may come up on short notice, but therefore it shouldn't be doing anything unless one of their particular assigned tasks is there. So the world is changing minute by minute at this point. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you Alan. It's Olivier speaking. Just on the composition of this multistakeholder review team, I did some point about perhaps the same composition as the community working group, which is effectively is primarily the different parts of ICANN, but also some outside people that are not from ICANN? Is this also what you saw?

ALAN GREENBERG: Well certainly that's, you know, that is being suggested, but even, you know, the community working group right now, for instance, only had a certain number of people from the GNSO, and therefore some constituencies felt as former members, they were left out. If it's not clear that a body like this, which is going to be sending explicit instructions to the corporate entity that does the contracting, is going to be an open ended group.

You're almost surely going to have to have what we're now calling members, as voting members, to make formal decisions. So the composition of that group is certainly going to be critical. And you know, to say that it's the CWG I think is problematic. The world changes, and a year from now there may be some other group that

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should be a stakeholder in this body, that today we're not considering important.

OLIVIER CRÉPIN-LEBLOND: Thank you for this Alan. And is aw for different parts of your call, what you said, Seun Ojedeji agreeing with one of the points, and also Gordon Chillcott. Gordon, you've just put your hand down, I'm not quite sure whether that was premature? Gordon, you have the floor.

GORDON CHILLCOTT: Thank you Olivier. Gordon Chillcott for the record. The reason why I put my hand up at the beginning, it was covered by Alan, but very briefly, our concern here was that the specifications for this review team are pretty fluid apparently. They were definitely cloudy before. And one of the questions that we had going into this, as when we looked at the flow chart, is exactly who negotiates drafts, the contract?

Apparently the review team was drafting the contract. Who reviews that? We were beginning to get a little concerned about the question of who is the barber here. And that leads to some other concerns about the creditability that such a team would have on the wider world. That was bothering us a great deal when we finished our own deliberations last night. Thanks Olivier.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this Gordon. Very helpful indeed. Next is Eduardo Diaz.

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EDUARDO DIAZ:

Thank you. This is Eduardo. I just wanted to mention that something Alan said about [inaudible] and [inaudible]... Maybe it should be called an ad-hoc meeting, an ad-hoc group. I mean, if it convenes when things need to be done, and if one of the things need to be done is another fear or an audit of the process of IANA, then so be it.

I think from [inaudible]... The one that is, it's, people are having trouble with. And the other thing is, that I read somewhere, and it was on the email, that NTIA, when he came out with people to do proposals for the transition, there were four things that they said that they must have. And one of the items that had been mentioned is that the group that, transition too has to be a multistakeholder group.

And people, you know, I think people are inferring that as independent members of ICANN multistakeholder group. And no worry says something like that, but that's my impression that people think that, it has to be outside, it has to be independent. And I don't see a problem having to move the stakeholder group within a new multistakeholder cooperation like ICANN doing the MRT functions. If [inaudible], I mean, we already are a global multistakeholder group, and in fact, you know, ICANN is quoted as one of the multistakeholder groups that is implemented multistakeholder idea and work as such. Thank you.

OLIVIER CRÉPIN-LEBLOND:

Thank you Eduardo. Next is Seun Ojedeji.

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SEUN OJEDEJI:

This is Seun Ojedeji. Thank you very much Olivier. Okay, I missed quite a lot of this discussion, and then just, at this point in time, I think I agree with some of the comments Alan mentioned. For me, at least, IANA [inaudible] of multistakeholder review team, or whatever it is that it is called now, it's [inaudible] NTIA is proposed. So, it's just not enough, and I repeat, it's just not enough to have it proposed to the community in this way, in the current manner it is. It needs to be as detailed as possible.

What is the composition of this review team? If it is multistakeholder, what does multistakeholder mean? Does multistakeholder mean inside people in ICANN, committed to ICANN, committed outside of ICANN? Someone said it was going to be inside and outside. What does that entail? Are others going to be exclusive? What are others [inaudible] going to come from?

These are the things that needs to be detailed. It needs to be, because it looks like, they're all looking like they must be report on ICANN accountability. [Inaudible]... to create a process or a system that will become [inaudible]... How do we get the reviews ahead, how do we assure what would be the deciding factor? Who determines that ICANN [inaudible] contract for instance.

What part of the system, how many votes, why? [Inaudible] some of the things that needs to be determined. It is not enough to just say we are putting this to the review team, that we have not even [inaudible].

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This is a process that we should not take lightly. And I think that if we are actually going to go by this contracting regime, the first thing that this community, or really At-Large needs to ensure is that we [inaudible] of the IANA [inaudible].

At this moment, the contracting entity will not be even a very important [inaudible]... the information [inaudible]. We need to [inaudible]... because that will be the new NTIA. And I don't know how [inaudible] is going to be start, to [inaudible] a process. I'm not sure the existing multistakeholder community within ICANN to actually do something stronger.

I don't know why an external multistakeholder would be more trusted than the already flourishing and the [inaudible] multistakeholder system within ICANN. I'm just making [inaudible]. Having said that, I would suggest we actually also look at other options than we have suggested, some other suggested, the MOU option, we can link to out in the [inaudible]... Because really the [inaudible]... IANA.

If you are able to secure that [inaudible] IANA, ICANN [inaudible] messes up, if you're able to secure that, then every other thing that we're about to negotiate can happen inside. I don't know why we have to complicate it. And I would like to suggest to the Chair, that you please, while we discuss [inaudible], let's actually have enough time to discuss other options.

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Maybe if we are discussing other options, we will see a way out of this, because we need to have other options apart from this [inaudible]. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this Seun, for your intervention. It's Olivier speaking. In your intervention, you asked, I would say, at least a dozen questions there. What I will probably do is to read through the transcript when this call is transcribed, then list those. They will really form the basis of a strong ALAC comment in the public comment period that has just opened.

These are all questions which I have very much resounded me as well, and I think with many others in our community. Next is Tijani Ben Jemaa.

TIJANI BEN JEMAA: Thank you Olivier. Alan, I am fine with any formulation regarding the multistakeholder, the [inaudible] that makes this team meet periodically and any time that it is necessary to meet. Any formulation, I don't mind, but it must be like this. We cannot have a periodic team, because it cannot address problems that will happen between two meetings. Now, coming back to what Seun just said, and what you wrote in your document.

I do agree with this concept of oversight of oversight. It is something important because this will travel and we will capture, except this is

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three emails will agree on the capture, and this is something which is not easy to have. So, I think we don't have to be really afraid of capture because if we are too afraid of that, if we have to set the [inaudible] to avoid it, but we don't have to say every time, it would be captured. We don't know. Perhaps it will be captured.

Yes, everything will be captured if we don't put, if we don't set the real [inaudible] to [inaudible]. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you for this Tijani. Next is Alan Greenberg.

ALAN GREENBERG: Thank you Olivier. A couple of things. First, on the issue of oversight of the MRT, that has been proposed and it has been shut down royally, that nobody believes, nobody of the people who are responding, that there is any need for oversight in a multistakeholder body is implicitly trusted. I have significant problems about that, but we'll see how that one plays out.

Just a very general comment. Yesterday, Greg [inaudible], did a very detailed response to my comments. He is the first person who has actually taken the time to address the issues that I raised, instead of picking out one or two randomly and waving hands and saying I'm overreacting. So, the next step for me anyway, is to go through his responses, and comment on them where appropriate.

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Now, in some cases, the various issues I've raised have been answered. For instance, where there was talk of who funds the MRT, or things like that. And the answer now seems to be, well, it should be funded by whoever gets the IANA contract. So there are answers. They may not be the answers that we particularly like, but there are viable answers in many cases. In other cases, and one of the ones that we're talking about now, for instance, who convenes the multistakeholder model, how do we really believe, why do we really believe it's going to be multistakeholder from our perspective, when we haven't [inaudible] who has responsibility for it?

Is there going to be a secretariat to actually do the day to day work? All of those things still need answers, and I will be putting together a response to my response. So a response to Greg's response to me. So certain my original comments are not necessarily the ones that we need to put in an ALAC comment. Some of them are moot at this point. Some are still relevant. With regard to the comment that we really need to look at other models, other than the contracting model, at this point, unless the public comment shows a massive uprising against the contracting model, that's the only one this group is looking at.

You know, and certainly there has been not a lot of people, other than me, Olivier, and Suen, making comments on the list that we should even consider another model. And to a large extent, we're not going to change the direction of the group at this point. So it is going to have to come from much larger comment if we're going to look at anything else. Thank you.

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OLIVIER CRÉPIN-LEBLOND: Thank you for this Alan. It's Olivier Crépin-Leblond speaking. And I was going to draw your attention to the exchange of emails between [inaudible] and Greg [inaudible] on, specifically on the issue of contract. Did you have any thoughts about this?

ALAN GREENBERG: Sorry, I have not read that threat thoroughly. So I can't comment. Please, if you have read it, what are your comments?

OLIVIER CRÉPIN-LEBLOND: Thank you Alan. It's Olivier speaking. I must say the emails, the length of those emails in that exchange, takes it to another level, and the depth to which both [inaudible] and Greg have gone to, to bring their point forward, has been, I would say, challenging for a non-lawyer. But certainly, the point that [inaudible] was saying, is that there could be another system of MOUs that would not necessarily need to create new entities as such.

Which is, I think, some of the points some of us have been making on the coordinating group. So, on the cross-community working group, but and he took the examples of, I think, the RIRs on the one hand, but specifically of the IETF and the IAD, in signing contracts or signing MOUs with ICANN. The response to having been originally provided by, and I cannot remember who it was, it might have been Avri, or it might have been Greg, or someone said, actually all of these contracts with the

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IETF, and with the RIRs are always undertaken, and under signed by the respective organizations that have a legal standing.

So for the IETF it would have been fined by ISOC. [Inaudible] then went into the beginning of the contract themselves, and look for them, and found that actually there was a chair of the IETF, a then chair of the IETF had signed a contract. And therefore there was no involvement from ISOC directly, and the response from Greg was that, yes, fine, that, so he stands corrected on this, but what he was looking for is, if contracts are signed by a non-legal entity, then contracts cannot be enforced.

Of course, and the response from [inaudible] was, well, but if contracts could not be enforced, what you are looking at, at the moment is just a contract based on performance, not on enforcement. And so the contracting body that you are using here is not one that is going to sue or do anything. Anyway, the discussion I think is now, has now reached this point. Others might have read the exchange more closely, and as I said, I was a bit challenged by the level of the discussion on this one. Seun Ojedeji.

SEUN OJEDEJI:

Yeah, thank you Olivier. I'm also following some of the discussions and I think that is an effective way. I think it is important to also acknowledge the fact that the RIRs, for instance, MOU actually was defined by [inaudible]....



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OLIVIER CRÉPIN-LEBLOND: Seun, it's Olivier. Seun, sorry for interrupting you, but you sound very far away. Would you be able to speak a bit closer to the mic please?

SEUN OJEDEJI: Yeah. How is that?

OLIVIER CRÉPIN-LEBLOND: Yeah, that's better. A bit better.

SEUN OJEDEJI: Better, all right. So, yeah, so I was saying, in the form of legality in the RIR signing of the MOU, which will actually be signed by the [inaudible] or the RIRs, because [inaudible] is not incorporated. The IETF which was basically initially, I mean, [inaudible]... which is somewhat a body of, within the ISOC framework.

However, I think if there is actually a need one would expect that for this ICANN part, I think what may have been more, yeah. But IETF MOU signing were actually done by IOUC, which is actually a kind of registrar which, within the ISOC establishment. But it is, once you look at whether we've actually signing this, an award basis, it was being signed. In fact, the IETF was actually signed by a member of the community, within the IETF.

So, the IETF [inaudible] seems like something that we can actually further review to [inaudible] work in this process. But the major thing is, which I think we [inaudible] are actually figured, within the

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[inaudible] is to actually determine what it is that is different, I mean to protest going forward, what is it that we actually, which can actually go away?

But that was one of the things that we were supposed to do in Frankfurt, but we [inaudible] everything, we started to access and replicate what NTIA currently have relevant, is included in both. So what [inaudible], if you look at this, it seems that just like Alan has said, we perhaps not able to make any progress in trying to change anything in terms of, the thing looking at the MOU option or not.

But perhaps, we can then try to ensure that the details, because my concern is that we have posted these things to the community, the community has not been following these discussions, who is not actually seeing these things. We just make a [inaudible] response to this. And that is actually what we're going to use to claim that all of these things that we see community consensus.

Because until the implementation that [inaudible], realize that we have actually [inaudible] is not practically possible. I would have expected, I would have expected that we actually ensure that the difference of IANA review team, or [inaudible] each community, was included in the proposal that was released for further comment. Since that was not the case, this one we're doing now, are comments we should make sure that these things are mentioned.

Because if we continue to, if we say we want to continue to discuss this particular flow chart, it would be good for us to discuss it knowing the

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[inaudible] on that what would the formation would look like. That is [inaudible] perhaps we'll be able to make sense of all of these things. It's going to [inaudible] in this group.

I for one also would like to see ICANN accountable. I don't think there is anybody on this list that does not want ICANN to be accountable. Because we will need to [inaudible] contribute establishment just because of that. That is the question. Multistakeholder is really an entity or a group that we can say, it has settled volunteers, a [inaudible]...

We are saying that, we are talking about NTIA not being [inaudible] from US government. [Inaudible] an established body that has protect, that we can predict them. Multistakeholder, you can't predict. That is the reality. The more we face the reality in this group, the more we actually come up with something that is definitive. [Inaudible], I don't see how [inaudible] in the ICANN community.

If every one of the things that I was asking I sent to you, to Avri, was other examples of fault, denying something, [inaudible] something, policy implementation. And we have just sent something. There is a form of this narrow solution that I see our difference in the [inaudible].... And again, gTLD for instance, I don't see why people are saying that gTLD, a separation from [inaudible], a separation between the policy and the implementation.

You can't say the same. gTLD is just one form. It doesn't [inaudible]. gTLD is just something that starts at just at the ICANN level. That's the

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gTLD, it doesn't go anywhere else. It's not like gTLD policy development elsewhere. So they are talking about gTLD, [inaudible]... take on whatever process and that is it. [Inaudible]...

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this Seun. I do note that the time is ticking, and we have only 30 minutes left until the end of this call. So thank you for sharing this. There is certainly an enormous amount of material you've given us here. Next is Alan Greenberg.

ALAN GREENBERG: Thanks very much Olivier. I just wanted to make a comment on this issue about MOUs and who can sign them. I think this is all a complete waste of time. All we need to do is look at At-Large itself. We have MOUs signed between ICANN and the RALOs, but who is signing on behalf of the RALOs are the ALSs that were around at the time when the MOU was signed.

So we have a MOU between ICANN and sub-sub constituent bodies of ICANN. It has no meaning whatsoever, it looks good on paper and it was a great photo op. It has no virtually no meaning. And anything that's going to effect the NTIA, the IANA transition from NTIA, to something else, is going to have to be a lot more formal than that. US government and other governments are not going to accept a MOU which has no meaning.

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So I don't think we should spend a lot more time talking about that.  
Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this Alan. Olivier speaking. I see agreement from Gordon Chillcott. And I am aware of the time to try and go through our important questions, and then deal specifically with Alan's message on there, and find if we can see common At-Large positions. I think that there is so much, at the moment, that is being said on the call.

Someone is going to have to go through the transcript and we're going to have to pick out the questions that we want to include in our public consultation comment. I believe the At-Large community and the ALAC will be drafting a comment. I would have to turn to Alan Greenberg as the Chair of the ALAC to find out if that is probably the case.

ALAN GREENBERG: If you're asking will the ALAC draft the public comment, was that what you were saying?

OLIVIER CRÉPIN-LEBLOND: Yes Alan.

ALAN GREENBERG: I think it is a given that we will say something. I think that it is a given that this group will be a major participant of it. And I suspect that I have

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written the most detailed critiqued to date, whatever is left of that critique is likely to be a part of it, although there are certainly other things that have been raised since then that have to be incorporated. So I think yes, it's going to be, the ALAC will be doing something, I suspect I and you as the, and Seun, as the most prolific writers to date will probably have a part in it.

If you've asked, has the ALAC formally taking in any decision at this point, certainly few would have known if we had.

OLIVIER CRÉPIN-LEBLOND: Thank you for this Alan. It's Olivier speaking. Shortly I will be going through a list of forthcoming webinars and things that will involve the At-Large community, the wider At-Large community, the proposals into our consultation period. Let's, going back to our important questions, an easy one here, or seemingly easy question, regarding the contracting function. Does the working group here support a term, a limited term, of three years, five years, eight years, 10 years?

I have heard from many, maybe a contract duration between three and five years. I don't know whether there is any dissent or anyone believes that this is a wrong type of, the wrong length. Three to five years? I see agreement from Alan Greenberg and from Gordon Chillcott on the chat. Don't see anyone else respond to this.

I would assume that silence here, and agreement from Jimmy Schultz as well, and Alberto Soto, and Eduardo Diaz. Okay. So there is general agreement in the group. Contract length three years. Then we have,

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whether there should be, this is one of the big questions, should there be an open transparent contest involving an RFP every time? So RFP. Is the request for proposal.

So at the end of the contract, should the contract be renewed by default or should there be an RFP on every single occasion? Points have been made on the community working group that there should be a RFP every time, so that puts the pressure on the contracted, the contractor to do its job correctly, and to not do things wrong. And some points have been made, of course, by saying, well, the launching of a RFP is such a resource intensive exercise, it would be a waste of resources, and it would certainly not make the IANA contract an entity, nor the IANA multistakeholder review team, like structures as they were originally targeted to be, if they were going to have RFPs on every single occasion.

It is worth noting that, as we just spoke a moment ago, the current NTIA does not go through a RFP on every occasion, the contract has to be renewed. It is only on some occasions that it has done so. So, Alan Greenberg, you have the floor.

ALAN GREENBERG:

Thank you. I think it would be insane if we went through a full RFP each time. You know, it would even become an automatic process which we're not really paying any attention to, or would be an extremely large drain on those resources. You know, the lack of trust of those who say we must do that every time, if indeed the multistakeholder body or the CFC, or some other magic entity in the sky, is monitoring performance,

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and it's doing well, and no one has any real need, why on earth would we want to change and have a disruption? Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this Alan. Olivier speaking. I see agreement, the same point being made by Eduardo, and agreement from Cheryl as well, and Jimmy Schulz. Eduardo, you also had your hand up, you have the floor.

EDUARDO DIAZ: Thank you. I just wanted to reiterate what Alan said. I mean, if anything is working fine, everyone is happy, why do we need to get a RFP every five years? Maybe every five years a multistakeholder group gets together and evaluates the whole operation and do a public comment like that. And then it's decided if a RFP is needed or not, but you know, doing this as a matter of statement like this is going to happen every five years, is not, I agree with Alan that it's a waste of resources.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this Eduardo. And I note that in the chat Glenn McKnight mentioning a renewable contract based upon performance indicators. If benchmarks are met, then automatic renewals, and five years is a good number. And Gordon Chillcott also agrees with Glenn on this.



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Let's go to the next question in there, and the question is, a link with the accountability process, how do we want this accountability process to be linked with the current NTIA stewardship transition? There is a proposal, which has actually made also to the public comment, which is important. And the proposal is as follows, the transition must not take place until A) the requisite accountability mechanisms has been identified by the community working group on enhancing ICANN accountability; B) mechanisms that the community determines are necessary pre-transition, have been put in place and; C) agreement that other [inaudible] are in place to ensure timely implementation of mechanisms that the accountability cross-community working group decides maybe implemented post-transition.

So do we actually support this? It's a very serious statement here. It's a serious part, because as you know, the accountability process is pretty much delayed at the moment and very late on schedule, and so it's going to introduce a lot of pressure on the accountability working group to do its work fast. Alan Greenberg, you're first, and then Suen Ojedeji. Alan, you have the floor.

ALAN GREENBERG:

Thank you Olivier. With the exception of the external appeals process, which is really a piece of cake because there are many models which we can build that, I ask a question, and I've got only one answer from one person so far, but the general community has ignored the question. If ICANN is doing the job well right now, under the current contract, and

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all we are going to do is change the contractor, who is signing the contract, what additional accountability do we need?

As has been pointed out a multitude times, the real sword hanging over ICANN to ensure that it does a good job, is the threat of the contract going away. We have that threat now, we will have that threat in the future. What other accountability needs to be put in place to make sure it continues to work as well as it is now, which from all people's perspectives seems to be, it's working really well.

I think the track one of accountability, if this proposal goes forward, is a piece of cake. I don't see much onerous of having to implement something first, because I don't know quite what it is we need to implement to make it work, when it's already working. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much Alan. Olivier speaking. I see agreement from Cheryl Langdon-Orr on the chat, and there is also agreement from Seun Ojedeji. That's going to be an interesting thought, since I've heard from many in the community working group and elsewhere, that quite the contrary, ICANN is so unaccountable, there is going to be a heck of a lot of work that needs to be done by the accountability track. [CROSSTALK]

ALAN GREENBERG: ...make a comment. There has been a lot of comment that ICANN's policy making is unaccountable, but that's not within our scope. It's accountable to make sure that it does the IANA contract. And the

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charter of the accountability track is very much not accountability of this super structure, it's the accountability of ICANN with regard to IANA.

OLIVIER CRÉPIN-LEBLOND: Thank you for this Alan. Suen Ojedeji.

SEUN OJEDEJI: Yeah. Thank you Olivier. Just again recall that, that was exactly with regards to say. I think, once this flow chart kind of gets [inaudible] consensus that [inaudible], if we managed to get that, and to me that it shouldn't be insistent on ICANN gets a [inaudible] fixed, or gets anything that we think it has to send [inaudible] operates IANA or not. If we just making sure that the actual [inaudible] in this proposal that is, that is going to be renewed.

So generally, shouldn't be worried, shouldn't be concerned about this other process, which is ICANN accountability again, because it is just [inaudible] ICANN accountability. It [inaudible] actually be insistent on ICANN accountability because we feel that we have actually now produced a system, or a structure that actually makes ICANN to be accountable. So that [inaudible]... be insistent on the accountability part of ICANN. The proposal [inaudible]...does a very good job [inaudible]... That, thanks.

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OLIVIER CRÉPIN-LEBLOND: Thank you for this Seun. It's Olivier speaking. So, let me go back to the question then and ask, do we support that the transition should not take place until the accountability mechanisms are complete? If we say yes, then we put a green tick, if we don't support that, then we put a red cross next to our name.

Yes of course, it's not a poll, we are just, we're just taking the temperature of the room. I'm not going to read the names on the record, but I see a majority of green ticks, I see one red cross at the moment. That is all green ticks. Tijani Ben Jemaa, you have the floor.

TIJANI BEN JEMAA: Thank you Olivier. Your question, I cannot answer your question because I don't know which kind of oversight, [inaudible] of oversight will be done. As Alan said, if it is only changing the contractor, it will be something. But if it could be something different, how can I say yes we can go without accountability?

We have to be very careful because without accountability, and if we are not sure of what will be the replacement, I think we are going [inaudible]. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much Tijani, it's Olivier speaking. I repeat again, looking at our agenda, and I've just asked staff to change from the flow chart back to the agenda, it's in our agenda. It's just a statement. The transition must not take place until requisite accountability mechanisms

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have been identified, mechanisms that the community determines are necessary pre-transition has been put in place, and agreements and other [guarantees] are in place to ensure timely implantation of the mechanism of the accountability, that the accountability, CCWG decides may be implemented post-transition.

It's a way to leverage the accountability working group work with the IANA stewardship transition deadline that we have. Eduardo Diaz and then Alan Greenberg, you have the floor.

EDUARDO DIAZ: That was an old hand, sorry.

OLIVIER CRÉPIN-LEBLOND: Okay. Thank you Eduardo. Alan Greenberg.

ALAN GREENBERG: Thank you. Alan speaking. The statement saying, "Accountability must be in place before the transition," really says, at least in mind, that the transition should not happen until we have some reasonable confidence that the IANA function will continue to work well. How can we argue with that? How can we say, "Nah, let's just do a transition and then if it fails, you know, if it doesn't work very well, we'll worry about it later."?

I think it's a given that if we find some accountability measures that will be necessary prior to transition, yes we have to put them in place. You know, for instance, if the proposal that I was championing had any

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traction, which it doesn't, and we said that we would give the contract to IANA, to ICANN permanently, but we need to make sure we can control ICANN, that is the multistakeholders are in control not on the Board, then quite clearly we would be foolish to do that transition without fixing those accountability issues first.

So, I cannot see any logic which would say, do the transition and then fix accountability issues afterwards.

OLIVIER CRÉPIN-LEBLOND: Okay. Thanks very much Alan, Olivier speaking. So that's pretty clear, thank you for this, and I see a majority of agreement here. I also note in the queue Jimmy Schulz.

Jimmy, you might be muted.

TERRI AGNEW: I'll check his line.

OLIVIER CRÉPIN-LEBLOND: Thank you. And I can't understand Jimmy's point either, a moment please, I believe. Okay. As he is frantically looking for his microphone and trying to check if the computer works. Let's have Suen Ojedeji in the meantime. Suen, you have the floor.

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SUEN OJEDEJI: Thank you Olivier. I just want to declare your question again. If, right now the accountability thing is obviously [inaudible] just like it was said. So are we going to... I don't... Because to me, it looks like the contracted thing that we're bringing up actually, expected to have accountability. It's better to have the establishment by which ICANN would be accountable too. So I don't see why we should also put in a requirement of how ICANN accountability again, since it's very clear that we already proposing something that ICANN should be accountable to.

So, if, I would have thought, if a requirement, if we are required that ICANN accountability be fixed, in order to mean that [inaudible] contracting. What we are talking about is creating all of these new structures that is actually [inaudible] ICANN, etc. etc. If we are talking about creating new structures, it means that we have indirectly figured out that new structure will be the one that is doing the accountability process.

As well, we should put accountability requirement in this process [inaudible], otherwise we'll just be using, we'll just be creating two processes that is actually doing the same thing indirectly. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you for this Suen. And now we have Jimmy Schulz, if he is able to speak. Jimmy?

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And unfortunately, there seems to be a technical problem. I can't hear Jimmy Schulz at the moment. Don't know whether you're using the Adobe Connect or on the phone, it doesn't seem to work.

KATHY SCHNITT: This is Kathy. He is only on the Adobe Connect. I will see if we can dial out to him.

OLIVIER CRÉPIN-LEBLOND: Okay, thank you very much. Next is Alberto Soto.

Waiting. Alberto Soto, do we have Alberto Soto on the line?

ALBERTO SOTO: This is Alberto Soto. Can you hear me?

OLIVIER CRÉPIN-LEBLOND: Now we can hear you. Go ahead.

ALBERTO SOTO: My apologies. This is Alberto Soto speaking, I just dropped and I had to dial back into the call. So we are speaking about accountability, and somebody spoke about the functions of this review team or whatever it's called.



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So, let me give an example. RIRs would sign a memorandum of agreement with ICANN, and would continue performing their current contracting functions with the IANA. And policy development will still be within the remit of ICANN. The IETF, creates policies, and they are adopted by means of the RFP. So this review team, what is this review team doing to review?

In my mind, it would review, or it should review, only the operational aspects. The policy aspects should continue as if right now, because I believe that the, that is part of the basic principles of this transition. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you for this Alberto. It's Olivier speaking. So we'll capture this as well. This, I think, is a point we might wish to also put in our comment, in the public comment. I see Jimmy Schultz now.

JIMMY SCHULTZ: I hope now you can hear me?

OLIVIER CRÉPIN-LEBLOND: We can hear you Jimmy.

JIMMY SCHULTZ: Great, fantastic. Well, you might have wondered because why I voted against waiting for that accountability process to be finalized, until we go on with the transition. I think, we should not just only have a view

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on the internal ICANN issues, and if we are ready to go for it, but we also should have a view on the political issues.

And as you all know, the US will have an election for a new president in 2016. And if we wait too long, there might be danger of us missing the opportunity to have a successful transition at all, because well, who knows who is going to be president after Obama? And I don't really think that there is another chance if we miss that time slot.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this Jimmy. Thank you. Are there any other comments [inaudible]?

ALAN GREENBERG: We seem to have an echo. Jimmy, I think you need to mute yourself. What Jimmy says is true, but that doesn't change the constraint. The US government, as friendly as it is, is not going to do a transition until there is a reasonably high degree of certainty that it's going to work. So, all that means is we better do our work awful quick.

OLIVIER CRÉPIN-LEBLOND: Okay. Thanks for this Alan. Tijani Ben Jemaa next.

TIJANI BEN JEMAA: Thank you Olivier. I will continue on what Alan said, and I say that yes we need this transition and we can perhaps have an opportunity to have it, but we don't have to be in a hurry so that we make a transition

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that will not work, or that will be captured later on. So I do prefer that we don't play with the dates, with the hard stop that we have. And have in the contract, conducted for a new term, and then have a better transition, then have a transition that will make the situation worse.

So, I don't think, and another thing, another point. I don't think that any kind of government, or president in the United States, will change the situation. Will stop needing to make the transition. It is a policy issue. It is a political issue, and they know very well that this is an advantage of the US, it is not in the advantage of the others. Thank you.

OLIVIER CRÉPIN-LEBLOND:

Thank you very much for this Tijani. It's Olivier Crépin-Leblond speaking. I can share with you that, this very question of timelines and so on is something I raised with Larry Strickland whilst meeting in Istanbul, at the IGF in Istanbul. And his response was pretty clear, saying look, let us deal with the Senate, Congress, Republican, Democrat, and US politics and so on, you deal with the stewardship transition.

Try your best to stick with the deadlines, and if you don't stick to the deadlines, then we'll have less matters to deal with that. The aim at sticking to the deadlines, and don't worry about the rest. So that's really the point for the time being, and I think that obviously there would be a delay, or there might be a delay from the accountability side of things. But these are issues I think which we can't predict at the moment.

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I take it from the general response here that the majority of the people said that the transition should not take place until accountability is fixed, or at least worked out, the points which are made in the agenda. I have concerns, we are at the top of the hour already. Times flies when you're having fun.

I have our staff, if it is possible to ask the interpreters to remain another 10 minutes on the call? I haven't had a response yet. Heidi, do we have feedback on this, or anyone?

KATHY SCHNITT:

I'm ready for them to confirm Olivier. This is Kathy.

OLIVIER CRÉPIN-LEBLOND:

Okay thank you very much Kathy. It's Olivier speaking. In the meantime, I shall continue then with the next part of our agenda, this is just a small part. We've answered the easy questions here. I wanted to give a couple of minutes to Alan Greenberg perhaps to ask the community, or at least the working group for feedback on his draft proposal and his alternative option.

I know that Alan feels quite strongly that there doesn't appear to be any work, any, positive feedback on his proposal, but as I mentioned, a bit earlier, [inaudible] has certainly given some weight to at least not having this contracted entity. And the concern that we currently have about this external contracting entity that is a shell organization, so a not for profit organization is still very murky.

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And I certainly have not had any answers to this question so far, and I would personally say I would be against any such organization being created, or any plan making use of such an organization until we obtain full clarity on this. And the ALAC statement should be having some information on this. I see Alberto Soto and then Tijani Ben Jemaa. Alberto Soto?

ALBERTO SOTO:

This is Alberto Soto speaking. I wanted to say something related to the prior comment, regarding the deadlines clearly, we need to try to meet the deadlines, and we need to try to need the NTIA requirement so that the NTIA accepts the transition. If we fail to meet the deadlines, maybe we have to aim at meeting all of these requirements, because if the NTIA rejects the proposal, we don't know what will happen in the future.

So after that, we will need a much longer timeframe until we have a new opportunity. I guess we will have a new opportunity. Thank you.

OLIVIER CRÉPIN-LEBLOND:

Thank you very much for this. Next is Tijani Ben Jemaa.

TIJANI BEN JEMAA:

Thank you Olivier. Tijani speaking. As for the document that was sent by Alan, I read it carefully and I am commenting on it point by point. And I thought that today we will walk through it, and perhaps answer each point, but if it's not like this, I will send my email, my comments on

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it. And I find it very well Alan, it is very [inaudible]. There are some points in which I am not in agreement with you, but for the final conclusion, if you want, I do agree with you.

Coming to this point of deadline, and requirement of the NTIA, as I said before, yes, it is good if you can meet the deadline, and you can meet the conditions made by the NTIA. Assuming that will have a transition that is good, that we feel is good for the Internet, for the Internet governance in the future, and for the whole work of the ICANN. But if we don't manage to have a transition, according to the condition of the NTIA, or according to the date, we, I prefer not to make a proposal that is not successful, even if it meets those conditions.

For me, we try to meet all the condition of the NTIA, but if we have to say no for one of them, we have to say it. If it is a condition to have the transition. The same thing for the transition date. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you for this Tijani. Olivier speaking. And I just remind everyone that again, Larry Strickland also did say, very openly, that they will be the judge of the proposals, and they reserve to be able to throw the proposals back to the communities that have prepared them and tell them, "Sorry, try again." Alan Greenberg.

ALAN GREENBERG: Thank you very much Olivier. It's Alan speaking. I can tell you what I would expect us to do regarding the comment period. The comment

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period is open only until the 22<sup>nd</sup> of December, that's not very far from now. More important, we are putting forward a proposal which is different, and very different, from what the community group is putting forward right now. Therefore, if we want other people to be able to comment on it, we need to get it out there really soon.

So we don't have a lot of time to wordsmith our thing and get it intended in the last day, if we want other people to be able to see it, and perhaps agree with it. At this point, it is very clear the community working group is not going to come up with anything other than a minor variation of what it's talking about right now.

So I think our statement must identify the points that we have concern with, because it may well be that this is the proposal that goes forward, and even conceivably accepted by the NTIA, I have my doubts, but I don't control them obviously. So we need to identify the parts that are still of concern. And as I pointed out, some of the issues I raised and the message I sent out last week, have been addressed, and I think they've been addressed, you know, well enough that we can't say they're unanswered questions anymore.

Some of them have been addressed in ways that I personally do not agree with, and I think that maybe others that are in the same position. So I think that we need to identify the concerns we still have with the proposal, and we need to present what we believe is a viable alternative, and we need to do that moderately quickly. We don't have a lot of time to do this. So that's how I would like to see this going forward.

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I'm going to be sending out a note to that effect to the ALAC, and to this group later on today, and certainly if anyone disagrees with that is the way going forward, then we need to get that out in the open quickly and make some decisions. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you for this Alan. It's Olivier speaking. And moving forward, could I ask you to perhaps also outline the parts which you believe have now been answered. So the parts of your email which you believed have been answered... Concerns that have been answered. We've had many different points made during the call as well, on concerns that don't appear to have been so far.

I would suggest that these are included in our statements as well, and that will be possible through reviewing the transcript of this session here. And then of course, we've got a public comment workspace, which has been open by Ariel, and we have the link to it on the 21 day public consultation subheading, At-Large cross-community working group on mailing issues, function, draft transition proposal work state for any work to be done please that have that copied over to that workspace as we build the space.

Are you okay with that Alan?

ALAN GREENBERG: Yes, I'm certainly okay with that. In terms of identifying the parts that are still unanswered, or parts that are answered, I will be doing that.



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I'm not sure I'm going to have that done in time to send out the initial message, because I want to get the initial one out quickly. But hopefully, by the end of the day, I will have attempted to identify what the still outstanding issues are, and will be communicating it to the various people.

By the way, curiously enough, the public comment has been announced, but it's not listed as a public comment right now. So I'm not sure if that's just homework that the web maintenance people haven't done yet, but it's rather confusing.

OLIVIER CRÉPIN-LEBLOND: Thank you very much Alan. It's Olivier speaking. I don't think we should be bothered about the eternal, but certainly the public comment period has been announced. Jolie [McFee] has actually forwarded it to several other forums as well. There will be much interest in this. Realizing the time is ticking very fast... [CROSSTALK] ...number of follow-ups. Yes Alan?

ALAN GREENBERG: Olivier, to be clear, I was just pointing that out, that if someone is trying to find the public comment, they have to go to the announcement, not to look in the public comment area.

OLIVIER CRÉPIN-LEBLOND: Thanks Alan. None of our business.

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ALAN GREENBERG: It is for people on this call trying to find the document.

OLIVIER CRÉPIN-LEBLOND: People on this call will have the link over to our, on the agenda. We've put the link specifically on the agenda for this. So at least we've got that. Now a few things I need to inform you of that are coming up. The first there are a number of webinars that will be done, both within the At-Large community, and also by the community working group.

Tomorrow we have a webinar where we will have Patrik Fältström who will be speaking to the At-Large community. It's a capacity building webinar that will be a very general webinar about the IANA functions. Standard naming, numbering, and so I think most of the webinar based on the SSAC work, so as to explain to our community as a first step for any of the people in our community that do not know what this is about, explain the basics, so we all are on the same level.

Prior to that, two hours earlier, there is already a webinar of the community working group on steward transition that will explain the proposal as they are at the moment. I have no further details about how that webinar will run, but that will be a 90 minute webinar at 7:00 UTC. It will also be repeated the next day on Thursday, the 4<sup>th</sup> at 12:30 UTC, there is one.

And there is also another one at 16:00 UTC on Thursday, the 4<sup>th</sup> of December. What I was going to suggest is that we inform our

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community during the webinar tomorrow, of the Thursday webinar so that for them to be able to have an explanation of the actual proposal itself. But in the meantime, of course, as Alan said, let us, as a working group, prepare the questions that we think should be then brought forward, and have something ready for the next capacity building webinar, which is on the 10<sup>th</sup> of December, that's a week and one day from now.

If we could maybe not have a fully drafted statement, but certainly have the points we want to bring forth to the public consultation, and present those during that capacity building webinar, there will be a follow-up, it's IANA naming functions stewardship transition. What I suggest is we make use, as a working group, we make use of that webinar, which is our webinar, to present the points we would like to present to the public consultation.

And gain feedback during this webinar from our community. Are there any comments about this process? Do you think that's workable? Alan Greenberg.

ALAN GREENBERG:

Just to note that the first webinar, which is held at a very convenient time for people in Asia, it happens six hours before our capacity building webinar, so we really need to make sure that goes out to the At-Large. It may already have, I haven't checked.

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OLIVIER CRÉPIN-LEBLOND: Yeah, thank you very much Alan. It has. I think the staff will probably confirm, but I think all of the announcements have been sent out already. Tijani Ben Jemaa.

TIJANI BEN JEMMA: Thank you Olivier, Tijani speaking. As for the last webinar, it is working out for the whole At-Large community. So for all ALS representative. You said, we will make use of this webinar to prepare or to present the point and the discussion. It is to present them, it is good. But if it is to prepare the position of the At-Large, I don't think it is the right place to do so, because we have people who are not skilled, perhaps they will not be attending any other capacity building webinars, if they find that it is a high level discussion. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you Tijani. It's Olivier speaking. The reason why I'm suggesting this is because we cannot have a copy of the webinar, the three webinars which are taking place this week. It's just like double duty now, and we really need to obtain the input from the At-Large community as soon as possible, hence the reason why I think we should mark all of these different webinars, whether the one tomorrow, or the other webinars of the community working group or our webinar next week, we should all market them at the same time.

Perhaps one of the action items for staff to send out a note on the different webinars on the topic, for people to work with those.

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TIJANI BEN JEMAA: Olivier, the target people or the target audience is not the same. The webinar for the community is not oriented towards our ALSs, our ALS representatives. It is oriented towards the community involved in the process, and [inaudible]. So I propose that the first webinar of Patrik, which is oriented to our ALSs be done as a fundamental knowledge provided to the community, to our community, about the functions.

And the second related, oriented to our community, to the ALS community which is next week, explaining and raising this point of the transition, the naming function transition, and perhaps in this webinar, emphasis on the points that we need the feedback of the community on, but make it really at a low level, not high level discussions, because as I told you, it will discourage people from attending webinars, it will make it [inaudible] discussion, and people will feel bored and will not understand anything. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you Tijani. Olivier speaking. I think we are in agreement. To close the call, Alan Greenberg.

ALAN GREENBERG: Thank you very much. I'll also point out that the webinar is a bit late to be collecting information for our statements. If we want our statements to be out there well before the end of the period, to give other people an opportunity, and we're going to have to at least have a

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passive vote or a consensus call on making that statement, then we really don't have the luxury of waiting until then to write it.

It has gotten to be written by then. In my mind. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you Alan. Olivier speaking. Perhaps presenting that statement during that call...

ALAN GREENBERG: That certainly is a possibility, I would hope.

OLIVIER CRÉPIN-LEBLOND: Super. Okay, well thank you very much to everyone. Thanks specifically to the interpreters for having stayed an additional 20 minutes, I thought it was going to be 10, and ended up being double. I think we've produced some good work today, good discussions.

Our next call for this working group will be next week. How are we feeling about also having it in the same day, Monday or Tuesday, next week? Are we okay with that? So we can have it before the webinar next week. By that time, there will have been all of the webinars this week already, and just before the webinar next week, we can just quickly run through our proposed statements and things.

I see green ticks from many people. Good, thank you very much. And so with this, I thank you all for this, and I, yeah, only green ticks everywhere. Thanks very much for this, so we'll have that. And let's

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continue the chat on the Skype. And let's, please, start writing that statement. Alan, I'm waiting for that follow-up email from you, and as soon as the transcript of this session goes, I'll try to scour through it.

If people who were on the call could help by emailing our mailing list with the points that they're making, the questions that they don't think have been answered so far, and that the ALAC needs to ask for, that would be great.

And with this, this call is now adjourned. Thank you and goodbye.

**[END OF TRANSCRIPTION]**