

**ICANN**

**Moderator: Gisella Gruber-White  
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11:00 am CT**

Coordinator: The recording has started.

Lise Fuhr: Thanks.

Grace Abuhamad: Thank you. We are - this is the 25th meeting of the CWG. And we're at the 3rd of March 1702 UTC. The Chair for today's call is Lise Fuhr. Jonathan sends his apologies. I'll turn it over to Lise.

Lise Fuhr: Thank you Grace. Yes and I will as the co-Chair of CCWG Chair this call. I'd just like to know if there is anyone who's not in the Adobe room but only on audio. Could you please let Grace know? I'll just make a short pause here if anyone out there.

Cheryl Langdon-Orr: Grace, Cheryl, I'm still not in the AC room but I will be shortly. Thank you.

Lise Fuhr: Okay. Thank you Cheryl. Anyone else only on audio? No.

Sivasubramanian Muthusamy: This is Siva. I'm in - I'm only on audio also.

Lise Fuhr: Okay. Siva's only on audio. Thank you Siva. Okay. Well welcome to this 25th call. And well, yes, since the last meeting there's been a lot of activity on the list, which is very good. And we need to stay focused on the delivery of an actual proposal.

Later this week the co-Chairs will send out a work plan. And that will be our best assessment on how we can get a draft proposal out for the public consultation after our face-to-face meeting in Istanbul.

And there's been some emails on the list regarding the work methods. And I saw Jonathan send out the clarification that actually is no longer the RFP groups. We're going to work in design teams. And those design teams are going to try and deal with the issues while we're waiting for the legal advice on the actual principle of the models we have in place.

And we will use the former RFP code in there to assist the co-Chairs with the oversight of the relevant corresponding sections of our draft proposal Version 2. And well, a part of this is actually where I'm also going to have a look at the SSAC Document 69 in the context of our emerging proposal.

So with this, we're going to discuss - and I know we discussed - we would try to have these Tuesday's meetings as only discussion content. But this will be some discussion of content but we're also going to have a final review of our design team methods. And I'll also like to review the structure of the CWG proposal since we sent it out so close to the meeting last Thursday.

But first we'll have a go of the review of the design team methods. And Jonathan has sent out the step-by-step for design teams. And I have sent out a list of the different design teams until now.

We as co-Chairs will prioritize this list. And we will do this also by the end of this week. We will focus on operational issues in the way we prioritize. We will have a focus on the overall work plan. And at least we will also have a look at the resources to - for the review teams.

So I would like to hear if there's any general comments to the step-by-step and as I said, we will review this - the different design teams according to the overall work plan and we'll get back to you. But I'd like to hear if there are any comments or questions regarding this. And Grace put the step-by-step on the screen in the Adobe room. Don't see any questions at the moment. No. Okay. Martin Boyle, your hand is up.

Martin Boyle: Thanks Lisa. I've got a little question about selection of or identification of the participants in the design teams. I've seen one case where the participants have been named as the design team was proposed. And others was just leave it to be confirmed.

I have in my mind that people were going to be able to volunteer as and when design teams were being set up. Have you set rules or is it just a matter of first come first serve on any design team that sets up? Thank you.

Lise Fuhr: Well, that's a very good question. And actually Jonathan touched upon this at the last call. To call them rules is such a strong word. But we will - if there's too many people who want to join the same design team, we will do a selection as co-Chairs.

And this selection will be according to what are the qualifications of the actual participants, do they have the time and will they commit themselves to do the

word because this is going to be very intense work that needs to be done within a couple of weeks. So that's going to be another one.

And of course we'll try to have included the relevant parties. So you see we have an INP proposal where we need to have the GAC and we would also need to have some from the (CCPNSG) so that would be in place for that design team. So yes there are going to be rules or rules but more an assessment of what can the different participants give to the actual group. Thank you.

Any other questions? Doesn't seem to be the case. So I will move on to the next and that's the review and scope of Design Team A and Design Team B and the launch. And while the abbreviation DTA is Design Team A and DTB is Design Team B.

So actually at the last call we mentioned that we would prioritize three design teams as the Test Design Teams and that was going to be the SLE, which Paul Kane is lead on; the IAP, which Allan MacGillivray is lead on; and the third is the CAC where - which is still in process but Donna Austin has volunteered to be a lead on this I think.

And while we have sent out the - there's been sent out two scopes for the Design Team A and B. That's the SLE and the IAP. And it's very good to see there's a lot of activities on the list regarding the scope and we as co-Chairs are very observant of this. And we follow this. It's good and valuable to have input.

At the same time it's also important that we give the design teams a chance to work. And it's - and well, we need to discuss the actual outcome of those teams. So it's not that those teams go away and come back and then it's

finalized. It's actual for the group to discuss when these teams come back. So it's very important that our focus is to move ahead and to be constructive in the criticism we're having in order to help to develop the actual outcome.

And I don't know if you recall, but those teams will have actual lists so every team will have their own specific list where the members of the team will discuss. So you cannot interact with those but it's possible to see all the interaction on the list. So this is going to be very transparent.

And I see that Paul Kane has joined. And as the lead on the Design Team A, which is the IANA service level expectations, Paul Kane, could you give us an update on your team? Thank you.

((Crosstalk))

Lise Fuhr: There's a lot of background noise. Paul? Okay. Are you there Paul?

Paul Kane: I'm not sure if it's my end or what.

Lise Fuhr: I can hear you but you're very faint.

Paul Kane: And you hear me Lisa? I'm not sure.

Lise Fuhr: Now you're better. I can hear you.

Paul Kane: I will assume you can hear me because (unintelligible). Okay. I will shout some more then. Okay. So (okay). So I have the privilege of taking the lead on the SLE. What we are tasked with is trying to review the status quo. And I have to say having undertaken a performance review of the status quo, IANA

is - ICANN IANA is doing a very good job in terms of updating the root zone and also updating the Whois.

And if we could bring the slides up whilst I run through who is on the design team. The intent is to keep the design team quite small. We have three representatives from the gTLDs and those are Jeff Neuman, Elaine Prius and Jeffrey Eckhaus. And from ccTLDs we have Jay Daly, Patricia Paoletta and myself.

Those parties were selected by (unintelligible) and as mentioned we tried to keep the group small so it gets significant work done. We hope to be able to - I'm very pleased to say that email lists will be so any member of the community will be able to see what is being discussed within the small design team.

And also we have reached out to IANA staff and to SSAC and they have very kindly agreed to provide us with information or as liaison as required. Maybe best handled privately. They will be contained in our report. But as we are going through the process, it might (unintelligible) just keep - we'll see from the survey there are some areas which may be best handled discretely on public domain.

On the whole all comments will be open to all to view. But we would very much welcome just being able to press on with our job all being well having an initial report out towards the middle of - the initial report will highlight the process flow as we believe it's to occur at the IANA. But we will ask IANA staff just to verify that we are on the right track.

So unfortunately I'm on a very bad Internet link. And I hope you can hear me but (unintelligible) the slides that have been sent. So if someone else could drive the slides, that would be welcome.

I'm assuming the first slide is being displayed. So what we have done - actually I have done in conjunction with my staff we're broken the work into two areas. One is to review the current performance. The other is to come up with a framework for basically trying to define the steps involved. (Unintelligible).

Right. The first slide this is data taken from the published reports of ICANN on the IANA site. And (unintelligible) 565 transactions - 565 data points fundamentally from September 2013 to January 2015.

I'll just start. If someone could write in the - okay. Right. If you can hear me, could someone just acknowledge they can hear me because my Internet link is bad.

Man: Yes Paul, we can hear you.

Lise Fuhr: But Paul, do you want me to - there is some comments in the chat. Do you want me to read those aloud for you?

Paul Kane: So the bottom line is the process between (unintelligible). If I may, can I just go through the slides and then deal with the comments at the end? Because I'm really blind here.

Lise Fuhr: That's fine. Go ahead and we will catch up for the chat after that.

Paul Kane: Thank you very much. So the first slide we looked at the IANA reports and what we were reviewing was the period from the validation date - in other words, once ICANN IANA had completed its checks and dispatched the data to NTIA, then subsequently to VeriSign for inclusion or if it was just a Whois.

It was very favorable in that the average time was around about - it was less than two days. This is also including weekends. So if someone had submitted an application to NTIA for process approval let's say on Friday afternoon or it went on Friday afternoon, NTIA would not receive it on Sunday morning because Pacific Time they would have gone home in effect. NTIA would have gone home.

So NTIA we're taking around about two days, maybe three days to actually process it on average. The majority were actually processed either one day or two days. And that is skewed going out.

Twenty-seven transactions took longer than nine days. And this is where I think one needs to be careful and I would welcome input from IANA as to why there was a delay because I believe it is outside the - it's outside of ICANN's control fundamentally.

ICANN has done a good job in processing the requests. (Unintelligible) took...

Man: Paul, you're breaking up.

Man: You're breaking up Paul.

Lise Fuhr: Paul, are you there? Do you want us to call you Paul; call out to you? Paul.



Grace Abuhamad: Lise, this is Grace Abuhamad. We'll work offline to find a way to get Paul back into the Adobe Connect.

Lise Fuhr: Okay. And while we're waiting for him to get back, I'll try and just do a quick presentation of Allan MacGillivray's IAP Group that's DTB. And I don't know if we can get his scope document up on the screen. Thank you.

Unfortunately Allan is not able to be here. So he sent his apologies. And I've seen there's been a lot of writing on the list regarding the IAP. But it seems that the - especially the email from (Chris) and Allan got solved by - they agreed on that this design team is only going to consider in principle whether there should or should not be a mechanism for assessing the delegation, re-delegation decision according to policy.

So this is going to be more design team that consists of the survey and not an actual proposal going to be built. More is there a need for an IAP regarding the delegation, re-delegation issue related to ccTLDs.

And I know that (Martin Simon) is on the group and Chris Disspain volunteered to be there. Elise Lindeberg has also volunteered to be on this group from the GAC in Norway. And it would be nice to have one more person attending this group from the GAC. So if anyone from the GAC would be willing to join, it would be preferable.

But this is - it's not going to be an actual developing the actual structures and furthermore. It's more going to be a survey and to find out is there a need or not for an IAP. And I don't know if there's any questions for this group.

((Crosstalk))

Lise Fuhr: It seems like Paul is back. Are you back Paul or is it another one not on yet?  
Okay. Regarding the last team that I hope will get started during the week, the CSC where we have Donna Austin and also I know that (Stephane Johnson) has also volunteered. And we hope to have a scoping document out from those guys soon. And I see (Stephane) writing yes in the chat.

So and I see that we're still working on getting Paul to join by phone. Grace or (Brenda), should I go on or do you think it's just take a minute to get him on the phone.

Grace Abuhamad: Lise, this is Grace. I think you can go ahead and we'll keep working on it.

Lise Fuhr: Okay. Good. Well if there's no further questions except that we still need the presentation to be finished by Paul on the SLE where there were some questions, I think we should move on to review the structure of the CWG draft proposal Version 2.

I don't know if we need to have it up on the screen. But because it's a quite long document but - and we actually discussed this at the last meeting too. That we need to - this is our actual - this structured after our RFP. And it's a framework that will serve as a guideline for this group on how the final proposal will look like.

It was sent out prior to our meeting last Thursday and we - a lot of people commented in the chat that they didn't have - have had the time to have a proper look at it. And well, and now you had the chance so I don't know if you have any comments on this.

I can tell you that we will try and we'll keep track on the different design teams compared with the draft. We will reference the different parts that are

covered by the design team in the document. And we will also have a look at if there are areas or issues that need to have a design team in order to flesh out this part of the proposal.

And as you saw in the - on the email list, it's not only the RFP3 that we are having design teams for. It's also the other RFP Structures 4 and 5. So we will use the design teams as an easier way to get (chance) done.

And I know there were some at the last meeting expressing that they were quite concerned that we didn't use the work that already had been done. So we would also try and see if the RFP teams have worked on issues to remind the different design teams to have a look at this.

And I'll make a short pause to see if anyone is having any questions to this structure of our CWG draft proposal Version 2.0. And I see (Steve) is asking how exactly is RFP4 reconstituted. Are there design teams that would work on transition implications?

Yes. I think there should be design teams working on different transition implications. And by having design teams it's easier to focus on the specific issues that - so you kind of have it in smaller chunks and can easier work as an agile design team instead of having this whole group working on a lot of issues. So we're trying to use the design teams as an agile way to work on this.

So what are the design teams work on transition implications. Are they yet to be proposed? Yes. I think they are to be proposed and that's actually what I was trying to say that we will have a look at the - this structure and see what's covered by the current list. Is there any for other teams looking at other issues?

So if we find there are issues on the RFP4 that needs to be worked on, we would address this and have a design team look at this.

Cheryl Langdon-Orr: Lisa.

Lise Fuhr: Yes. Cheryl?

Cheryl Langdon-Orr: Thanks. Cheryl Langdon-Orr for the record.

Lise Fuhr: I didn't see your hand. Yes. Sorry.

((Crosstalk))

Lise Fuhr: I'm glad you called on me. Thank you. Sorry. Go ahead.

Cheryl Langdon-Orr: I was just - it was just a gentle nudge Lise. It's okay. I put my hand up in response to (Steve)'s question that you read out. And I just wanted to point out the team of course that in the section which I think is around the Pages 20 on in this proposed draft; you'll find Section 4 still under existing - Section 5 under existence one, two, three, all of which map directly to the original RFPs 1 through in fact 6.

And so, you know, there's still text, et cetera, that needs to be developed and done. So these things haven't disappeared. They're being as you said attacked in a different way. And I would think that some of the specific work products to date have RFP4 would also met quite specifically to some (DTs) a little later on. Thank you.

Lise Fuhr: Thank you so much Cheryl for that clarification. That was (very good).

Paul Kane: I'm back again Lisa (if it helps).

Lise Fuhr: Okay. Good. Okay. So we will make a quick jump back to the design teams and I'll get back to this after we finish with Paul's Design Team A. Okay. Go ahead Paul.

Paul Kane: Which slide did you get to or shall I start again?

Grace Abuhamad: Paul, this is Grace. We're on Slide 1.

Paul Kane: Okay. Slide 1. Okay. Thank you. Okay. Apologies to you all. I'm in a very remote location away with my wife for an anniversary. So I'm surrendering that to be on this call.

So what we have done is we've brokered the - I'll start again if I may. And I apologize for repeating myself. The members of the design team there are three gTLDs, Jeffrey Eckhaus, Jeff Neuman and Elaine Prius; and three ccTLDs, Jay Daly, Patricia Paoletta and myself.

Basically individuals were nominated by the representatives - the CWG representatives and we purposely tried to keep the design teams small and very focused mainly because we hope at the close of business today that our work will be or emails will be in the public domain so members of the community can see what we are doing and the speed at which we are trying to get this report or the first part of this issue done.

To help in that regard we have been in contact with ICANN IANA staff who have been very helpful and I hope they will act as a liaison to us and also SSAC have also offered to give us any input that we deem as necessary or considered necessary as in when.

So the starting off point was to review the performance reports that are published by ICANN IANA. And at the high level I have to say the evidence is that the current workflow, which includes NTIA's involvement, is pretty efficient.

The first slide shows 565 data points. And while no great significance should be applied to mean, mode or median, the overall message to take away, which includes weekends, is that from the time the request is dispatched to NTIA to the time the request is completed primarily takes either the same day or one day or two days. And then it slowly drops off.

But bearing in mind Pacific Times - so on Friday afternoon or Friday 2 o'clock onwards if IANA submits to NTIA a request, NTIA will not get that request until effectively Monday morning. So you have Friday, Saturday, Sunday, Monday. You have a four-day counting window in that arena.

During the working week NTIA seems to be turning the requests around very quickly. VeriSign seems to be consistently doing their part of introducing the update within about sort of around two hours over the time (at receipt). But VeriSign do do checks as well on the requests coming in.

And so the first draft - first slide - there were 565 data points; 27 transactions took longer than nine days and 13 transactions took longer than 12 days. Now we hope to have discussions with IANA as to why this is. Those discussions may go on the mailing list or they may be in private depending on the reasons. Irrespective in our report we will make sure that all readers of the report are aware of the reasons. So that's that.

The second slide - so the first slide covers all transactions. And now if we move to the second slide, we've broken that down into ccTLD updates. These are root zone and Whois database changes.

Once again from the time of validation to completion we have 323 data points; seven transactions took longer than 11 days, 18 transactions took longer than eight days. Those are not shown on the graph.

So again, the take home message is the IANA service is relatively efficient when it comes to sending to NTIA the request and getting it completed. Remember when NTIA are out of this frame, these numbers - these delays or this delay would effectively be removed.

If one looks at the IDN updates that took place once again within the same period, September 2013 to January 2015, there are 55 data points where four transactions took longer than eight days.

Now I want to emphasize that this is from the registry validation. So the way in which the workflow happens is that the registry sends a request in for a name server update and DS record update or changing to the Whois information - more or less instantly in real time those acknowledgements an auto respond from IANA that says we're received your request.

And then ICANN IANA do checks on the data received. And then having done those checks, they succinctly confirm the check that is being requested. And then they send a validation email to both the admin and the technical contact.

So what we are doing is measuring from the validation point through to completion. And further on you'll see some registries are slow at undertaking

the validation. Although ICANN has done their job within about a day on our bridge, ICANN IANA has done their job within a working day, some registries area somewhat slow.

Within gTLD space there are 176 data points of which the majority are completed within two days and four transactions took longer than seven days. The next slide - so as I mentioned, validation is the issue. So ICANN IANA has identified what changes need to be done. They have passed the ICANN IANA test.

But the registry operator as in the technical and admin contact needs to validate the request. And you can see that in some instances the registry operator is slow in validating the request. There are some 20 days out from the initial. In fact there are some that go further than that.

But the majority do update their requests more or less in real - in near real time to validate the change. But as the graph shows, some registry operators are slow to validate their change.

So the next question is so what sort of weekly flow is there. You will see, which is most impressive, some activity taking place on Saturday and Sunday both at ICANN IANA and also NTIA and also at VeriSign. So those scenarios are somewhat - they're a bit of an anomaly at the moment but obviously the could have been a crisis situation. But it is also showing that the system is working.

Out of interest, the best day for submitted an update request seems to be Tuesday. So these statistics - this graph is not particularly representative in that its taken over the duration of the survey period and doesn't relate to an



individual transactions. That's what the other graphs were doing. But it is quite an interesting graph just to show you.

And that concludes the survey or that concludes our preliminary review. We're wanting to do greater analysis. This workgroup is broken into two work sections. One is to identify the process and the process flow and to document that. And then I think we can comfortably say that the IANA ICANN service is quite efficient at the moment.

NTIA have varied between same day transaction and three brackets four day transactions; VeriSign pretty efficient within two hours ish for their updates. So we've broken into two workflows just because we're under pressure to try and get a draft document out.

I would hope we can get a draft document out by the middle of next week, which will address the first phase, which is primarily to identify the workflows starting from things as basic as how long does it take to get a user name and password, what is the time - average time taken to get a reissue of a password in case a registry manager has lost it all the way through the workflow of the IANA.

So as I say, I'm hoping from close of business today there will be a mailing list available. And so any member of the community can see our work. But we have tried to keep the group very focused on service - or delivering the report as a draft, which will then be fed back into the CWG Group for discussion and potential refinement. That's my update.

Lise Fuhr: Thank you Paul. I can see - well there was a question from Kurt Pritz on - no. Or a remark that you might want to reply on that says (unintelligible) of the

SLE Team should be to determine the process procedures by which SLE SLAs are amended in the future. Do you have any...

Paul Kane: We - at the moment we are not looking at that. What we're trying to do is identify the baseline, which we are doing by analyzing the past performance, which as I say is pretty good. Identifying the steps that are required. We are happy to make recommendations but the object as I understand it is to try and get this item of work done and dealt with very efficiently and then - so it doesn't impede the opportunity for transition.

And to that end we will be soliciting and inviting ICANN staff or IANA staff help in just filling in the blanks so we can have a developed well thought through program.

We could look at that issue Kurt if you would like us to but if I may, let's have that Phase 4. In other words, the first phase is identify the workflow. The second phase is identify the time parameters that are considered reasonable for an SLE. The third is an escalation procedure some of which may be outside of IANA's remit or control.

For example, if a registry is not validating the change, that is not IANA's fault. It could be we could streamline the process earlier on so there was real time updates and so real time checking so the registry manager or the technical admin contact can verify at the time and we might make that recommendation. It's not a giant technical leap.

One of the things we have highlighted is that potentially some issues or some requests have been approved by IANA, have been approved by NTIA and when VeriSign do their tests - their supplementary tests, problems have been found, which have actually sent the applications back to the registry manager.

So maybe it might be prudent to have the automated tests that VeriSign are doing over at the front end rather than at the backend just to streamline it. But at the moment we're just trying to work out where we are today so we have a baseline, what the time periods should be, what the escalation process should be and then possibly we could look at Kurt's suggestion. But that's subject to time I think.

Lise Fuhr: Thank you Paul. I can see Olivier Crepin-LeBlond has his hand up. Olivier.

Olivier Crepin-LeBlond: Thank you very much Lisa. It's Olivier Crepin-LeBlond speaking. Can you hear me correctly?

Paul Kane: I can.

Olivier Crepin-LeBlond: Okay. Thanks. Thanks very much for this very interesting presentation and certainly detailed list of the work that your group is going to or is supposing to work on.

I note that at the beginning of your presentation you mentioned that the SLE Group will start by reviewing the status quo and that I guess is the current SLAs that are in place.

And I wondered whether - I mean is it the right time now to build on something like this and to add SLEs and go further? I'm just wondering whether we're not sort of - I'm not going to say reinventing the wheel - forgive me for saying something that provocative.

But it looks to me as though we're starting to over engineer things a little bit for a plan which we're going to send to the U.S. Government.

Paul Kane: So the reason - the distinction between the SLA and the SLE is very simply that there will be parties that are not contracted nor wish to be contracted with ICANN IANA. So it's a service level expectation rather than a service level agreement.

With respect to the reviewing the current status quo, that is exactly what we are doing in the real world rather than having some academic situation where it says 23 days. That would be or is effectively is not the real world.

So there are some on the group that are trying to use this as an opportunity to really tighten down the SLE to being fully automated, real time transactions, job done in seconds. That is not the position that I am advocating at this juncture. But I don't want that to hold up this transition pose.

I would personally quite like it for a certain number of CCs. But what we're trying to do is take the performance levels of today, make sure they are documented and hold those as the benchmark.

Lise Fuhr: Thank you Paul.

Olivier Crepin-LeBlond: That's very helpful.

Lise Fuhr: Okay. Other questions? Greg, go ahead.

Greg Shatan: Thanks. Greg Shatan for the record. This may not be really a major point of what you're saying but the distinction between SLEs and SLAs implies that for those parties who are contracted that these SLAs would be part of the contractual obligations to them. Is that suggesting then that all of the registry

agreements will now be amended to add IANA SLAs to them? Is that something what we're - a place we want to go?

((Crosstalk))

Paul Kane: On that point my understanding and I'd be guided by the gTLD community - my understanding is the SLAs that the gTLD community have to adhere to are significantly stricter and much tighter than the SLA, sorry, SLE that we are advocating for the IANA.

So if one were to - if one were to take the ICANN gTLD registry SLA that ICANN requires, the transaction times are much, much quicker than what we are advocating. Again, what I'm trying to emphasize is were' trying to take the status quo as the benchmark, not trying to push to the same standard of SLA that ICANN requires from gTLD registries. I think we need to try and keep momentum for the transition process.

Greg Shatan: I certainly agree with that last sentiment. I just didn't realize that IANA SLAs were anywhere in any registry agreement.

Paul Kane: No, no, sorry. Correction. The - for the gTLDs that have agreements with ICANN, part of their agreement is a performance SLA. The - and basically the IANA is like a - I mean it's a registry. Whichever way you describe it is it's still a registry.

What I am not advocating nor proposing is that we require the IANA to live up to the same standards that ICANN requires of gTLD registries. What we're trying to do is move to a situation where the status quo is monitored and effectively capture rather than, as I say, the standard that ICANN insists of the gTLDs. If I caught your question correctly.

Greg Shatan: No. I think actually the issue I'm getting at is I don't think that IANA - if we remove the NTIA contract from the mix and don't add any new contracts in the mix, I don't think IANA itself is contractually obligated to anybody gTLD or otherwise to meet any SLA. So I think they're really SLEs for everybody unless we put them in a different - well if you we put them in a contractual package, which we may do.

Paul Kane: I don't want to go down that route. SLE is what I'm dealing with.

Lise Fuhr: No. And Greg, it's Lisa for the record. I think while your question is very relevant, it's not for this design team to deal with that kind.

Greg Shatan: Yes. I just wanted to point out that the SLA SLE distinction I think is not - is a real distinction.

Lise Fuhr: Okay.

Greg Shatan: Thanks.

Lise Fuhr: Point taken. Okay. Thank you Greg. Any other issues on the Design Team A, which is the SLA SLE? No. And I see a question from (Sheva) about the IAP. And while - and it's difficult to understand what possibly could go wrong with IANA operations in the context of a process such as IAP. It's a basic question but it is likely that the IANA operator would act in a manner that's partial to gTLDs, ccTLDs or a nation state.

Well it's a difficult question if it's likely a (nod) and actually the IAP is - this is going to discuss if a process has been followed or not as it is. And the IAP's actually not - this part - the ccTLD delegation, re-delegation IAP's only going

to make a survey to discuss if the CCs are - want an IAP regarding this issue or not and not how to solve it.

And what you're questioning is actually I think going to be discussed also within the accountability group but they have specifically said they would not deal with ccTLD delegation, re-delegation. But it's a very specific IAP survey design team.

Okay. Any other questions on the design team? Not, I will move on to review the structure again. And I don't know - and I didn't really get any feedback on if there's any comments on the actual structure on the draft proposal or are people happy with it or don't think it will work? And if there's completely silent. Oh, Donna Austin, go ahead. Your hand is up.

Donna Austin: Thanks Lisa. I guess I just have a question. Is the process you've identified, is that flexible or is it the way you would like to see these design teams are allowed?

Lise Fuhr: I'm not sure I understand the question. The process in the - the process that we're having with the proposal and the design teams in general?

Donna Austin: Yes. So it seems to be reasonably well thought out but I'm just wondering whether there's any flexibility if necessary.

Lise Fuhr: Oh, we hope there is a lot of flexibility because that's one of the key issues that we should be flexible in order to - if there come - if an issue arise to graph and work with it in the design team instead of having teams that are really looking at the whole RFP3 or the whole RFP4.

We're trying to have (a chance) and that's in order to be flexible and agile. I know agile is such a modern word. But I hope that the design teams they will focus on smaller issues, work within a couple of weeks and get back to the group with a proposal that will be discussed.

So actually we hope it's flexible and we hope that these three start groups will prove the concept and also that we will have a work plan by the end of this week where we will have a better overview of - if they're missing anything should we have more design teams. Donna, your hand is still up. Do you want to comment on that?

Donna Austin: No. Thanks.

Lise Fuhr: Okay. Any other questions or remarks to this one? No. But anyway, while we're talking about flexible, it's still possible and it will be all along the way to suggest design teams to the list. And it's on the Web site so it's possible to send in proposals and, as we say, we'd like you if you send in a proposal to give a scoping document with the actual proposal. We know there are quite a few on the list and we will evaluate those.

Okay. Then we are dealing with Issue 5, update on the client committee work where there's been quite a lot of work done. And that's going to be Greg who'll give us an update on this. Thank you. Greg.

Greg Shatan: Thank you. Greg Shatan again. So I guess we are up to the client committee. So we over the course of the last several days the client committee met with representatives of the three short list firms on conference calls that we in two cases 90 minutes in length and in one case 60 minutes in length.



Each of the firms had several attorneys, generally partners, some senior counsel on the call each representing a different practice area, a different skill set that overall went into our needs. In each case the corporate governance person was the - was kind of the main event in the discussion.

We had a set of questions that we had kind of put together in advance. Some extent we followed the questions. Some extent we let the conversation flow. In the end felt that we got the answers to the questions that we wanted answered in each of the calls.

We had one call on Thursday, one call on Friday and one call on Monday. We circled up after - not long after the Monday call to debrief and to discuss our thoughts on each of the three firms. We wanted to do it while it was all fresh in our minds.

We did have Grace Abuhamad from staff taking notes. But nonetheless, actual impressions are important and those, you know, can tend to fade or jumble together over time.

And I think that for all of us who were on the call I'd say that the - Jonathan was not on the call so from the client committee it was myself, (Martin Simon) and Lise Fuhr.

We did also have two representatives from ICANN legal, John Jeffrey and Sam Eisner as well as Kevin Espinola who were involved in being on the calls but they stepped back from the discussion of the firms and choosing between the firms and I think really were sensitive to not overstepping the relationship in that, you know, this was a client committee decision to make, not a joint decision to make.

So it was really the discussion between the three of us and Jonathan had given us his proxy since he's traveling and is in Tokyo I believe and therefore time challenged to participate and wanted us to go forward.

No decision has been made yet but they're really - among the three firms the clear front runner has emerged. And I think our process next is to concentrate with that front runner very quickly on the second level of inquiry, which is really the nuts and bolts of the engagement itself, which really falls into two categories.

One is designing or modifying the typical design of an engagement to match the need for transparency and accountability and a kind of a public process as opposed to the very discrete and confidential and privileged process that is sine qua non for the average legal counseling relationship.

All three firms had some good ideas on that. None of them, you know, were going to be definitive on it because it is something to sit and plan a little bit. But all have been quick.

The firm we're going forward with in terms of the secondary level of exploration had a nice take on it, which is that it, you know, could be viewed as much as a consulting relationship as a typical legal advice or legal work relationship, which I think all of us rather like that twist on that view.

So we have asked them to quickly come up with some high level thoughts on how to restructure the typical engagement model to meet our particular needs. And they do have experience in dealing both with public companies and with NGOs and other entities that have more sunshine law in one case - board of major public university, which is under sunshine law.

Therefore a lot of what was done was very public and also figuring out how to be very public and transparent to the group - to the CWG as a whole.

Second category of what we're looking for further feedback on is the structure of the fee relationship with - and any other aspects of that side of the relationship; the engagement letter itself, which is the form of retention agreement that U.S. law firms use typically called engagement letter and how they would (re-jigger) that a bit again to reflect the relationship and also, you know, how to be cost effective, time effective.

All three firms indicated they were ready to hit the ground running. They were all enthusiastic. And so I think that, you know, they're ready to go. They've got their people in place to do this. So in terms of timing, really hopeful that we can move forward quickly.

In terms of providing information on the identity of the three firms, I have checked with or requested from all three firms that we be allowed to reveal their identity, which is not typical. Two of the three firms have replied in the affirmative. I'm still awaiting response from the third firm.

That's the - while all three firms have strong California presences, the one I'm waiting for actually is the only one that where my contact person is in California. So that to some extent reason for a slightly greater delay. The other two contact people were on the East Coast so three hours ahead.

So at this point we also want to kind of bring the CCWG up to speed on our review of which firm we think is kind of the front runner. Confirm that, you know, they don't have any rabid objection to where we've come out.

Wouldn't necessarily change our view but again, it's going to be much more effective for one firm to be advising both especially keeping in mind that we do have to meld a good deal of their work back into ours at some point in the process before this lands on the desk of the NTIA.

And I would say that all of the firms are, you know, cognizant of what's going on in D.C. Understand that doesn't necessarily drive every decision that we or conversation that we have here. But it's - it can't be eliminated from the ultimate equation of a successful proposal.

One of the things that - the other things that we're doing - I have - let me just say that with the two firms that are not front runners, in part that was based on not having as - not feeling as they were quite as well - I wouldn't say qualified. All these firms are extremely well qualified for this relationship.

But that each of their approaches were a bit different. The team felt a bit different to us. And to some extent you do go on - I wouldn't quite say gut instinct but there is a judgment - a qualitative judgment process that is important in choosing, you know, the fit of who you want to work with and the feeling that the fit was best with the firm that's the front runner.

And that with the other two the fit wasn't quite there; the focus was a little bit different. The first firm we met with kind of felt like they were looking at this more like a transaction rather than a corporate governance engagement.

And to be clear, corporate governance can include structures and restructuring as well as rules and processes. So it's - that's not to exclude, you know, anything from it but just that this isn't a deal - an M&A deal in that sense.

And in addition, just in terms of conflicts, while neither firm was conflicted out in the kind of legal definition of what constitutes an ethical conflict that would require a firm to withdraw from our representation or not to take a representation, it turns out kind of in the small world department that one of the lawyers put forward by the first firm was the direct supervisor of Kevin Espinola when he was at that firm.

That was not why that firm was chosen in the first place; a leading U.S. firm. But, you know, kind of all the gin joints in the world, the governance specialist that they put up happened to be Kevin Espinola's - the partner that Kevin worked for when he was a younger lawyer. Kevin now of course is at Jones Day and is kind of taking a lot of the day-to-day counseling in these very matters in his relationship with ICANN.

So there was a feeling that wasn't great. So it was completely coincidental. Indeed they have other governance people at the firm. We could have asked them to swap out governance people for one of their other ones if we had overall felt that the firm was a - was the front runner. But they weren't.

Second firm actually does some work for ICANN. The one - only thing that was cited as (OFAC) work. It related to being able to work with governments that are on the (OFAC) list for instance as we have an issue in the IANA area on that very point.

But there may be other bits of work they've done. Nothing in the kind of corporate governance or the type of advice, you know, that goes into the realm we're doing but nonetheless it was there.

Even - and again, before that was an issue they were not a front runner either. But that kind of knocked them back a bit further as well since, you know,

we're - we want not only for this to be independent but for it to be - for the perception of independence to be there as well.

Just in case something goes wrong with the firm that we now have as the front runner and we don't necessarily feel that we want to go back to either of the other firms, that's, you know, some extent still open possibility. We are quickly talking to other firms that are a bit different in profile from these three firms.

All three of these firms are, you know, over 1000 lawyers, offices throughout the U.S., throughout Europe, some in Asia, most cases and kind of typical, if you will, first tier U.S. law firms.

The others are - the other two that we're talking to quickly are boutique law firms that concentrate in doing a full boat of work for not for profits and NGOs and both covering corporate governance and internal issues as well as kind of the more traditional issues that run into such as tax and employment and all those things.

There are really two firms in that area that - well there are a lot of firms that practice in the area and just two or three that really stand out as having a real strength in corporate governance and not just primarily a tax driven. And that's pretty much the - where we stand.

I think - so the firm that's the front runner has pledged to get us back information very quickly. They've already been moving literally after even the afternoon after they got off the call. They were already moving forward and giving us - giving thought to the information they were going to give us and talking to people they needed to talk to.

And I think I would also say kind of last point is that once we have retention, there - I think we will, you know, look at the client committee and know how best to go forward in terms of work style and the like. So the client committee as it exists today is not necessarily the client committee in exact form that will exist later.

I see a couple of questions in the chat. To what extent is cost a factor? I think all three firms probably are roughly - would be roughly similar in cost in the sense of, you know, the billable rates of the lawyers are largely similar.

We did think that one of the firms kind of the way they were looking at working on this and staffing this would probably be throwing, you know, considerably more hours than the other two into that. That didn't feel quite right to us.

One of the firms, you know, came right out and said that, you know, they will offer us a discount on their usual rate. But I think all three firms probably would offer a discount. We do - as part of this next set of discussion, you know, fees are in - are kind of in the next set of discussions. In terms of cost and - we have not asked for estimate of cost. I'm not sure how easy it would be to scope this exact relationship.

And while I think we want to be cost effective, if ICANN has been asking for an extra step of estimating cost and scoping things in advance, which I'll tell you, you know, being a practicing lawyer is really one of the most painful parts of trying to deal with a new representation because a lot of this is you take what comes as it comes along.

It's not - especially this, which is a very unique representation. It's very hard to go back and say the last 20 times that you did something like this it cost approximately that because there isn't that.

And again, as far as budget goes, ICANN hasn't said cost is no object by any stretch of the imagination. And as I said in Singapore, we should spend the money like it's our own.

Nonetheless there's no firm budget but I think the idea is to try to manage this cost effectively and not, you know, if we burn through, you know, very significant sum of money before we get all the advice we need, before we get all of the deliverables we need, that would be a bad thing. I don't think that would get the law firm fired but it might get whoever's managing the law firm on behalf of the CWG and ICANN fired.

So nobody wants to, you know, make this into a money pit. So I think that pretty much covers maybe in too much detail where we stand. But, you know, given the number of inquiries that have been made, I felt it was better to err on the side of detail.

It's one very last thing. I would prefer to name names for the firms when I have all three names in hand. So want to give the third firm where my contact's on the West Coast a fair chance to respond before I do that. And in any case, I'll throw the floor open for questions. I see Seun with a hand up.

Seun Ojedeji: Yes. This is Seun. Hello. Can you hear me?

Greg Shatan: Yes.



Seun Ojedeji: Oh good. Thank you very much Greg. Just a couple of questions. Anyway (unintelligible) the excellent so far. Of course I know a lot of (grand) work must have been done. So however, I do take my questions as (unintelligible) of the member who was a little bit (concerned) about the (oh absolutely) of the client committee, which I (unintelligible) timing.

After this week we'll have roughly two weeks to face-to-face. And so I'd like to hear what is the (core response) on the following. What are the (unintelligible) which - I mean the (unintelligible) that the firm is selected because right now it is important we set specific deadlines for that. How long will it take for ICANN to engage the firm? And so how (unintelligible); how long would that take?

And then the third one is how long will it take to get the firm to deliver? Also bear in mind that we want (unintelligible) to engage the - also (unintelligible) to perhaps come back to the group (unintelligible) the price of things and get back to the firm (unintelligible).

I think it is important to the starting of the reality of (actually getting any) delivery before the face-to-face because (unintelligible) should be at least of timing to get to face-to-face until we don't have (unintelligible) a deliver - I mean a specific as come from the client committee. Thank you.

Greg Shatan: Sure. Thanks Seun. I will say that that was specifically discussed. The face-to-face and the timing toward that was specifically discussed yesterday, definitely very much on our minds.

I think with regard to the firm again, you know, thinking just of the front runner assuming that all goes according to the plan and we would hope to

have, you know, back from them in the next day or two their thoughts on kind of the rules of engagement as well as on the method of engagement.

I'm cautiously optimistic that we could have the firm engaged by the end of this week or very early next week. I think that everyone is - wants to get them in the saddle. They're ready to get in the saddle.

So I think we want to - well we want to make sure that we figure out at least in, you know, broad ways how to modify the typical relationship model so that it meets the needs of a group and situation like this. We're not going to spend time fine-tuning that like a jeweler for a week. We just want, you know, to have some very quick ideas.

And I think the - all the firms were thoughtful but this firm was, you know, at least as thoughtful as the others on how to do that and how to do that quickly. So they've already indicated they've done several of the things we asked them to do to kind of get to the point where they can move and get us more information.

So I'm very optimistic. I mean, you know, law firms are used to working hard and long and sometimes not always quick but I think they do understand the quick. So I do - would say just basically end of this week, early next week for engagement and really should be able to engage with us immediately. And they're already thinking about the issues.

Now one of the things to figure out is what type of advice or deliverable or method of communication with the working group as a whole would be helpful between now and Istanbul and in Istanbul. It would be premature to say that we have an exact idea of that because that's really something that has to be discussed with the firm.

We figure they're going to have some good ideas on that. So, you know, it's not going to be a definitive written deliverable of many pages. But clearly we are aiming for - to get really useful advice to all - really significant progress to be made is then in Istanbul on the issues for which we have legal advice and needs in the first place.

And let's see. The other questions. We have Olivier.

Olivier Crepin-LeBlond: Thanks very much Greg. Olivier Crepin-LeBlond speaking. And in a sense you're kind of asking the questions that I would like to ask and get answers from you about. So it's a bit of a tough one here.

I note in the chat there are several concerns regarding cost like Donna Austin asking for to what extent is cost a factor in the selection. And also Kurt Pritz mentioning what was, you know, at any stage is there going to be an estimate of cost or was there a budget established beforehand.

And that somehow ties in with the question that I had, which was for you to explain the interaction between the CWG and the firm or at least the interaction you see that would take place. Is it just going to be a straight document replying to all of the questions that we submitted or is it an interaction that goes back and forth or are we going to have a lawyer from that firm for 48 hours in Istanbul at the end of the month?

Greg Shatan: I would say no, yes and probably not. Let me unpack that a little bit. I do not think we will simply get an answer to all the questions we ask. I think we will get answers to most if not all of the questions we ask.

They may not be packaged in a simple Q&A format because that may - that kind of - that may end of being kind of beside the point of getting to distinguishing between the issues on the models and how they meet the needs and how they could be revised based on the legal expertise that we've - that we'll be retaining to meet the needs that we have.

Clearly, you know, these models were designed without the benefit of legal counsel. I'm not going to count myself as that for this purpose. And, you know, they're probably just as good as a car designed without the benefit of an engineer.

So we have a lot of good ideas and a lot of good parts but they may not all work as well as they will after somebody with the expertise of putting those kind of parts together making them run can bring to us.

So I think we will be getting something in the nature of answers to the questions. We'll have to decide, you know, again with the firm what the best way is to deal with that. Clearly, you know, they're well aware that those questions represent, you know, real questions asked by people in the group that represent real concerns.

So, you know, nothing's going to be I think ignored. But it may be better to look at it in a slightly different format than just straight Q&A. I do think that we will have the opportunity for real interaction with the firm - with the lawyers from the firm maybe on one of these calls, maybe on a separate call.

I don't think that we would have any lawyer from the firm with us in Istanbul. I do think that we would have them available and participating remotely as best as possible in Istanbul and at least, you know, be available on particular times for particular topics so that we can use their time most cost effectively.

You know, we can discuss again budgeting and costs with the firm and also with ICANN since they are the, you know, paying. And, you know, I think it is to the credit of ICANN that they haven't said that this is going to be, you know, we're going - that they're going to want to look for some way to constrain the style and method in which we do (in order) to meet an unrealistically low budget or even a very conservative budget.

Nobody wants to overspend. Nobody wants to spend a lot of money on lawyers except maybe the lawyers getting the money. But even frankly then they don't because if you don't feel like you're being cost effective, you know, that's, you know, shameful. And some lawyers are shameless but usually not about that.

And you don't tend to get hired again or recommended for other engagements if you waste people's money. So and indeed as I said, you know, they're cognizant that, you know, that this is, you know, as I said, the firm that's the front runner, you know, specifically brought up the issue of a discount. And I think, you know, they will look to us to be cost effective and manage these things well.

Any other questions? I don't see - hi, it's Greg. Can you hear me?

Grace Abuhamad: Yes. Sorry Greg. That was one of the lines dropped off and...

((Crosstalk))

Greg Shatan: I thought it might be me that dropped off or maybe you kicked me off since I've been talking for too long. So, you know, as I said, I think we will get the lawyers on the phone with us before Istanbul. You know, I can't guarantee

that. We have to plan the meetings between now and Istanbul. But I think it would be - it would be my goal to have time with the full CWG and the legal team, you know, some substantial time before the face-to-face.

I think that it'll be good to kind of break that - to have a disintermediated meeting. So I think that pretty much covers the client committee. And I think I'll hand it back to Lise.

Lise Fuhr: Thank you Greg and thank you for giving a very good update regarding the client committee. Well, we move on to discussing the principles that we actually have been working on for quite a while and we just left it because we had a lot of other things to discuss. But now we have Martin Boyle who are eager to help us finishing the principles. Martin, can you help - give an update on the principles please?

Martin Boyle: Thanks Lisa. And first my sincere apologies to the whole group for the delay in following up the discussion was had had over the Christmas and New Year break if any of us actually did manage a break.

Following the last discussion we had on the principles, there was a letter of 18th of December from the GAC Chair to the CWG co-Chairs. And there were also the points that were made during the various discussions. And those I have tried as best I can to combine into the document that I circulated this morning and that I see is now up on the screen.

I think that there is one substantive issue still in play. And that is on G2, which is towards the bottom of the second page where I have put two competing texts in a box.

There is also one issue, which I highlight on E6, which is near the top of the second page where the discussions on the appeals process that have gone on lead me to wonder whether we need to think about that in the light of some of the comments that have been received.

And then as I flagged in my covering email, there are a number of editorial changes most of which were generally agreed and accepted during our last few discussions on this issue.

Now looking at the time, I wonder whether it would be most useful for us to take the most difficult item, G2 and then if we have any time left to look at G6 and then to run through the other amendments just to sort of try and clear them up. But I'm in your hands Chair if you prefer to do those in a different order. We could start at the beginning and work our way through if you prefer.

Lise Fuhr: Well, whatever you think is the best Martin. Go ahead.

Martin Boyle: Okay. Right. In that case, if we can move to G2 towards the bottom of the second page. I'm assuming you've all got scroll control. That there are - we have a text that we discussed at quite considerable length in Frankfurt.

But that in the GAC letter of the 18th of December there was a suggestion that the text as written could be simplified just to read for ccTLDs respect national sovereignty.

There has been opposition and an alternative proposed, which essentially goes back to the text that we discussed and agreed in Frankfurt; reduces it a bit. But that essentially it seems to me spells out a statement of local (or) national

sovereignty and a reference to IETF standards, more of it retains the reference to IETF standards.

So that one it just says the ccTLDs policy decisions may be made locally through nationally agreed processes in accordance with national laws. And then carries on for another couple of lines.

So I'm going to throw it out and (unintelligible) you to try and identify whether people have got any strong preferences or objections to one or other of those formulations. So and I see Elisa. Floor's yours Elisa.

Elise Lindeberg: Thank you. Thank you Martin. My (unintelligible) try to adjust my - some of my (unintelligible). No, it was just to say that, you know, that the GAC has strong feelings about this especially from a ccTLD. So the (unintelligible) to fit in on this one actually. I think it's going to be difficult the more you write in this column, the more discussions you're going to have.

So for us, the (unintelligible) captures (unintelligible). And I think that's the - the (key) is the one that we have most feelings about as I said. So if we could find any (unintelligible) some of the (unintelligible) text in footnote or put it, yes, in footnote in document and (sovereignty) as in - as the actual text and then the (unintelligible). Thank you.

Martin Boyle: Thank you Elise. That is a possibility the way forward.

Paul Kane: Can I - I'm still on the line if it helps.

Martin Boyle: Yes. I was hoping I might call you. Of course you're not on Adobe are you?

Paul Kane: No. Sorry, I'm not.



Martin Boyle: Yes.

Paul Kane: So thank you Martin and thank you Elisa for raising it. From a ccTLD perspective, I have to say I am advocating that more or less the text that was agreed in Frankfurt for very simple reasons.

We are discussing a document that relates to effectively the principles for the transition document. You know, the transition. And the thing that's of utmost importance is stability of operations.

And so I agree with both of the previous speakers that the actual language that is proposed in G2 alt, the longer of the two sentences, does seem to be somewhat prescriptive and that we don't want post-transition IANA to do anything ICANN that would impact the stable operation of ccTLD registries and gTLD registries as we discussed during the Frankfurt meeting.

I understand Elisa's point and I respect her point. But I just think we need to be very clear that this transition should not undermine the stable operation of the DNS infrastructure and that is the reason why I would prefer to have supplementary wording that makes it very clear that both registries for the CCs and the gTLDs must accord with the laws in the jurisdiction in which they are based. That's a given. And that is not the problem.

But what I'm trying to avoid is a situation where the stability of the DNS and the stability of the registry operation post-transition is a transition principle is undermined.

Elise Lindeberg: (I'd like to comment). It's Elise again for the record.

Martin Boyle: Go ahead Elise.

Elise Lindeberg: Yes it is.

Martin Boyle: Can you speak up though please?

Elise Lindeberg: Okay. So we don't try to keep the last sentence maybe to combine it. So we say yes, the ccTLDs (unintelligible) and then (unintelligible) of the IANA function, nothing will be done (unintelligible). And that's (unintelligible). Would that solve it?

Paul Kane: The reason for having policy forums is there are many CCs that have the multi stakeholder model within the policy development framework internal to the registry. And so I'm very much trying to advocate that the policy development framework for the CC and to a degree the gTLD, which happens in the ICANN space, is very much focused on multi stakeholder rather than just one party, namely the government.

And so I want to emphasize I don't think we're miles apart but I much prefer being very prescriptive to make sure that effectively local policy processes should be respected and post - well you've already - you agree - we both agree we need to add the second sentence.

But if a government wants to take control of the policy processes that a national registry takes or even the gTLD registry takes within its jurisdiction, it is quite at liberty to do so. But it has to do so in accordance with the laws of that jurisdiction.

And I just think that would be a (retrograde) step if we go for respect national sovereignty because you're not highlighting the need for respecting the policy

development process, which many CCs and indeed gTLDs that operate in particular jurisdictions have.

Elise Lindeberg: It's again a comment if I may. I don't think respect national sovereignty is not (to speak as) something that is governmental led or for governments only. And I don't see that (unintelligible). So I don't think that we are actually discussing (unintelligible).

As I said, I (unintelligible) the national process or the stakeholder process to take space for each and every CC and gTLD, you know, according to (unintelligible). So how do we - how do we try to at least (unintelligible)? No, I stop here for the time being.

Martin Boyle: Okay. Lise.

Lise Fuhr: Thank you Martin. Yes, yes. I do. And I was thinking it seems that well the parties are quite - well, it seems to me that it's fall and the leaves are talking about the same but using different words. And maybe we should try on list to have this solved between the three of you because for me it seems like this is an issue for the GAC and Paul.

And then we can try and have this solved in a way that actually makes everyone satisfied with the solution or the wording. Would that be a way forward? And then to have the final decision on the principles on Thursday a little (closer) down (if this) is the principles because we shouldn't discuss this too much more because I think we're agreed on almost everything. Thank you.

Martin Boyle: Thank you Lise. Yes. That was roughly the conclusion I was coming to. I would just perhaps throw into the mix whether bearing in mind that Elisa has identified quite significant for the GAC the need to have the reference to

national sovereignty and I wonder whether it would be possible then to say something along the lines of for ccTLDs respect national sovereignty and then a new sentence policy decisions may be made locally through nationally agreed processes.

And then go on to the end of - so in other words, just run the two things together so that the different communities have got the relevant and necessary words that they need to see for their communities.

Now I invite either of you to - either Lise or Paul to come in on that as to whether they would feel comfortable going down that route. Otherwise I will propose that - excuse me. I will propose that on list in preparation for the call on Thursday.

Paul Kane: I think Lise has indicated, and I'm in favor of that suggestion, why don't we take this offline and have discussion via email because I have to say I don't have the document in front of me so I can't comment. It was just the high level I was anxious about.

Martin Boyle: Okay. (Righty-O). In that case I will count on both Lise and Paul to come back on that document during the course of tomorrow.

If I can now then therefore move up to E6 just high above the - up on the page where there is a principle there on appeals and redress. There should be an appeals process. We should be independent, robust, affordable and timely on decisions that include binding redress open to affected parties and open to public scrutiny. Appeals should be limited to challenging the implementation of policy or process followed, not the policy itself.

Now it occurred to me as I was reviewing the document that with the discussions on whether there should be an appeals process and what form that that should take and that which then fits in the design team there still seems to be some doubt as to exactly what that one should be covering. Meanwhile a number of the decisions there could or perhaps should be made within the wider framework of accountability.

Now again, I don't particularly want to reopen something that is supposed to be a principle and therefore should be independent of the implementation. But I thought I would at least A, draw its attention to the people on the call and B, give you an opportunity to say whether we could or should retain this particular clause as it is.

Does anybody have any views on that? And I'll take no views as retaining the clause. Do we have a solution? Okay. I will work on that basis.

For the remaining items and bearing in mind we've got 15 minutes left and still (AOB) in closing remarks I thought it's probably easiest to start at the top of the document. You've seen my email from this morning. And again, throw the document open for anybody to comment on any of the highlighted changes. So I'll throw it out for the first page.

I see somebody - I see people are typing in. So I'll give them a chance to come up with any comments they have. All right. Christopher Wilkinson has come in on the principles about appeals. And he says that is a very fine distinction. One person's decision to implement a (N-O) - could be another person's decision to take a policy decision to block a new gTLD.

There are policy aspects to most of this transition. And I think Christopher that was what I was getting at that if we are looking at things that are

involving the policy then that is something that really belongs in the CCWG's discussions rather than on specifically the IANA transition - stewardship transition.

Okay. And he's replied CCWG okay. Right. The other person typing seems to have disappeared. Right. Any other comments on the highlighted changes? I see none. Therefore if anybody has got a chance to - sorry. If anybody has got any concerns, if they can flag those on list between now and Thursday, that would then be helpful. It'll allow us to close this document off this week. Thank you. And so can I hand it back to you there Lisa?

Lise Fuhr: Thank you Martin. And then you for doing this. Oh, I see...

Martin Boyle: Oh, Olivier's come up.

Lise Fuhr: ...Olivier - so I'll had it back to you.

Martin Boyle: Under the bar Olivier. Please go ahead.

Olivier Crepin-LeBlond: Sorry for this. It's Olivier Crepin-LeBlond again. Everyone's tired and it's been a long call. I've just noted one thing under separability and I might have completely forgotten this. But I note that. So 1.1 or I.I it says to - the ability to separate the IANA functions from the current operator. And then the third point here says to consider a separability in any future transfer of the IANA functions.

The three seems to be much weaker than one because you've got the ability to separate the IANA functions and then on three it's just to consider a separability. I'm not sure if something is to be tweaked here maybe.

Martin Boyle: Okay. And I just noticed that Matthew Shears has come in online saying we are having audio issues and cannot follow the discussion, which is a shame because Olivier was specifically involved in this discussion. But in - I was - sorry. Matthew was.

Olivier Crepin-LeBlond: Matthew was.

Martin Boyle: Excuse me. I, Numeral 1, is about the immediate separability from ICANN should it be warranted. So that is the condition of separability. The (unintelligible) Roman Numeral 3 was a suggestion that Matthew made that the separability condition needs to be retained should the - should it already be separated so that you can - you don't take a new operator and then say right, well okay, you know, they now become the de facto and permanent operator.

You still need to allow for that to be separated. I think that was - it certainly was my understanding of that discussion. That okay for you Olivier? I'll have to take that as being a yes. And I see that (Stephanie) is - has got her hand raised. I can't hear you (Stephanie).

Stephanie Duchesneau: Hi Martin. Can you hear me now?

Martin Boyle: Yes I can. Thanks.

Stephanie Duchesneau: Okay. So my comment is related to the multi stakeholder principle language. And I don't want to sound like a broken record here because I know I picked up this language from as far back as Frankfurt.

But A, I think it's a little bit confusingly worded; any proposal for a group is just whether we're talking about the proposal as a whole or every single group. Because I think when we look at the groups within the proposal there are

some that we have much more narrowly construed and either focused on registries or potentially criteria or based on experience - a certain experience criteria.

So I mean I have some concerns about this statement especially when it's qualified by a full range of stakeholders not defined.

Martin Boyle: Okay. Thank you for that Stephanie. And certainly this has been a clause that has had quite an amount of discussion on it. I'm also conscious we've now only got two minutes left.

Could I ask you Stephanie whether you could put forward a proposal for that wording? Perhaps make it more clear exactly what it is that we're looking for multi stakeholder engagement on.

Stephanie Duchesneau: Let me take that back and try and think of a replacement for that.

Martin Boyle: That'd be very helpful. Thanks very much Stephanie. And if I drop (my arm) again, Lise, back to you.

Lise Fuhr: Thank you Martin. Thank you for doing this. It's - well, it's still a lot of work even though we thought it was almost finished a couple of months ago. So - but I'm glad you're doing it. And now we need to - we're going to any other business.

And I see we don't have - usually we have the action points and I'd like to have those under any other business. And I think that we would need an action plan saying that the Chairs will get back to the group with the design team list with priorities of those design teams that are having scoping documents.



And also I see we have put in we would like an additional GAC person to the IAP Team. And I think that we should have another action point for the CSC Team that says that preferably we're having a scoping document out before the Thursday meeting so we can get this group started.

And then I would like to call for if people want to join any of the groups, we're short of a GAC representative for the - in the action point. And we need some participants for the CSC Group. And remember, well, we're going to look at it are people qualified, do they have the time to put in a lot of work of work in a couple of weeks.

Not to scare people away but it's just that we would really like very dedicated people to join those groups and we need them to go forward very fast. And I think - and we have the update on the discussion principles that are also action points of those. And those are here.

And then my closing remarks will be I'm very glad that you all participated and I'm very glad that we're getting somewhere with the design teams and I hope that we're having full discussion on Thursday's call.

I know it's very close to this call and we might want to evaluate this in a couple of weeks if it's too close to each other. But having two meetings is actually giving us some pressure on moving forward. So we'll look at this.

But thank you for participating and we'll talk again on Thursday. Have a nice evening, morning, afternoon wherever you are. Thank you. Bye.

END