ICANN

Moderator: Glen Desaintgery
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3:15 am CT

Jonathan Robinson: Right afternoon everyone. We're going to begin the meeting now. Just to check I think we're live. We've got a recording. We've got scribes so we're ready to go.

Thanks everyone. Welcome to this afternoon's meeting. This is a working group meeting a public working group meeting of the Cross Community Working Group on the IANA stewardship transition.

We have an agenda before you. You'll see it's in front of you up on the screen. There's nine items. And we include at the end an item towards the end under Item 7, an open microphone session recognizing that we are in a meeting in a public way and we would like to create the opportunity for input other than for members and participants.

So welcome to all of you including our members and participants in the working group as well as those of you who are here as observers and as part of your interest in the work of the group and being at this meeting.

Also welcome to our colleagues, the Cross Community Working Group on accountability co-chairs who are here with us and will participate in particular in Section 4 of the agenda.

And to remind you the way in which this group works is that members and participants contributed to the discussion on an equal footing and are welcome to contribute at any time.

I would like to ask you all to the extent that you have the equipment to enter the Adobe Connect room so we can manage the queue through the Adobe Connect room and communicate with one another as if we were in a remote location and also to accommodate and a remote participants because not everyone who is and who is a member or participant is here.

We certainly haven't funded specifically travel for members of the working group to participate as though this were a face to face meeting so we should not presume that it is.

We will as I said hold an open microphone for observers to contribute and we will try to give that a decent amount of time so there is opportunity for contributions in that way.

When you do speak into the microphone if you could please give your name and confirm that you are a member or participant. It's not to distinguish between members and participants but to assure that you are a member or participant.

I should probably have welcome first my co-chair Lise Fuhr. I've gone straight into the microphone and neglected to welcome Lise. We're so used to working together that I've - we are a partnership in this.

So we talked yesterday and met in preparation for the meeting. And so under Item I'd like to make a couple of opening remarks that Lise and I have discussed.

And I think probably the very first point to make is that to date and that since approximately October last year this group has taken its job very seriously and worked extremely hard.

We've had a very high intensity of work through days, nights, weekends and holidays. I know some of you have worked through the traditional North American or at least the US Thanksgiving holiday.

Many of you worked over the Christmas holidays. And it - and I think the group has been pretty relentless in its pursuits of trying to produce some output. And we've grappled with some complicated and challenging issues.

We've come to Singapore on the back of a draft proposal in December, public comments on that draft proposal which have been obviously shared on the list and in the information sessions here in Singapore.

And as you know and I won't go into the detail because we've had information sessions on this here at the meeting produced the discussion document which highlighted some key questions and issues that we've been grappling with.

The discussion document has appropriately and as intended stimulated a lot of discussion, some additional questions that weren't posed in the document and lots of interest.

And of course the group and we as co-chairs and coordinators asked for feedback and we've got it in spades so that's great. That's very welcome and that was what was intended.

I should note that it's also been very helpful to have the members of staff that are present from the IANA function here. It's been great to be able to talk to them and to hear them and to have them engage with the community.

I think that's been helpful to me and I know it's been helpful to others to refresh or learn from scratch elements and details over the functions they perform and indeed as acknowledged by this group and others perform well and effectively to date.

So where do we go from here? We've got a dedicated session tomorrow to deal with Q&A and we expect to pick up feedback from the discussion document and deal with that in some detail.

Lise and I and what we call the RFP group coordinators have discussed the feedback we've heard and felt and seen from sessions and portal discussions and our own analysis.

And I think it's certainly mine and Lise's view that we need to refresh and refocus our approach on the back of that.

I've got three key points I wanted to highlight in terms of where we go from here. And really I think that they are as follows.

We certainly feel the need to continue to move ahead and make good progress and in fact to be seen to be making progress as well.

I think one of the issues is we've been doing a lot of work in the group but perceptions are not necessarily that - don't necessarily match that.

So I think it's very important that we produce outputs as well as do the work in the group that are seen and read to be evidence of incremental progress.

It's clear from the plans we've seen already submitted to the ICG and from our own knowledge and understanding of the situation that a functional implementable and complete plan is required. And a sense of emergence of such a plan is also needed.

So I think one key thing we can do as we continue our work is to make sure we focus on the functional requirements of any component of such a plan before any further work on that piece of the jigsaw will be very helpful because it will give us an opportunity to cross-reference against that functional requirement and to make sure we test that the work that we are doing matches that requirement.

So I'll come back to these issues in the agenda a little later when we talk about the way forward and the right to five but I think that's probably for now under the opening remarks. And I think we can move on into other areas of the agenda.

I'll pause for a moment in case there are questions or comments on those opening remarks. So let me just pause for a moment before we go up to Item 2. Any comments or questions from members and participants of CWG?

All right, bear in mind as I said that if you do want to make any points make yourself known in the Adobe Connect room. And if for whatever reason you

don't have access to that then make yourself known physically by raising your hand in the room here.

So clearly security and stability under Item 2 is fundamental to everything we do. It's at the heart of ICANN's mission and explicit in the storage of transition.

The SSAC, Security and Stability Advisory Committee is a charting organization of this working group and has produced relevant material recently.

So we felt that it would be very useful to hear from the SSAC on their relevant material and in particular on their recently produced SAC 69 document.

So it's a pleasure to have someone here from SSAC to magically appear as they do. Welcome and over to you.

Patrick Falstrom: Thank you very much. I'm Patrick Falstrom. I'm Chair of the Security and Stability Advisory Committee. And to my right I have Russ Mundy which is the other person from SSAC that is appointed being member of the ICG.

I also happen to be a co-chair of the ICG but I'm here in my role as chair of the SSAC.

What we wanted to do is to give a brief overview --next slide please -- over the content of our Document Number 69. The document gives SSAC's view on a couple of issues related to the IANA stewardship transition.

It complements our Documents Number 67 and 68 where Document 67 gives an overview and history of the IANA functions which is to go through what

the IANA function operator actually is doing, has been doing and why they're doing it.

And SAC 68 which goes through the contract between the Department of Commerce and ICANN regarding IANA operation because there is a difference between the two.

So when talking about what IANA function is so it's important to know whether you talk about the IANA functions at ICANN or the contractor vice a versa.

Both of those have the intention to be objective document that describe this in the correct way. SAC 69 on the other hand gives the SSAC view over what should be done.

The reader as with all SSAC documents can choose themselves whether they agree or not whether they will act or not on our recommendations but let me here present the recommendations.

This document describes the way in which NTIA currently contributions to the security stability and resiliency on the IANA function activities. So we have identified what NTIA actually is doing.

It presents questions and issues that SSAC believes must be addressed by the Internet community in order to preserve the security stability and resilience of the IANA function activities through and beyond the transition. It also makes recommendations to each of the questions and issues raised.

Next slide please.

We believe that any proposal to replace NTIA's final authorization of root zone changes with an alternative must be at least as reliable resilient and efficient as the current process.

We do believe further that a sector arrangement should be made for the reliable and timely performance of all aspects of the root zone management process post-transition including inter-organization coordination if the post-transition root zone management process involves more than one root zone management partner.

We further believe that NTIA should clarify the processes and legal framework associated with the role of the root zone maintainer after the transition.

Next slide please. Further, whether or not the requirements and deliverables defined in the IANA functions contract should be retained and if additional external controls are necessary or less how and by whom they should be administered.

It should also determine whether or not existing mechanisms outside of the IANA functions contract are sufficiently robust to hold the IANA functions operator accountable to the effective communities for the proper performance of the IANA function after the IANA function contract expires.

And if they are not the community should determine what additional accountability mechanism will be needed.

Next slide please. Further investigating clarify the process for handling the possibility of governmental sanctions and restrictions, i.e., the protocol for obtaining (all fact) licenses were US sanctions might interfere with their

ability to execute proper instructions for IANA following the stewardship transition.

Consider the extent to which the importance of transparency and freedom from improper inference in the performance of the IANA functions might require additional mechanisms or safeguards.

And finally review and if necessary enhance its policy development processes to ensure that all the instructions that it provides to the IANA functions operator are clear and implementable. Thank you.

Jonathan Robinson: Wonderful. Thank you very much Patrick and Russ. Any comments or questions for our colleagues from SSAC?

Patrick go ahead.

Patrick Falstrom: Yes I would like to also SSAC we would like to thank you for the ability to present this. My apologies but I have to go to another meeting but Russ will be here for the whole meeting if further questions, during the discussion. As this is a working session we also found it important to be here.

Jonathan Robinson: So it strikes me that there's one point that I would think my impression looking at this is that you are a chartering organization of the CWG. And therefore will be like all the chartering organizations in a position to approve or not object to the proposal or clearly you could object. But we hope that you will either approve or not object to the proposal when we've refined it to a satisfactory state.

And it strikes me that what an effect you have produced here is a form of high level checklists as a basis.

So it is something which we will need to as a basis for your potential signoff. And so it is something we will need to be cognizant of and make and to that extent is very helpful guidance.

Man: And I would also command the group that's working focused on this to also look at SAC 67 and SAC 68 to read the content of what's there.

Because I think it will make the recommendations and content of 69 more meaningful if you also study those documents.

And I would agree with your general assessment Jonathan that in fact 69 is - will be an important aspect in what SSACs says about the results.

Patrick Falstrom: Let me explain the process to you because it has to do a little bit or quite a lot with how our internal processes work at SSAC.

We have two members of the CWG, (Jeff Ackerhouse) and (Robert). And so it's not the two of us here which actually are the members of the CWG.

The way for us in SSAC to produce a common view in SSAC about certain issues is by writing documents like this.

So these documents we are passing to the CWG via our members whether those - (Robert) and (Jeff) then participate in the group on equal footing just like all the others which means that it's perfectly all right to sort of negotiate and disagree and whatever you want to do with these documents.

So these are forwarded as the SSAC position. And when the document later is ready for us to approve it then yes we will compare with this document.

But if that is the case the conclusion to CWG is not matching our recommendations that does not by no means mean that we will not approve the document just to make that clear.

Jonathan Robinson: And that's a very important and helpful subtly so thank you for pointing that out. We can take this as a guide and we can negotiate back against that guide. And we shouldn't take it as the final word.

But that's very helpful to, you know, see the daylight between the point that I made originally in that. Thank you.

Patrick Falstrom: (Unintelligible).

Jonathan Robinson: Okay I have a handout from Greg Shatan. Greg go ahead.

Greg Shatan: Thank you, Greg Shatan for the record. I think we at a very - in the very near future we need to work very carefully through this document consider it a day, you know, form of dialogue. We really need to kind of go down it chapter and verse. We will obviously we'll return it from time to time afterwards but I think we really need to discuss as we - as it sits or stands now what we're doing in relation to each of the points in the document.

You know, this is not, you know, it's not on our agenda for today but that really - we need to really have a SAC 69 day in a sense where we really get intimate with the documents -- hopefully not too intimate. But we really need to feel that we've integrated it into our thinking and processes.

And if there are issues that as Patrick says where we come to different conclusions we need to test those out iteratively with the SSAC and not just

see if they agree with their disagreement when we deliver the final the final product.

I know we won't and our SSAC colleagues who are members and participants wouldn't let us but I feel it's worth saying nonetheless. Thanks.

Jonathan Robinson: Thanks Greg. I agree with you. And I think it's something we'll pick up as a first action coming out of this meeting. Patrick?

Patrick Falstrom: Hello. Hello there it's Patrick. So before - and sometimes it's nice -- this is Patrick Falstrom -- standing on this microphone instead of being in front of the stage.

Luckily enough I haven't seen anyone running for the hills. Let me calm down people even more to say that one of the things most people that have read specifically SAC 68 that goes through what SSAC believes is covered by the contract of the IANA functions.

And also what our - what we have discovered in SAC 69 that NTIA really participate in regarding operations it is much, much, much shorter list than what people thought.

So by reading the document it's not to create work. You will see that it will make your work easier because we actually talk about fewer things than what most people think. And that's how we help - that's how we hope these documents will help the community.

Jonathan Robinson: Thank you Patrick. And just a capture that action item Grace I don't think - I think it is all to review CAC 67, 68, 69. That's clearly the homework for

the group as it were. But I think in this will become clear as we talk about working methods.

I think we will also ask a smaller group, a task force if you like to review those documents in detail and pull out actions for the group or reference key reference points for the group.

Okay. I think that gives us the opportunity to move on to Item 3 in the agenda which is an update on the work of the client committee on seeking on developing the proposal for and seeking legal advice on the key areas of the model which require legal advice.

You'll see from the agenda that Greg Shatan of the Client Committee will - and just for those of you who don't recall or perhaps aren't familiar the Client Committee we have a Client Committee comprised the co-chairs myself and Lise, Greg and (Martin).

Greg Shatan: Thank you Jonathan. I figured I would address you face to face rather than face to back. So let me tell you briefly about the current status of the Client Committee in our efforts.

We have identified about half a dozen different law firms we believe have all of the requisite skills and abilities that are necessary to advise us on the matters in front of us.

We believe that the core competency that we're looking for is in the corporate governance area which is an area that we've identified some of the I think leading figures in that area who are in private practice and in many cases in large multinational firms who can draw the experiences of their colleagues, not just in the US but in a number of countries outside and who are kind of

sufficiently plugged into the corporate governance network that whatever opinions or advice we need they'll be able to orchestrate it for us.

We're currently working through various processes with each of these firms so that their capabilities can be known to first the Client Committee and then if they survive the Client Committee and don't - and other issues aren't addressed we would introduce that to the committee in general.

We do of course want to go through a relatively rapid process in making this decision since we won't get any legal advice until we've engaged legal counsel.

It's premature at the moment to discuss any particular law firm because we're just not at that stage yet.

But as that list crystallizes and perhaps some fall out and others seem to suggest themselves we'll obviously, you know, be transparent at the time when there's something to be - it can really be said.

We are working with ICANN legal but we are also working independently of ICANN legal as well since it's, you know, critical that the advice be independent and that the retention is deemed independent and be seen as independent by all of us.

Fortunately there are already well prescribed ways to do that under legal ethics rules and, you know, common practices.

So it's not like we're going to have to invent any special process to make sure that we can be seen as getting counsel that is giving advice to us and not having - giving advice that ICANN the corporation would like us to get.

It's a process that we hope we will be able to have somewhat in place by as close to the end of month is possible, even by the end of this month.

The firms are that are interested are interested in getting started. And we're interested in getting started with them. We've been paying attention to this issue on an almost a daily basis.

We are coordinating very closely with the CCWG and accountability. It - many of the issues that we need to look at are similar to theirs. The competencies are similar.

And getting one law firm up to speed on the peculiarities of ICANN and of the situations that we are finding ourselves in now which are peculiar even in the history of ICANN as we all learn much more about IANA than we ever thought we would for those of us who weren't intimate with IANA before certainly are now.

So we - I think we're making very good progress. We, you know, hope to have more to report but I think right now it's we are on track to stick with our timeline and to get the advice we need.

I think that as true - as we work forward ourselves we'll see what kind of advice we need exactly but I don't think that the skill set that we're looking for will change.

Jonathan Robinson: Thanks Greg.

Greg Shatan: Thank you.

Jonathan Robinson: I've got a hand up and I've got a couple of hands up now in the room. So I can remind those participants members to please state your name prior to speaking. So first two Aparna.

Aparna Sridhar: Hi. Aparna Sridhar, Business Constituency. I'm with Google asking this question as Google.

So for the Client Committee it would be really helpful to understand how you've defined the client to the prospective council. Because obviously normally when you have one client it's very clear but at least it's relatively straightforward to understand what the goals of the client are, answer questions, get further (exposition) on sort of options.

But, you know, the Client Committee is sort of charged with representing its full group of stakeholders that have different interests, different concerns, different ideas about what the best solution is or might be.

And so just how have you grappled with that problem and how have you represented to potential firms?

Greg Shatan: Thank you Aparna. I'd say that we view the client as being this working group and the easiest way to think of it for me at least is it's similar to a special committee of a board of a corporation where often a committee will ask for advice that is different from our adverse to the corporation on whose board they serve so that the advice is separated from that of the corporation.

And as with any committee you're going to have diverse interests and disagreements. And they'll be working with the committee to advise us on the goals and that we're to look at the - what the problem is that we're trying to solve.

And different people will be able to ask them different questions. Ultimately the decisions are made by the client not the lawyer as you well know.

So we I think we'll, you know, be able to will get the advice that we can work with. And some people may challenge it. And it'll be as in any working situation with advising a group of people who have come together of different opinions that we'll get peppered I hope although remember they charge by the hour so we don't want to pepper them too much with questions.

And ICANN has as I think it's been said but I'll say it here is it's committed to funding. It's is not a blank check. We need to as I said in an earlier session, need to spend the money like it's our own but at the same time we need the advice that we need to get. Thanks.

Aparna Sridhar: Thanks.

Jonathan Robinson: Thank you. I've got Sean next.

(Sean Digi):   Okay and thank you. This is (Sean Digi) from Nigeria. A member of the CWG.

I did send a few questions related to this particular issue to the list. And I didn't get a response so I think I'll just get - read them out to you.

My question to you Greg is in - on selection process where are you guys discussing it? Is it a public list that is archived where we can see the level of requirement?

It seems that you actually helps you inform what client to select so on and so forth. Where to follow a discussion basically not necessarily to contribute but at least to follow your discussions?

The second thing is yes, the second question is related to the first. It's important that we kind of understand where you guys are discussing all these issues because it's the clients actually is going to be presenting an output that will affect the process of this CWG so it's important to follow through (unintelligible).

I'll let you know the exact timeline related to - in general (unintelligible) timeline right now it says that there will be (unintelligible) clients by March, well like this February or March. I'll have to check (unintelligible).

Well let's look - what is the exact timeline for you when are you going to appoint, when are you going to get them to respond? We need to know those specific timeline so that we can follow-up with you on all these things. Thank you.

Greg Shatan: Thank you (Sean). So far we've just been discussing this on emails as, you know, between as many people as needs to be.

We can certainly set up a public email list. I note that the legal committee of the CCWG Accountability has already, you know, put that on a separate list and there's no reason that we shouldn't as well.

At this point we're just discussing who to hire. Once we get someone in - once we, you know, engage one firm we're going to instruct them. And we haven't began to instruct any firm yet. So at this point we're just identifying capabilities and trying to get a firm hired.

In terms of timelines I'm - I've asked the firms to provide kind of written documents introducing themselves and their capabilities that we can circulate just so that, you know, these are firms that I'm fairly well aware of.

I've been studying the field of corporate governance firms now diligently in order to come up with these names and then drawing on my knowledge. But obviously everyone's knowledge is different.

So we have received a couple of these documents already and we intend - we hope to receive the rest in the near future.

Our list is now pretty much - our shortlist is now long enough that I think the list is more or less ready to start shrinking down to one firm.

Again it's our general hope is to have a firm engaged by the end of February. That's indicated on our timeline for the overall CWG.

I'll be I think over the course of the next week since we're all traveling, you know, towards the end of this week will be in kind of high gear and talking to the firms in trying to engage them.

You know, there may sometimes take a few days even after you've selected a firm to get things like engagement letters set up and having to actually retain given, you know, as I discussed with Aparna the somewhat unusual nature but hardly unique nature of the representation.

The engagement letters may take a little bit longer to draw so that it's clear that even though ICANN is is paying the bills ICANN is not - that they're, you know, working with us as a committee.

But again hopeful that over the course of it really is kind of the next couple of weeks after this toward the end of the month that this moves on a very sharp crisp pace to get us there.

Jonathan Robinson: Thank you (Sean). Thanks Greg. I mindful of time so and if I'm not mindful Lise will surely make me mindful.

So I think it's not a bad time to move on to the CCWG on accountability, the work we are doing to coordinate together which of course includes the legal work we were just discussing.

So I'll invite the co-chairs of that group to the podium is it, the front desk to join us.

Welcome Thomas Rickert and Mathieu Weill. So over to you guys to give us some update on the work and the in particular the elements of coordination.

Mathieu Weill: Thank you very much Jonathan and Lise for inviting us to give you this quick update. Many of you in this room have probably been in contact with this very presentation now we going through.

And therefore I will highlight the parts that are most related to the CWG's work in order to foster a conversation around this and not take too much of your time rehashing topics you've been discussing or hearing already.

(Chris) can you go to the next slide, so a quick reminder of the CCWG. Yes we started late early December which is a much later than your group.

And we started from the problem statement which is on this slide which is that the community inputs after the NTIA announced its intention to the transition was that ICANN's general accountability was not to a level sufficient to proceed with the transition.

And so in addition to handling the transition from the IANA function perspective there was a need to enhance ICANN's accountability and that's what's upon our shoulders right now.

So the scope is ICANN's general accountability and its interdependent and interrelated with your work but with a clear distinction in scope.

The work is divided into two workstreams, one the Workstream 1 is our main focus because it's what must be in place or committed to before the transition happens.

And so to recap this we are on the same boat trying to make the transition happen but with different scopes and of course we tried to coordinate as much as possible.

The next slide, so you have the statistics. We have five charting organizations. The GNSO co-chair is Thomas, ALAC, the co-chair is Leon Felipe Sanchez. And he apologizes for not being able to participate.

The GAC is a charting organization and the addressing supporting organization is also a charting organization of our group.

And you see the statistics here on screen about diversity. But we are - the group is as big as yours in terms of number of participants in total so it's kind

of a very similar and there's a lot of commonalities in terms of membership as well.

The next slide, so the first thing we set out doing was making sure we were talking about the same things. So we discussed about definitions around a number of key questions one of them being what does the community want ICANN to be accountable to, what is the purpose of ICANN's accountability?

So you see the four categories here, due process applicable compliance with applicable legislations, achieving certain levels of performance. That's certainly something that has an echo in this group at least I would expect so. And I've seen that from the various discussions.

And ensure that the decisions that are for the benefits of the public and not just a particular set of stakeholders.

So that's a document that is currently for review with the external advisors. And it's obviously something very central to our work that we enhance ICANN's accountability towards these purposes.

The next slide, we spend a lot of time as well discussing what is accountability. So this a number of characteristics (unintelligible) consultation and independence and mechanisms that can be (unintelligible) review, redress.

So redress and I'd like to emphasize this in our vocabulary means there is a binding outcome.

And I mean those definitions are probably open to be taken on board by this group but you the CWG at some point if you feel the need to assess the specific IANA accountability mechanisms that you're dealing with.

We've also listed on the next slide the stakeholders and it's a very long list. There are stakeholders that are affected by ICANN's decisions so we must be mindful of the impact.

Either they are directly affected or they may be indirectly affected. And I think that it's very important to recognize the fact that we need to take ICANN decisions impact into account when it comes to indirectly affected parties as well.

And of course the other side of the coin -- that's the next slide -- are the parties that are affecting ICANN, influencing on ICANN -- all of us here but all of us some others who affect ICANN more indirectly through their influence on the environment, the legislation and everything.

So is pretty standard framework and it's just put here to make sure we have the right basis for discussion and we share this definition.

The next slide was a very important item of work for us, the contingencies. It was stressed many times that our respective proposals I mean the ICG proposals so yours as well as ours would be examined by the NTIA but also the outside observers in terms of how resilient they would be. And they would have to be stress tested.

So a big item of our work is about stress test and the contingencies were the first step towards this which means highlighting the different threats and their consequences towards ICANN that we would need to test whether the proposed mechanisms need - enable us to address them and mitigate them or not.

And we've have 25 yet at this point, happy to add any that this group might identify and we might have skipped, grouped into five categories the financial crisis and insolvency ones so anything that would basically destroy ICANN by the lack of money.

The failures to meet operational obligations, for instance if the IANA operation obligations were not met so that's a contingency.

Legal or legislative actions that would destabilize ICANN by way of counseling a policy or removing parts of its mission or something, failures of accountability internally so anything that would be acting outside of ICANN's accountability mechanisms.

For instance a leader of the organization that would act out of any rules of due process and failure of accountability to external stakeholders if ICANN were to, for instance try and act outside of its mission.

So those are the kind of contingencies we're looking at and we'll stress test in the end against our proposals.

This is an ongoing work and tomorrow we are going to be - we'll actually be making good progress on this aspect and I invite everyone to come to our meeting tomorrow at 7:00 AM breakfast included.

Next slide. We have spent a face to face meeting in Frankfurt in January defining what would be our requirements for appropriate mechanisms in Workstream 1 meaning have to be in place before the transition can happen in place or committed to.

So it's really the minimum requirements we're looking for. And this what I will present now is the items we are considering. And there might be some filtering yet that we can - additional filtering we do.

And they're grouped into two categories. It's basically a community that is empowered with - which has certain powers and an enhancement of the review and redress processes. That's the two big categories of requirements.

And I just want to stop for a moment on this idea that we started with definitions then requirements and then we develop solutions.

This is a deliberate approach that we are taking to ensure we speak of the same things with definitions and we have a clear terms of reference of what we're looking for before we get into the substantial and difficult discussions about the details.

So it's still high level but it's deliberate. So going back to the work party one on the next slide you will see a number of examples of what we're considering as powers for the community such as approval for strategic plans, opposition to abort decision or staff decision, removing one or more board members. Those are examples of what we are considering to empower the community with.

And I'd like to on this one mention that changes to the bylaws, approval by the community on changes to the bylaws is one of the items we're considering.

And I know there is a relationship with some of the options that are currently on the table for this group.

On work party two on the next slide is regarding review and regress mechanisms. And this is much of a review of the existing ones with the assumption that there needs to be something binding at some point.

And so this of course a lot of work being done on the how binding the process are or should be, what's the standard of review, who has standings and what's the outcome?

The (unintelligible) of document is also on our radar and of course we are focusing on on general accountability mechanisms so there might be - we might be more focused on last resort mechanisms.

And there is a connection to be found with potentially the independent appeals panel that this group is considering.

And finally the next slide is the timeline. It is - it has been designed jointly. I mean we've been exchanging a lot with Lise and Jonathan.

We have weekly conference calls where we try and synchronize as much as we can on this. But we are currently working with the idea that we would go for public comment on our proposals by the beginning of April and submit through to SO and ACs by end of May. But just like for your group this is a best case scenario obviously and a lot of things can happen on that.

That's it for the update. I was - try to be as quick as possible. And Jonathan I think if we want to we can go to the letter or did you want to open the debate? It's up to you.

Jonathan Robinson: You know, I'm very conscious that this is a working group session. This is - we need to have as much opportunity as we can for anyone to comment, question provide input.

I think that was a very useful summary and in particularly valuable that you pointed out the overlaps.

I think that as we work together and as we work hard to work together it's possible that we will find other areas of confidence where like you mentioned on the independent appeals panel it's probably premature to assume that you could do that.

But as our definitions sharpen up and requirements become clear and your work is undertaken it's possible the responsibilities could transfer across between the groups.

So for me the critical thing is to continue to work to make sure our requirements are as clear as possible so that to the extent that we either develop solutions or need to develop solutions and those solutions emerge from within your group we can cross correlate them.

But I'd strongly encourage anyone to make any comments, provide any questions. I mean this is a really interesting area. And as the CCWG has got up to speed and as we work together is a team of co-chairs if you like it's incumbent on us both for the efficiency of this process but frankly also for the efficiency of any money we spend our ICANN's on legal advice and any other effort we put into make sure that the groups work as effectively as possible together.

Thomas did you want to make a remark?

Thomas Rickert: Yes. And while you could kindly bring up the email that we sent to you a few days back I would like to make a few remarks on our approach building on what you have said.

But you have said we establish the status quo first right, we looked at what is there. The existing accountability mechanisms we looked at the outcome of public comment periods that have been previously conducted.

We've looked at definitions right. And then we looked at requirements. So basically we did what you would do in software development would you would establish the status quo. Then you would look at the requirements without looking at the implementation right?

So and once we have clarity and unanimity on the requirements the complete implementation doesn't that much matter because the requirements are superior.

And we think that we need legal advice to come up with an implementation model. That's what we're currently working on. And in the absence of this legal advice we're not talking about complete implementation.

We've done, you know, this might resemble waterfall type programming methods. You know, we did one step after the other.

What we will likely do tomorrow morning is change this to agile. You know, we need to be able not to work on things sequentially but in parallel. We tried to do this so far with having different workgroups.

But now we really need to come up with sprints that individuals can work on and deliver run in a short period of time.

And I am sure that there are a couple of sprints that we can share. And we've tried to identify those areas in the communication that we had back and forth.

And while we are very efficient in setting up conference calls between the co-chairs we found that we are far too polite with each other.

You know, as you well know we have charters spelling out what the two groups are tasked to do and these have a clear demarcation in terms of accountability what you guys are doing and what we are supposed to do.

And we've been so cautious trying to avoid stepping over the line. So you said budget transparency and we said well what are your requirements for that?

And then you - we got the feeling that you were a little bit upset with us not saying okay we'll do this for you. And we said well could you please say what budget positions you would like to have on the transparency? Right? So and we - I think we agreed we would stop that.

You just say what data views are important for you and we make we make sure that they go into the proposal as a requirement for ICANN.

And what we've also done and (Bruce) has been instrumental in that. (Bruce) had said I'll give you the data on current costs of IANA operations.

It was severe at the moment and they're going to deliver the next couple of days right? So we can, you know, if we're only sufficiently open with each other we can deliver right?

And I think in this spirit we should try to be working together more at all levels not only at the co-chair level. I know that there are a lot of folks in this room who are both on the CWG as well as the CCWG.

And maybe by getting clearer views on requirements and common requirements we can build into our process what your needs are. That's what we try to express with our high level statements as well as with our further communication but maybe we haven't made that sufficiently clear.

And in that spirit maybe we want to look at the communication of the letter because these are obviously areas where we would like to get more information from you.

The first area was actually the budget transparency. So I think we can take that off the list. It's work underway. We're going to get the data from ICANN. I think your group will review that.

And then once we get the data fields or once you say okay this breakdown of costs this form it is okay we make sure that it goes into the proposal.

The next point would be accountability for re-delegations. So we had a lot of discussion surrounding that and yet again we were very cautious to take into consideration the sensitivities for ccTLD operators not to suggest that ICANN or the ICANN board would make substantial decisions on cc matters. We won't. We don't plan to right? And this is why we make clear that we will come up with accountability mechanisms.

And only to the extent that the board or staff have a role to play in that regard that should be subject to the accountability mechanisms that we're working on

while the question of delegation and re-delegation and substance should not be in the purview of what we're doing.

Is it something that is well received in this group?

Man: Yes.

Man: (Unintelligible).

Thomas Rickert: So I guess that we will likely come up with review and regress mechanisms also for delegation and re-delegation except for the core part where it's a matter for the sovereign states and countries to make decisions right?

So we will make sure that we don't touch that. That should be dealt with somewhere else. Jonathan?

Jonathan Robinson: Thomas just noting that this is an emerging stream in their chat referring to some support for the opportunity to work closely to potentially transfer between the groups as appropriate and to recognize that effectively coming out of this is a form of emerging single solution or at least integrated solutions.

Thomas Rickert: Thank you. Are there more comments on the accountability for delegations or re-delegation questions?

So I would say, you know, our take-home message for this is you don't be afraid we step over the line.

We have well understood so should you read the word delegation or re-delegation in our work certainly nothing that's going to concern the

substantive decisions that need to take place in countries right? So I think that and then maybe we can speak a little bit more openly than we previously did.

Independent review of board actions, that's actually something that, you know, although we haven't yet specified everything and although we haven't done a consensus call but I think you can rely on our group delivering on processes, potentially various processes that give the community the opportunity to have board decisions reviewed or approved.

So that either certain things such as budget approval for example would need to go to the community for approval by the community.

And if the community is not happy with it we send it back to the board and say you need to redo it right? So there will be such mechanisms which I think you can rely on.

And as far as we can say now there might be some sort of reviews or review redress mechanisms that can be triggered by the community by an empowered community as we call it.

And then there might be others that will be subject to independent review where no stakeholders that might be conflicted or have vesting interest in the decision can take part.

So that's what sort of the topic that's or the theme that's evolved and so we're going to have independent review board actions. And we will also likely have an independent appeals panel.

And as we built this framework we do think that we might come up with a mechanism where your concerns could be embedded added to the list of competencies.

So it could be built into the overall architecture again cognizant of the fact that substantive decisions on the CCs would not be made by the ICANN board or by the ICANN community.

So that would actually need to be an independent panel and I think it would be for your group and specifically to describe how such panel could be composed and what the competencies would be.

But I think we have some sort of ideas on or our group also recognizes the need for independent review or an independent appeals panel.

So Thomas in the first instance is Jonathan speaking that it's to your point it's as much about the, what were the words, the competencies of the panel. But prior to even thinking about the competencies of the panel it's being very sure what the requirements and scope of that panels function is.

And it feels to me like as far as the IANA function is concerned to the extent that such a panel needs to exist it's likely to be very tight.

Thomas Rickert: Would you like to add to that?

Mathieu Weill: Just a quick follow-up that one thing also we'll be working on is we're going to be using templates and making sure we have a checklist of what an accountability mechanism is made of.

And that is certainly something we can share in the process to ensure you don't spend too much time revisiting the different items to be provided. So that's also an area for cooperation, enhanced cooperation.

Jonathan Robinson: Okay. So I'm very conscious of time. In my mind I've got the fact that we've got to deal with the issues about how we're going to work and structure and organize our work going forward and in addition that we need to create a substantial window in this meeting for any input at the mic so happy to hear any further discussion.

It feels to me like you have given us a very good update of the work of the group, given us good indication of further background and thinking based partly on our interchanges as to how we might develop from that letter from the interchange of mails.

It doesn't feel to me like you necessarily need a further reply back by mail. I think we're clear that what we're doing.

Are there any other questions or comments on this before I close Item 4 and move on? Thomas.

Thomas Rickert: Yes. Just looking at the chat and seeing one remark stating that you shouldn't be losing control over what you need to do. That's no way the intention. I think what we can offer is that you build on what we are working on.

So what Mathieu for example mentioned we will have a standard template for developing accountability mechanisms. We would talk about the name...

Man: (Unintelligible).

Thomas Rickert: ...of the accountability mechanism. You would say - we would speak to standing, we would speak to accessibility, we would speak to the standards of procedure, we would speak to the composition of the decision making body. And, you know, so all aspects so that we have a matrix for certain accountability mechanisms, one of which could be the one that you want to deploy.

And if we use the same format for it, then it might be possible to easily embed that into an overall accountability architecture. Yet not neglecting the fact that you have special needs and certainly you need to be in full control over the outcome.

Mathieu Weill: Just speaking to that, this is really an offer for support, definitely not an offer for reviewing the respective scopes. So I mean the accountability of delivering the proposal is on you side. If you want us to support (after it), we'll consider it and we'll look at it favorably probably as long as it's within our skills.

And - but it's being working on your requirements under your guidance; proposing an approval is definitely within your side as well. So I just wanted to emphasize this because I can understand the sensitivity behind it.

Jonathan Robinson: Okay. Thank you very much. I would say that it is helpful having the efficiency of the notes on the chat and then speaking about that. That seems to be a very useful way to do things efficiently. But it is not the only way.

If someone feels the need to come up and speak at one of the microphones on the desk or the floor, please do so. So let's draw a line under Item 4. Thank you very much Mathieu and Thomas. Look forward to continue to work with you.

Next item highlights and seeks to spend some time - I really to some extent five and six are related. They're about what work we do in the near future and how we might work.

And in talking through with Lise over the last few days and thinking about how we might both gain forward momentum and gain the appearance of forward momentum because I think certainly the appearance and in some ways the reality is that we've been caught in a cycle of talking about the various models.

And in particular those - one of the - those models don't only deal with one eventual situation but a significant part of the thinking and effort has been around what we might do in extreme - in an extreme scenario that a form of separation is required.

That's fine. That work may well need to be done and should continue to be done. But we also have a complete proposal to write that potentially includes that but doesn't only include that.

So what we would certainly like to do is focus on the development of a proposal and possibly get to in the form of a proposal document and really focus on developing - starting to build up that document so that we can start to envisage what a product - finished product of this group might look like and identify all of the components of such a potentially finished product including reference to things like the SSAC 69 and related documents that we heard earlier.

So we've been working with various subcommittees or groups and those groups were originally divided up, as you know, along the lines of the responses to the sections and the requests for proposals from the ICG. And

therefore we called those groups RFP1, 2, 3, 4 and so on to match the corresponding components.

As you know, we completed the work of RFP1 and 2 and really the bulk of the work that's been going on is in trying to develop the proposal for - in the RFP3 and later the related RFP3B subgroup.

We believe it may be a more efficient way to bring the group back to working significantly more as a whole group and working together as a whole group. And to the extent that tasks are done that need to contribute into the whole group to spin also those off into taskforces that report back to the group on a weekly basis.

And so in effect do maybe what Thomas was calling - was making the analogy of (sprints) in the Agile process. But essentially creating areas to focus on key deliverables that will feed into an overall document, which will give us a map of what we're trying to achieve.

And those include things like the SLAs, maybe detail on the CSC, possibly the IAP and going through that in a requirements solution, iterate and keep coming back until we have a module that we can plug into the main document. And of course the issues in and around the particularly attractable area, which will require legal advice, can be one such area of work.

So we've had the coordinators of these RFP groups doing quite substantial work running separate calls. And those coordinators will still be responsible for overseeing the production of those areas of the document. But it feels to us like integrating the group and working more significantly as a committee as a whole and continually checking the work of those taskforces may be a more effective way of working.

I think we'll continue to rely on a single document also so the document doesn't get splintered. And personally I'd like to utilize the fact that three are existing and corresponding proposals, which may necessarily be simpler.

We've certainly compared them in terms of potential volume compared to how do they stand. But there's the numbers in protocols parameters that are clearly protocol parameter proposals that have been submitted to the ICG already.

And it strikes me that cross referencing against those is also a very sensible thing to do. One, because it might guide our thinking as we develop our own document; and two, it necessarily correlates what we're doing to the extent that that's appropriate without - and makes some iterative check on that such that we don't submit it to the ICG and find that there are missing links or missing points.

And having heard one of the key concerns from the ICG about their time scale was to the extent that they had to refer anything back or go through some kind of question and referral cycle, we can perhaps head that off earlier on.

So with this kind of thinking we hope that we can at least still continue to match our best timetable. And I'm not going to say any more about timetables because as I think that will emerge as we begin to work.

But certainly the other benefit of that is that if we have a document that we're working to with modules, we can either lock down those modules or at least get them to a substantially finished state and/or put them in place in the framework that is the final document, which will serve the purpose of demonstrating incremental progress as well.

So let's have some discussion around that. I think I'll bring in six in too so we discussion five and six together because six is really a bucket to throw into. To the extent that we aren't already working on things, it's an opportunity to put that into a bucket and say look, these need to be developed and in fact probably a taskforce needs to work on anything that's in the bucket that's defined by the gap analysis.

As we check against the existing proposals, as we check against SSAC 69, as we make any other analysis, we'll be able to continually say right, well that's missing from our proposal, that's missing from our proposal. And either we're working on it or we can put it in a holding bay ready to pick up and work on as we build the document.

So let me stop there and see if there are any comments, questions, input. And I see Marika's hand is up. So let's hear from Marika and then take it from there.

Marika Konings: Yes. This is Marika speaking on behalf of James Gannon who is a participant in the CWG. Can we really move to that more granule sprint style approach when the higher level internal versus external debate is yet to be resolved or are we going to work on both concurrently?

Jonathan Robinson: Well, there's some other hands up. So are you unable to put you hand up in the Adobe room? It's just easier for the purposes of queue management. So if you can possibly do that, that would be great.

So the question is on this whether or not we can do while some items - well it seems to me that we should work concurrently and we should make every effort to resolve that internal external debate.

But in essence that's a particular question about a particular problem and in fact currently there is a limit to the extent we can make progress on that until we get further down the legal advice track.

So I'm in no way suggesting that we ignore or dump that particular problem. But I think it's something we can work on in parallel with other critical areas that we have to develop as part of our overall proposal. Lise.

Lise Fuhr: Yes. I saw a chat from Paul Kane about the CCs and the gTLDs getting together to formulate an SLA.

Jonathan Robinson: Okay.

Lise Fuhr: Yes.

Jonathan Robinson: Thanks. And then we have a queue, which commences with Mathieu so go ahead Mathieu.

Mathieu Weill: Mathieu Weill, ccNSO co-Chair - oh, CWG co-Chair. Getting lost. I'm just a bit in advance anyway. Just answering the question that was raised, the remote question.

We can definitely not support and provide any help to anything that does not have (peer) requirements. We need to have requirements upfront. But I think it's up to you to decide whether the high-level structure is necessary to actually start working on potential mechanisms or whether you want to start with requirements coming from operational necessities and contingencies and then leave the question of high-level structure in the end.

And I think that's strictly a choice for the CWG in terms of working methods and way forward. But in terms of the support that the CWG can provide it these requirements but it can be totally independent from high-level structure and organization.

Jonathan Robinson: A brief response to that. It seems to me that there are both - requirements need to be spelled out regardless. And I think in a sense we can take that leaf out of your book. Not only would it help us work better. It'll help us to the extent we need to transfer anything to you.

In addition, we - there is nothing to stop us doing for example the work that's proposed on SLAs. That doesn't undermine the development of requirements and the development of and ultimately proposals for solutions like internal external model. These two can work entirely in parallel. I'm very confident that we can do that. So we shouldn't in any way feel that one is supplanting the other.

It's good to have some hands up in the queue. So that was yourself Mathieu. We've had you. Let's go to (Robert).

(Robert Gara):   This is (Robert Gara). I'm with the SSAC and a member of the CWG. Some of the points have been mentioned. I just would like to be in support - I'm sorry. This is (Robert Gara), member of the CWG. And I'd like to express my support for the proposed work method that I see is a Agile approach to spin and create small, very focused subgroups that can develop text.

And something that's not been mentioned is that, you know, we do have a target deadline that we want to try to develop text and there's a lot that still needs to be - there's a lot that has been done. (Unintelligible) way that we can do that I would be quite supportive of that. Thank you.

Jonathan Robinson: Thanks (Robert). I'm not sure what the Agile term is. We've been calling them taskforces. I think it strums but in any event, it doesn't matter. I think they're no longer subgroups but certainly areas of intense activity. And appreciate your support for that. Paul Kane.

Paul Kane: Thank you. First of all I'd like to say well done to the various groups that have already been reporting on Sections 1 and 2. I think they have put a lot of time into the process.

I would like to echo and support the idea of having specific taskforce groups. And it is great to see. Speaking as a CC Registry Manager and I'm sure some of my CC colleagues would be very willing to devise a service level expectation for the IANA and it's good to see the gTLD community, (Donna) and (Keith) also welcoming that.

So I think that is certainly one small group that could - what work on substantive issues relatively efficiently and then report back to the main group.

Jonathan Robinson: Thank you Paul. Milton.

Milton Mueller: Yes. I think - this is Milton Mueller for the record. I agree with Mr. Gannon's first comment that I - I'm not - I don't want us to get distracted. I think the thing as a member of the ICG what concerns us with respect to the timeline is when we're going to get a consensus proposal from the CWG.

And the thing that is slowing you down is not perceived as small ancillary workgroup items. It is, you know, the fundamental model that you're going to be - is going to prove to be acceptable.

So I would have no opposition, you know, to creating workgroups that can do things while we're waiting for the legal advice. But I would also like to explore and be thinking about options for resolving some of the debates and discussions we've been having about internal versus external.

I don't see those as unresolvable or impossible to reconcile. And I see those as things we need to discuss a little more rationally in a less polarized fashion. So let's not overlook that.

Jonathan Robinson: Milton, I couldn't agree with you more. And to that extent, you know, in one sense that can be taskforce oriented and that work can continue. And to the extent that there's some form of convergence of thinking there, of course, in principle that could reduce our requirement for legal advice. Because at the moment we've potentially got four things we're asking. I'm not sure about that but it's possible that could reduce the amount of advice we need if we converge ahead of taking the advice.

I mean and that's where we've talked about, you know, consultation with the lawyers bringing it back to the group and/or or the taskforce work on that. And as those go in their cycle, we could end up with a more efficient outcome there as well. (Eduardo).

Eduardo Diaz: Thank (unintelligible) and this is (Eduardo) for the record. I have never participated or have experience working in an Agile environment. So I'm not sure how something like that is managed especially, you know, across time zones and, you know, all kinds of people with different - I mean we are all volunteers.

And I would like to know if you have notion or give us - expand a little bit about how something that like will be (unintelligible) or managed within this group. Thank you.

Jonathan Robinson: I wonder how much we should - I mean I think the principle is Agile. I don't think we're going to necessarily apply religiously Agile software development methods to the way of working of the group.

I think what it means to me is the group meets regularly, probably once a week. Taskforces can meet as regularly as they need to using similar remote participation tools and work on solving smaller component problems and keep bringing those back to the group.

They might take one week and say look, we think we solved it. Is the group okay? Yes. Plug it into the thing. We're struggling. This is where we are. We're taking a while - it might take multiple of those cycles. Keep coming back to the group. But at least we know in the background there's working going on but that the group doesn't lose sight of it either and keeps - so that's the thinking really. You want to come back on that (Eduardo)?

Eduardo Diaz: Yes. A follow up to that is I thought that's what we're doing now with (unintelligible) and this and that. People are working on those little things and then going back to the main group and being the input from that. So I don't see a difference there.

Jonathan Robinson: I think in some ways you're right. There isn't - it's not fundamentally different but it's breaking it down into smaller chunks. We've ended up with all of the group's energy being sucked into that - what is a fundamental issue but nevertheless it gives the appearance of the group not making progress when we could be making progress on a number of other items.

So breaking it down into smaller parcels of work and notching up successes with that I think will be good both for the productivity and probably the psychology of the group and those that are watching us. Thank you.

All right. Greg's hand is up and then I'm mindful that it's 6:43. We've got - oh, we have it - we'll go to quarter past. I've been working towards the top of the hour. I must have been driving myself and you probably a little harder than necessary thinking we're at the top of the hour stop time. So Greg, go ahead.

Greg Shatan: I just wanted to add to your response to Eduardo. And I think that 3B is kind of a transitional object, if you will, between the big lump approach that we were taking at the beginning since RPF3 was basically answering the entire question of how do we do this.

And 3B was kind of a first step in breaking off a small piece of how do we do this and looking at it. And now we've gone completely to that methodology while keeping the central throughway of our work breaking off, you know, a piece - a number of smaller pieces and doing it in that way.

So I would say that 3B is very similar to the work style that we're adopting and the previous style of saying that RFP3 will solve all problems and that RFP4 will tell us whether we solve all problems is - was a little bit too non-granular. So that's where we're at.

Jonathan Robinson: Thanks Greg. And to the extent that you talk about the main group being the throughway the kind of - I feel that the spine of that throughway is the emerging document.

Man: You mixed your metaphors but that's...

Jonathan Robinson: I understand.

Woman: And Jonathan, I'd like to add I think we should have like 30 minutes for the open mic. So we're in a good place and could go on.

Jonathan Robinson: Okay. I don't see further hands up. So now let's switch to the open mic meaning that any one of the members, participants or anyone else is able to contribute at this stage. Grace. (Marika), go ahead.

Marika Konings: Yes. This is Marika. I have three questions in the queue from remote observers. Would you like me to read all three of them or one by one?

Jonathan Robinson: One at a time please.

Marika Konings: So the first question is from (Mike Oscar). Would the legal advice be coming from a firm, which has expertise in U.S. California corporate governance law? Not sure whether it is within the scope of the CWG names. Will the legal advice also cater to the issues regarding jurisdiction?

Jonathan Robinson: I think we've covered much of that. But let me hand over to Greg to see.

Greg Shatan: Greg Shatan for the record. I would quickly say yes. One of the core competencies - indeed the core competency is not only corporate governance law but specifically U.S. and California corporate governance. To the extent that any jurisdiction issues are raised, I'm sure that whatever firm we hire will be competent to look at those issues as well. Thank you.

Jonathan Robinson: Next Marika.

Chuck Gomes: Jonathan. Just if I could follow up on Greg. This is Chuck Gomes.

Jonathan Robinson: Please do.

Chuck Gomes: People - some people in this room may not be aware that a detailed scoping document was prepared and with regard to this that included the requirement for example of California non-profit expertise. So calling attention to that might help some people that aren't aware of that.

Jonathan Robinson: Yes. That's a welcome reminder. Thank you Chuck. That document - there is a scope and briefing document that we worked hard on and covers the initial briefing. We were careful to recommend to the group that that wasn't the final word. That was a starting point for the legal advice but nevertheless covered some of those key principles and necessary requirements of the work of the group. So thank you Chuck for that reminder. Marika, next question please.

Marika Konings: Yes. This is Marika speaking on behalf of Oscar Mike. Developing accountability mechanisms architecture would also depend on the nature of the legal entity/institution it is intended for. How is the CCWG planning to address this contingency?

Jonathan Robinson: I'm not sure I probably understand the question Marika. Probably more for the CCWG I think. Is that right? Or - yes. It looks like it's more for the CCWG.

I've had another question asking whether we skipped over the gap analysis. What I said when I introduced Item 5 was I would talk about Item 5 and 6 and that the way forward was that work methods we've talked about and that many of you have responded to in the chat and that the gap analysis is really about -

if you remember, I referred to a container that would be a basis on which we would create the initial - the starting point of any taskforces.

So you've got your issue, your requirements, you taskforce and then feeding in. So in a sense the gap - and we feel we created that - the items in that gap analysis by looking against existing proposals that have already been submitted to the ICG, SSAC 69, existing - any other input into the group.

So it's a kind of catchall to say we know we're working on all of this. We can see the document but what's missing is A, B, C, D and that's an ongoing process. Right. I've got - Marika, I know you've got one more question but I'm going to go to - I've got (Cesar) and Russ in the queue. So if you could come back into the queue Marika with that final question. So (Cesar), let me go to you.

Sivasubramanian Muthusamy: Yes. This is Sivasubramanian Muthusamy. There are various proposals by both working groups. And I have a feeling that some participants are (more attached) to proposals to create new entities and that there's not much of attention paid to simple solutions that are internal.

What I want to request all the - both the groups is to be a little more receptive to ideas of simple solutions, internal solutions. And no one has place a magic formula on the table but be receptive to the idea for simpler solution. Truly there are some that does not hurt anyone could emerge. Thank you.

Jonathan Robinson: So I will say personally I'm truly receptive and I'm sure everyone in the group is to the simplest solution. But I'm sure others might remark on whether they indeed feel, you know, what the definition of simplicity is.

But nevertheless I agree with you and I've heard that sentiment throughout these last two days at the group. So I think we should have that ringing in our ears as we do our work. We should be testing any thinking is as simple as we can make it. I do agree with that sentiment.

So if anyone else wants to respond separately, by all means do. In the meantime, let me go to Russ.

Russ Mundy: Thank you Jonathan. I wanted to comment this time purely as an individual. Last time up there as an SSAC person. And although I do believe the SSAC documents are very important and the group should look at, study and take those very much into consideration.

There was another very, very important document I believe that was published shortly after SSAC 69 and that was the set of briefing slides that NTIA themselves published that said this is what we do in the root zone management.

And as being an individual who has actually read the entire 400 plus pages of the contract, I can very specifically say this document from NTIA is probably the best summary of what NTIA believes they do. And having been around the community for quite a while and engaged in it, I think it's very accurate.

Jonathan Robinson: Thank you Russ. Two quick comments. One, thank you. That's very useful to remind us and/or let those of us who didn't know that that existed. And I think we should take an action to go back and look at that and review that relative to our gap analysis.

Second, I'll remind all of us that one of the very first tasks we did was went through a thorough review of the contract ourselves and took a - did a triage of that document and looked for it.

Although I have had some conversations that have reminded me that we need to - while studies of - and I don't know anything about that NTIA slide so I'm not making comment. Really my comment is with reference to the contract itself.

That to some extent we need to think - our job is not necessarily to replace that contract like-for-like but rather to have an independence of thought that says how should this be done going forward.

So it's a great reference point, the contract as we had originally. The slide's very helpful. But also we need to have our own independence of thought. Thank you Russ.

Greg Shatan: Jonathan, if I could just interject in direct response to Russ. We did review those - that slide deck in the last conference call of ours, (P3). It was posted to the list. So we have, you know, gone through it at least once. And we'll do so again. But it is not only on our radar screen but it - we worked on it.

Jonathan Robinson: Okay. Thanks for that reminder. I was not on that call. But that's useful. But nevertheless I do think, you know, with the current thinking in mind, reviewing it with opportunity to input into the gap analysis will be helpful. So that's great. Marika, we'll go to you now.

Marika Konings: Yes. This Marika. I still have two questions from remote observers. The first one is from (Fanyee). The question is to piggyback on comments made by Phil Corwin in an earlier GNSO meeting, will the scope of accountability of

ICANN include putting binding and enforceable policies in place to stop any sovereign countries from blocking content on the Web site at will for political reasons?

Jonathan Robinson: Anyone want to answer that? Any responses? Mathieu.

Mathieu Weill: So for the CCWG it's quite early to say but what I can say is this is definitely part of the contingencies we'll be stress testing our proposed solutions against.

Jonathan Robinson: Thank you Mathieu. That's a helpful answer. Mary. You're next. Mary Uduma.

Mary Uduma: Mary Uduma for the record. I just want to ask whether there - in the gap analysis where they will be able to reach out to the other (opportune) communities that submitted. The proposal probably will look at some of the things they have said in the proposal whether I could have the taskforces in developing the (unintelligible) proposals. Thank you.

Jonathan Robinson: Yes. Mary, that's a helpful suggestion as well. I had taken it in thinking about the gap analysis that we would read proposals from other communities and analyze them for gaps. But indeed with - I mean we would welcome any input from anyone else from those other communities to ensure that any gaps in our work are identified.

And as I said at the outset, there's two motivations for that. One, for the independent completeness of our own work; but two, for the coherence potentially of our work with those other groups to make the ICG's work less difficult in the end. Thank you Mary. That's helpful. Milton, we go to you next.

Milton Mueller: Just a brief comment about these fairly granular descriptions of what the NTIA does or doesn't do. I think what you can easily get lost in considering that is that the NTIA writes the contract. Okay. Did they say that they do that Russ in the list? And the NTIA awards the contract.

Those are the two most fundamental things and they're not in that list. And that's really about 80% of the problem that we're faced with. The awarding and what's in the contract.

Jonathan Robinson: Thank you Milton. Marika.

Marika Konings: So this is Marika again speaking on behalf of ISOC Gambia chapter. The question is if this organization's main aim is to globalize Internet accessibility, what are their action plans for places with poor Internet facility or connection?

Jonathan Robinson: Yes. I'm not sure that's in - certainly not in the scope of this particular group. And I might question whether that's in the scope of this organization if that - if this organization refers to ICANN. I'm not even sure that's in scope for ICANN but maybe someone else might care to comment. Thomas.

Thomas Rickert: In the framework of our work, we have as one of the community empowerment requirements that the community would need to adopt a strategic plan. So as far as ICANN's mission is concerned, that strategic plan would likely speak to the issue of global inclusiveness but that would certainly not mean that that fiber is dug into the ground. Right.

But to the extent it's within global's mission, we think this will go into the accountability work through the strategic plan.

Jonathan Robinson: Thank you. So Thomas, when you refer to you group, obviously it's the CCWG. And the inclusiveness refers to the inclusiveness of participation in ICANN's work to the extent that it is within ICANN's remit. Yes. Thank you. Any other comments, questions, input, challenges?

It's the end of a long day. Certainly is for me. (Robert).

Robert Guerra: This is Robert Guerra again. One think I also wanted to mention is while what's different about this meeting of the CWG is that there's an excellent - there are a number of people with - the folks from NTIA I know are in the room and the folks from IANA, (Kim) and others are here as well too.

And so if additional clarifications or questions are required, this is a rare opportunity that we can engage with them. That's normally not the case. And I would really maybe ask folks to be able to speak with them. It's a resource that we usually don't have.

And going to Russ' point as well too, I would like to propose to - I'd also like to mention that IANA had a excellent presentation this morning on the different things that they do.

And suggest that if there is - because there are these great briefings that both NTIA and IANA have done, I might suggest that in the next coming weeks perhaps we have a short Webinar where they could present maybe a summarized version of their presentation that they give today.

It would help - it would just help refocus us and know what's done and so we can perhaps ask some focus questions, which we've not been able to do at the session with them. Thank you.

Jonathan Robinson: Yes. I think - was that - did that - did you send me a link to that today
                       already? You did. Thank you. Yes. I mean I think it's sort of required reading
                       for the group.

                       And maybe one thing we could do Grace is capture an action item list to
                       develop and maintain a required reading list so that we can keep that in
                       continuous circulation and remind one another of what the level of expertise is
                       required - that is required in terms of this form of background reading to
                       continue to contribute most effectively to the work of this group. I see support
                       for that in the chat so I think that's a key item.

                       All right. Let's draw this open microphone session to a close and then turn to a
                       review of the action items coming out of the meeting for which I will turn to
                       Grace who I hope has been keeping an accurate record of such items.

Grace Abuhamad: Thank you Jonathan. This is Grace Abuhamad for the record. So on the list of
                       action items I have combined two. So we had a list to review the SSAC
                       documents, the existing proposals submitted to the ICG and the NTIA slides.

                       I've combined that with the latest action item, which is to develop and
                       maintain a required reading list. Is that - would that be okay to combine the
                       two action items.

Jonathan Robinson: No. They're different...

Grace Abuhamad: Are they separate?

Jonathan Robinson: ...objectives. The first is to - they should certainly be added. All of those
                       three reports should be added to the required reading list. But in addition, we'll
                       want a - I guess a taskforce or one or more individuals to review those

documents for key - for inputs into the gap analysis to make sure that the work of our group is properly scoped. That's the funnel - the gap analysis produces the funnel for the work of the group.

Grace Abuhamad: Understood. Okay. So there'd be one taskforce essentially to review the documents that I mentioned.

Jonathan Robinson: Yes. I'm not sure it's a taskforce as such. It's probably one or two individuals to review that. But nevertheless, that's the requirement to review the documents for input.

Grace Abuhamad: Okay. The second action item I had was to -- for a - which is what the first action item turned into -- to review the documents and pull out elements for the CWG.

The third action item would be to reach out to the other communities. This was suggested by Mary Uduma to reach out to the other communities the protocol parameters and the numbering community to see if they had anything to add to the gap analysis.

And the last action item would be to develop the required reading list. One additional item that came up in the chat was potentially to start a list on the mailing list to determine or get a suggestion of taskforces. So I would suggest that we do that through an email thread.

Jonathan Robinson: Yes. So ideally the titles and direction of those taskforces comes out through either the gap analysis but there's no reason why we shouldn't start a mailing list that says - we clearly have at least one already, which is the SLAs. And that looks like that's sort of emerged during the course of meeting.

I'm sure there are others that escape me right now. But yes, that's a good idea to - and then of course in the first step in each is that is the requirements and then to start to build out the solution on the back of the requirements.

Any other actions that have been missed that came out through the course of the discussion? Lise.

Lise Fuhr: Well, we had a request from (Sean) about having more transparency regarding the legal committee or the client committee and I think we need a way to have a list or whatever we're going to make with this (existing order). And I heard Greg was agreeing on this, so.

Jonathan Robinson: Okay. Well we'll make best efforts to do that as - I mean, as you know, the idea was to make an effective interface between both the procurement and management of the legal function. But if it feels like more transparency is required and we can do that effectively, then we'll work with you to do that.

All right. Thank you very much for all of your contributions both - well members and participants as well as others who've joined us in the room today. I hope we have an effective way forward. (Unintelligible) I was about to wrap and I see your hand is up, so looks like you might get the last word.

Man: Just that there are documents like SSAC 67, 68, 69 and then the documents that (turns into) 400 pages and there are some complicated documents that some of the participants read but not everyone reads. So if we can have a - the participants will read the documents, summarize it in the form of a simple presentation for everyone to understand it. It'll help the work of the working group.

Jonathan Robinson: Did I see your hand up - going up as a volunteer? All right. Well that's a reasonable suggestion and I'm sure - I mean to some extent SSAC 69 is summarized in the Executive Summary for example. So hopefully in some cases they already contain a summary. But, excuse me. Thank you for that suggestion.

All right. Thank you everyone for your participation and involvement. I look forward to working with you in the weeks to come.

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