

ICANN

**Moderator: Grace Abuhamad
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8:30 am CT**

Robert Guerra: Great. In regards to an agenda I'm going to suggest the following in addition that we will go through the previous meeting agenda, make sure if there's any comments from there, go through the action items from the last call, which are listed and we'll go through them.

We'll go through and update the different work streams, 1 to 3, and any discussions on points or additional items, talk about next steps. And so that's my proposed agenda. If there are any suggestions on additional items to include please do so in the text or raise your hand. Great so we'll go with that agenda.

But before we start, though, I do want to make a point that the main part of these conversations is to talk about and to develop language and text for the transition implications for RFP 3. There are a lot of comments that have come in for the draft proposal in regards to - and those are being evaluated by the CWG and the drafting group right now.

And I guess we'll see whether the structures as proposed will go forward or whether there will be some changes and so that's something to keep in mind as

we go through our conversations today. And I'll repeat that towards the end of the call.

Going through the last meeting that we did have we did have some action items. There was completion on some of them. I'd like to have a couple of - thank you, Olivier, thank you for sharing the mind map that you circulated and the document related to that. And I thank you, Avri, for a few comments on that and suggesting that we add a - include also probabilities in the discussion - in discussing some of the possible risks.

I'm wondering, Olivier or Avri, if you wish to make any comments on that discussion that we had on the list? Olivier, please go ahead.

Olivier Crépin-LeBlond: Yes thanks very much. It's Olivier Crépin-LeBlond speaking. I just wanted to add that this really was a starting point. What I put there was hastily put together. And I was hoping that we would get others contributing to this and maybe putting in more risks and more mitigation factors.

I think maybe the mitigation is maybe even more so important than the risks because easy to find out a risk but how do you actually go around it and reduce this so as to make it acceptable for a future solution. So I don't know whether it would be easy to put this, you know, do it as a mind map or do it as a document. And I'd be open to suggestions on this. Thank you.

Robert Guerra: Thank you, Olivier. Avri, please go ahead.

Avri Doria: Yeah, thank you. This is Avri speaking. In terms of the probabilities one of the - how likely we think something is - one of the questions that came out is well how does one determine that? And I think one determines that by basically talking through each of them and then as a group basically, you

know, finding ourselves coming to some sort of likely, very likely, not likely, you know, or less likely determine on each of them. So, you know, that could certainly be done conversationally as we walk through them.

And, you know, we can find out where the likelihood falls. And if there's a range there's a range but that gives us an (unintelligible) there. And while I am never one to recommend polls but when they get done, if one were done on the risks, then that would be (unintelligible), you know, use statistical measures to take the various ratings that people give and come up with ranges.

Robert Guerra: Avri, your audio was cutting out a bit but I got the sense that using quick polls or sent to the room helping our conversation as we're going through would work. Just wanted to make sure that it was - was it my audio but others have got the same sense as well?

Now Siva, as I mentioned, had also developed a document where he had put together some of the risks and he'd circulated that and shared a Google doc. Siva, if your audio is okay would you like to comment on the document or if not can you give us a sense of - an update via text please, Siva, to you.

Oh, great, Siva is going to ask for a call through in regards to that. So we have Olivier's kind of mind map. We also have Siva that put together - put together a - we're waiting for Siva to get connected in which is Work Stream 3. I'll go through some of the other kind of work stream items as well and update and we'll come back to Work Stream 3.

We had talked about Work Stream 1 in our last call which is documenting existing procedures in terms of what are some key terms to talk about and whether we could use the table of contents as a template from the existing IANA ICANN technical proposal.

We discussed that. We seem to have consensus. And so I see that kind of as an adopted item but I'm just - if we don't have - so that's what we discussed in terms - in regards to Work Stream 1.

In regards to Work Stream 2 which is documenting the transition changes, as I mentioned earlier I think our task here is to document - document the proposed changes. A document that had been developed by Berry had been - Berry and Bernie I think, had been circulated in regards to describing some of the changes in regards to the draft proposal and the format.

There weren't any comments on that and so I see the way that that is described as having been adopted for describing the transition path. That's for Work Stream 2. Olivier, please go ahead.

Olivier Crépin-LeBlond: Thank you for this, Robert. And it's not me that is - it's someone else that is echoing. Yeah, thanks. Just adding to the previous thing - and I'm sorry I didn't jump in at the right time. But when Avri mentioned the risk analysis and the likelihood of such events happening and I was going to draw your attention to the work that the DSSA cross community working group did a while ago.

I was one of the members of the DSSA Working Group and I'll be looking at those things. They're very vague in my memory but there is a part of it that looks at - that basically has put tables together for exactly the kind of thing that Avri was mentioning and so I'll be sharing that with the working group on the mailing list as a follow up. Thank you.

Robert Guerra: Thank you so very much, Olivier, for that. In regards to - going back to the transition path I think my - concern that I think the issue I have right now is

that the document was circulated in regards to documenting some of the transition - possible transition changes. There have been - the ALAC has suggested an alternate proposal.

And then also many of the comments have made some constructive or some substantial comments in regards to the current RFP 3 proposal and how that is going to evolve, I guess, over the next week. It's hard to anticipate, I think, if one goes through all the comments it's likely the structure will get simpler. And how that's going to happen and we'll have to describe then.

So I think what I see for Work Stream 2, which is documenting the transition path, is the way that was detailed in the document, which is just going through the structure and documenting how they change from the existing is one approach.

I think another document that had been circulated as well which is also the time to set up in an estimated timeline looking back from September in regards to - not specific dates - I think was something key as well. And so that's kind of what the update was for Work Stream 2.

Going back to Work Stream 3, I think Siva is now online and so if you could just, again, describe the document that you had put together from the different sources and then talk to some of the points that Olivier and Avri may have made. And I'd maybe ask you to guide some of the conversations in regards to the testing part of Work Stream 3. Siva, over to you.

Sivasubramanian Muthusamy: Robert, can you hear me now?

Robert Guerra: Loud and clear.

Sivasubramanian Muthusamy: Okay, thank you. Okay I have shared two documents. The first document was to work on the stress test and the - Grace has shared the link with everyone. And this document I have (unintelligible) within a certain way. This was the idea that we require a certain (unintelligible) on our approach to stress test.

And your response (unintelligible) and if you don't have (unintelligible) you could say that it was relevant or (unintelligible) relevant and also mark the probability. So we will work on that document this week.

And the other document that I want to get started with is the document on terms to be used in RFP 4. And (unintelligible) has been attached and please take a moment to list some of the terms that you think are relevant by (unintelligible) and we can get started with that document.

And if you have any specific questions Avri or Olivier (unintelligible). If you have any specific questions I can answer that.

Robert Guerra: Any comments for Siva at this stage?

Sivasubramanian Muthusamy: All right then, Robert, you can move on to other items.

Robert Guerra: Great. Thank you. So I'll put as an action item going forward - and I really stress to please go through, Siva, what I would suggest is take a look at Olivier's mind map and if there are items that are mentioned in that document to merge them with the risk document that I have. I don't want to have two documents so if there's a way to merge that together that would be ideal.
Great.

If it's possible I think while we have that conversation online and we still have time on the call can you, Grace, or other staff, can you, if it's possible to go to Olivier's mind map and present that and just, Olivier, I would just ask that you - if we just have it all here and you can just do a very quick presentation of it and I'll ask the same thing so just is that possible to set up? Sure, okay.

All right we'll just wait. It's the document but I think just to go through it and just to try to see if we can capture some of the elements that you may have in there into Siva's document as well that would be idea.

Olivier Crépin-LeBlond: So thank you, Robert. It's Olivier speaking. I'm just waiting for the mind map to appear on the Adobe Connect. Is Grace going to upload it on there - the PDF version maybe?

Robert Guerra: There you go. I just had a comment, "Sure, one moment please," so we'll just wait a minute or two.

Olivier Crépin-LeBlond: The magic is about to happen. Okay.

((Crosstalk))

Robert Guerra: I think all of us - at the bottom - can adjust the zoom and move the document and so please do that so it can sit on your screen knowing that we all have slightly different screens. Olivier, I'll ask - as we go through this I think an important, I think, aspect that I'd ask you to comment on as well is this - I think the assumption is made here that we're going with the model as proposed.

And so as you go through it I would ask you to try to pull out if there are threats and issues that would still persist even if there are some changes to

please comment on that and that we try to capture those in the minutes as well.
So, Olivier, please go through.

Olivier Crépin-LeBlond: Thanks for this, Robert.

((Crosstalk))

Olivier Crépin-LeBlond: It's Olivier speaking. Can you hear me?

Robert Guerra: Yeah, and then we have...

Olivier Crépin-LeBlond: I see a couple of people in the waiting - yeah, in the queue so shall we just first clear the queue before I proceed forward?

Robert Guerra: Let's - I was about to say that. Steve, your hand is up. Please go ahead.

Steve Crocker: Sorry, I was on mute. Yes. I had tried to send a message earlier to Olivier about the - this mind map which is very pretty and looks very good. I wasn't entirely certain how to interpret each level of it. Is there a description of what the - what the green, red, blue, black elements mean? And so that was a key thing.

And then the other is, as I've tried to say, there's much of what's here of course is based upon what's emerging out of RFP 3. I wanted to just mention that I've been quite vocal in RFP 3 that I think the whole approach of creating all these structures is misdirected.

And so there's going to be quite some difficulty as that discussion progresses because, to be quite frank, I don't think it'll survive and the only question is how and when that discussion takes place. And my sense is that that group is

resisting a reality check. And the longer that persists the more trouble we're all going to be in.

Robert Guerra: Steve, thank you for your comments. And I think, as I tried to mention maybe perhaps a bit more diplomatically earlier in the call, there have been a substantial amount of comments in regards to the draft proposal. And moving towards a much - or everyone commented on the - I think the model needs to be or the proposal needs to be a lot simpler. And so that's something that definitely we should keep in mind.

And I think Olivier, as you go through it and try to mention some of Steve's points and I think as I mentioned is that instead of going through the very specifics of the things try to keep in mind what our key threats that, despite model changes or maybe collapsing some of these are going to a simpler issue might still persist. So if you could present those really quickly but also try to extract out some key elements in regards to threats that would be most appreciated, Olivier. Steve, your hand is still up, is a new or old? It's old. Olivier, over to you.

Olivier Crépin-LeBlond: Thank you very much, Robert. It's Olivier speaking. And could I be given like presenter status or something so at least I can use a little green arrow to point at things then you'd be able to follow...

Grace Abuhamad: Sure...

Olivier Crépin-LeBlond: ...me going through the - going through the...

((Crosstalk))

Olivier Crépin-LeBlond: Whilst this magic takes place and just as a response to Steve on his question with regards to the colors, these are just colors that the mind mapping software - three mind mapping software may I add - adds automatically so they have no specific meaning. I think it's just a case of the first stage is in blue and the next stage is in green, next one in red and next one in black. And I guess if there are further stages down they'd probably be in other colors but there's no specific coloring for this.

With regards to why we're looking at this specifically, this is something that this whole mind map I've discussed with the ALAC group and it's just going in line with the work that started over, I guess, just before Frankfurt and the first proposal of the team.

And what we were looking at is to fill this up for Workgroup 4. Of course any alternative proposal, such as the ALAC's proposal, for example, would also benefit from being able to go through a process like this and looking at what the dangers and threats and mitigations could be for it. But I just haven't gotten down to work on it.

This mind map is actually, I think, nearly a couple of months old now so it's - it was refined more recently with a few more things added. But it - and it was hastily put together so I just wanted to make sure, you know, we do this - we can go through it. And if you can all add to it that would be great.

So in effect what we have is those four or five proposed entities from the working group, the CSC, the MRT, the IAP, the IC and the IANA operator being the other entity that's been seen as existing. In fact they might have even changed names these things. But I think now looking at it it looks like they're all okay.

So let's first with the Customer Standing Committee, the CSC, and so the concern there where that it could be in a position not flagging, not non-compliance is the - so effectively it could be non-compliance of the process by which work takes place.

And if that was caused by a shared default, for example, it could well be that whoever is in the CSC if it is just the parties that are directly related to the functions themselves they could just cover each other's butt, as one would say in some places.

Similarly speaking, you could also have complacency that could take place over time. In other words, you know, do we all start a job with the best of intentions and then over time we're not as rigorous as we should be with our work and we end up with this problem.

Someone is playing with the green - oh green arrow, okay it's come back.

So that's the two things. And there is here no - we haven't put any mitigation over this because there are 1000 different ways to try and mitigate this, none of which are absolutely perfect. And I think that a lot of it followed up with regards to the composition of the CSC itself.

Next, if we look at the multi-stakeholder review team, if I can get down to here, the main threat is the threat of the - we identified was the threat of litigation.

If - it really depends on what the status of this multi-stakeholder review team is. Does it have a separate legal status? Is it just a committee of people? If it's just a committee with no legal status as such, then it also could (itself) to the ability of the individual members of a committee being sued.

If it's a body under which it operates, then of course, the body itself is liable to being litigated or to being sued for various reasons - blocking a process, stopping a contract reallocation.

There's also a concern with a lack of multi-stakeholder equity which we see as capture. I think Alan Greenberg, on another occasion expanded a little bit on this.

And then there is also a concern that having a large multi-stakeholder review team might mean that it has quite a slow response especially if not all members of the MRT are on the ball, as one would say, or are well-aware of how the IANA resources work.

Next, the independent appeals panel, which we looked at. We couldn't find any specific weaknesses or concerns or threats regarding that provided the panel is properly put together.

I guess there is one concern, of course, which is to do with the ccTLD reallocation where we're well-aware of the political dimension of reallocation or transfer of ccTLD delegations and it has been said on many occasions that they would certainly not be looking at having an independent panel telling them what to do.

So that's not on the diagram because I wasn't quite sure how to put it on there. But that's something to think of. The largest concern that the ALAC had was with the IANA contracting and this contract (co), as one calls it now, with various potential threats, the first one being the litigation threat with the function upgrader, for example, (suing) contract (co) with third parties, suing contract (co) in order to destroy.

Of course, if everything revolves around contracts, then you just have to destroy the company holding the contract and the whole system falls apart. With the country or entity suing to press for non-signing of contracts, and of course, we've got this usual (unintelligible) litigation just trying to get the lawyers of contract (co) busy for whatever reason and certainly depleting it of any resources that it might have or needing contract (co) to have significant resources.

One of the ways, of course, to mitigate against that is to provide contract (co) with immunity from prosecution but if you look at this, it's interesting because you do have then a, as you know, contract (co) would have a board and would have to do what the multi-stakeholder review team tells it to do.

And the only real recourse at the end of the day would be to have - you know, being able to sue contract (co) if it doesn't follow your instructions. And of course if you make...

((Crosstalk))

Man: Yes.

Robert Guerra: Just a quick - just a quick point. Just given just time, if you could just spend the next three minutes just to do a very quick review. I wasn't asking for a complete presentation of the (mine there).

Some of the key elements, and as I mentioned earlier I think something that's very key to identify is as you did very earlier on, if there are key threats or issues that would persist and remain even if the model changes, to identify those because then that would be helpful to compile that into a list that (C bat)

is working on. So back over to you and I'll give you another three minutes.

Thank you.

Olivier Crépin-LeBlond: Yes, thanks, Robert, and apologies. It's (Oliver) speaking - and apologies for the time I'm taking for this. I'll be quite quick on this. The main points really are that the problem of litigation (of) contract (co), if you make it in (unintelligible) prosecution, then you've got absolutely no recourse for a litigation and no recourse for readdressing whatever contract (co) does.

You might have a rogue board, a rogue employee. It might decide not to follow policy. For each one of these, there are mitigation scenarios that you see in see in there (closet) and bylaws, et cetera.

And so this, as I said, is just a summary of a few of the points that we've managed to think about. It might be interesting to see if we can expand on the mitigation in order to make this a more palatable solution than not.

And I think I've gone through it really, yes. I'm open to questions on this because I think, for me, I've seen this for such a while, I'm quite used to looking at it but it's when people ask questions that they raise points which obviously show that things are unclear on this diagram. So Robert.

Robert Guerra: Sure, I'll (switch up) and ask the question. I think something that I don't see, which I think is on some - is also inferred to the - this model here is that of delay and timing.

And so, you know, I see issues of compliance litigation, a (slower) response from the MRT but I think the larger issue of efficiency and how - whether it's slowness or other issues, if they're anticipated and how that compares to the (USA) model.

And so, you know, has that been factored into all the different elements here because that is one of the issues that - I think at hand, so I think just in terms of, for slow responses, is that only at the MRT where that was flagged or were - was that flag at other points as well?

Olivier Crépin-LeBlond: Thanks Robert. It's Olivier speaking. Certainly when one looks at these things, everything has to happen pretty fast because ultimately what - the way that things happen today is, you know, they're taking place rather fast because it's just a well-oiled system, I guess.

It's got processes, procedures, and so things do usually take place in a reasonable amount of time. I would say the most time-sensitive components in this would obviously be whatever happens in the CSD and whatever happens in the MRT.

The contracting entity would probably be - have more time to act, because as we know, transfer of domains - top level domains (unintelligible) does take a while. It's not just a 24 hour thing.

But if anything happens and processes and procedures are not adhered to, that needs to be addressed pretty - sorry, addressed very quickly. And so slow response would probably also be something you'd see in the IANA standing - customer standing committee.

And yes, so I don't know. I mean, I'm open to more suggestions on this. How do you go around the slow response? Well, that's very difficult. You either have something that's fully multi-stakeholder and make sure that everyone or, you know, the majority agrees and consensus is found or you have a single stakeholder saying, "Well, this is how we're going to do things."

And then you've got a totally different kettle of fish. I don't think we want to go as deep as that into it. But certainly building scenarios out of this is a probable way forward.

Robert Guerra: Great. Thank you. Steve, in regards to Olivier's presentation of this, was - has this been helpful to try to capture some additional elements for you to include in your document and to have a - I guess, a last round of comments on prioritization and likely or not likelihood on those issues. (Chavet).

(Chavet): Yes, (Unintelligible). I was (unintelligible) and integrate these (unintelligible) document. And I have a question for Olivier. Olivier, can you go (unintelligible) not flagging, non-compliant could happen on (unintelligible) default. I have trouble understanding this (one). Can you explain (unintelligible) some examples?

Olivier Crépin-LeBlond: Yes, thank you, (Chavet). It's Olivier speaking. So if the IANA operator does not follow the process by which it needs to perform its function, it's very likely that direct customers are going to be pointing this out, raising this and escalating this to the MRT very quickly.

If, on the other hand, there is a shared default, in other words, both the IANA functions operator and the direct customer are not following the procedure for any reason, whatever it is - it could be a mistake, an error. It could be an oversight or something.

At that point, there might be a less likelihood that the customer will raise the point and say, "Hang on. There's something wrong here," because they have a shared responsibility of this. So that's why there is this concern of non-flagging, non-compliance covering up one zone (errors).

Robert Guerra: Great. All right, thank you (unintelligible) include the (mine app). So just knowing that, I think, it's 15 past and we still have another 15 minutes or so, I think in terms of next steps, I think one of the things that I flagged earlier, again, we have an assumption that this is based on the existing model.

And without getting to a broader conversation about RFP3, (Greg), since he's on here, I just - (Greg), if you could just update us on the state of reviewing the comments that have been submitted and what the next steps are in regards to going through those and trying to come up with discussions on how to tweak that.

So if you could just give us an update on the comments and kind of next steps to maybe redraft or comment and stuff like that. So, (Greg), could you please, if you can, can you just speak to that process update more than anything else? Thank you.

(Greg): Sure. Thank you, Robert. First, I guess I would actually say that reviewing the comments is not actually an RFP3 test but rather a test that's been taken on by, I guess, I'll call it an ad hoc group that includes both, you know, a number of members of the overall CWG.

So - and nonetheless, I'll just quickly state where I believe we are on that. A couple of - several different things have occurred. Those on - in that subgroup have had read all or most of the comments in full.

I hope that many other members of the CWG have done the same. And there is a - there're several different (prongs) going on. One is - are that there is a document which kind of takes a lot of the text of these and categorizes basically these into different subject areas.

It's still a lengthy document as it, you know, tries to - rather than paraphrase actually just organize comments so that they can kind of be seen next to each other.

And there's also another chart that has some similar functionality although it tends to try breaking down more summarily as well. Next there has been a survey issued to the group and a second one on the way asking for specific responses to a number of - I'll call them suggestions or propositions that were raised about those specific structures that are in the CWG proposal.

The one that's currently out for completion is a survey of the - regarding suggestions for comments on the MRT and the CSC including whether they should exist at all but primarily if they do exist, how they should be structured and how they should function.

The next one coming up will be the same for contract (co) and for the independent appeals panel. With regard to what's going on in RFP3, particularly we've been reviewing and trying to gain more detail, both with regard or with reference to the comments and also our own, you know, continued exploration of structure and function of MRT, CRC and so forth.

So that is basically where things stand in that regard. We have our next meeting coming up on Thursday and a planning meeting for that meeting coming up today. I expect that there'll be significant further discussion of the comments at the Thursday meeting and how to go - how to deal with them further. Thanks.

Robert Guerra: Thank you, (Greg), for that update and (for you) also commenting that version two, the statistical analysis of the public consultation is ready and awaiting for

distribution and so I think what I see as important is that we have been having our conversations based on the model.

But there have been a lot of substantial comments and a part of the work over the coming days and we'll be discussing them on this call and (unintelligible) that for the RFP recall as well is that any changes or suggested alternatives that would also require a - the RFP for a group to be aware of them and so where it could be adjusted accordingly.

So I think that's the case, I think, again, (Greg). And something I forgot to mention in the earlier call that had been presented in the last meeting -- again, sorry, totally out of - I'm out of sequence -- was a very critical review of the other community's proposals in regards to transition implications and kind of what they developed and presented that as well.

And so I think it's key it's there. In regards to next steps, what I see is I will ask (Steva) and others to develop the risks document. And I see that, in terms of other work stream items, work stream one and work stream two, that they were adopted on the last call and so we see that as a process going forward in terms of how to document whether it's an existing our (three templates) for - or if there're some changes in terms of how to document that.

I'll just maybe ask Grace in regards to a next call, had we scheduled a next call for the following week or are we just awaiting other items because I know the final submission needs to come out soon as well so if you could just provide us some guidance in terms of if next call were to take place, what our window is? Grace, please, go ahead.

Grace Abuhamad: Thanks Robert. We haven't scheduled a next call yet. All the RFP groups right now have scheduled - we've scheduled calls for everyone up until the (work) weekend and we haven't scheduled beyond.

But we can do that and there's - so we're definitely - you know, I just haven't - we haven't done that for any of the groups yet, so if you'd like, we can schedule another call for next week following the work weekend. We can do it at the same time as we have been doing (at 14 UCC) or we can put through a doodle call if you'd like. It's up to you.

Robert Guerra: Great. So I think what I would suggest is just since - have tentative that we might have call next week but in terms of scheduling specifically, I think I'm going to need a bit more guidance from the larger planning group in regards to what we get out of RFP3.

And so let's maybe try to find a window or two for next week but not (formally) say that it's going to take place until there's some additional guidance and we have some possible times and not make that announcement quite yet.

Grace Abuhamad: All right.

((Crosstalk))

Robert Guerra: (Cheryl), please go ahead.

(Cheryl): Yes. It's - I'm putting on my RFP5 hat. Sorry to mix the RFPs here. Grace, can we just make sure, because RFP5 does have a time allocated for the following week - remember we were looking at a two hour call, that things are in the right order because if five meets before three and four has finalized,

then five may as well not be making a two hour call. So just while you're putting all the ducks in line, just make sure they're going in the right order please otherwise RFP5 will be wasting its time. Thanks.

Robert Guerra: Great. Thank you for that comment. So I think we've gone through all the items in the agenda. And, you know, we ask that there be some additional comments on the mailing list and I'll (close) some additional details on the RFP4 list.

And I think we'll really keep everyone updated as the discussions on RFP3 and the conversations regarding the public comments and how they're incorporated and how they're gone through.

I think I'm, like - personally I think - my personal view is I see that we do have a model. A lot of the comments do suggest that some simplification and comments in regards to - it does seem likely that there will be some changes and so high level items that we need to take into consideration, have describe them.

And some of the (risks) are key items that then would have to be done for the option or options that come forward over the next couple of days. We have a possible set of time windows for our call next week and keep everyone updated.

And really ask those on this call to try to (punch up a) date in the RFP3 call as well that's taking place later this week. So that being said, having gone through the agenda, some of the comments, both online and in person, I would say that this call today is wrapped and look forward to the discussion online.

So thank you all for the discussion today and I look forward to seeing you online in the next couple of days. That would be a period of intense work for us all.

Woman: Bye. Thanks.

END