

ICANN

**Moderator: Nathalie Peregrine
March 5, 2015
5:00 am CT**

Lise Fuhr: Thank you, Grace. And welcome everyone, to the 26th meeting. I would like to know if there's other only on audio apart from Steve Crocker, which we've noted.

((Crosstalk))

Theresa Swinehart: Theresa Swinehart is on audio only. I'll be logging in shortly.

Lise Fuhr: Okay.

Greg Shatan: This is Greg Shatan. I'm on my way to logging in.

Lise Fuhr: Okay. Anymore only on audio? No, okay. Well as I said welcome to the CWG meeting. I think we're at a very critical point here. We started working on our design team. We have one that's already launched, two others are ready to launch or will be launched soon. And we will need you to participate in the design teams, which ones you have qualifications for of course. And we know and recognize that this is a lot of work and it's going to be long hours and a lot of work to put into it.

But we need everyone, also, to read what's being sent out. We need you to give constructive comments in order to shape the draft proposal that's ready to send out for public consultation after the Istanbul meeting.

And we also need you to be aware that the results from the draft teams will be reviewed by the full group. And it has to fit into the final draft proposal. So it's a good idea to - to prepare the results with keeping in mind that it has to be part of this draft. So it's easier to have the full draft collected in the end.

As you can see, we have listed the action items from the last meeting. And we - the chairs - will still get back to you regarding the list and the priorities. And Jonathan is traveling at the moment so we'll get back to you as soon as he's returned to the UK.

We have - the GAC - or Elise - we would like to provide an additional GAC person for the IAP team. And we have - Donna has sent out the CSC scope so that's going to be discussed today. And Martin Boyle was to solve the last issue and it was almost done but it seems that has to be discussed a little more from Elise's response on the email list. But I'll leave that to Martin when this issue is coming up on the agenda.

Okay, having said this, I think we should - we should start with the update from Paul Kane. I know he's tied up with other business but I hope he's on the call to do this short update. It doesn't look like it so we might want to - he might be a little late so we might want postpone this until a later time at the meeting.

So we'll take the update on Design Team B instead. Allan, will you do an update on this - Allan MacGillivray?

Allan MacGillivray: Sure. Can you hear me, Lise?

Lise Fuhr: Yes, loud and clear. Thank you.

Allan MacGillivray: All right, thank you. And good day to everyone. I apologize for not being on the call on Tuesday. But some of you may have seen on the list there was a bit of a debate largely from within the ccTLD community on this proposed design team.

So what I have done is I have altered it a little bit to bring more clarity and I think most importantly have changed the title to reflect the intention of the - of the design team that is that really the objective is to see if there is enough consensus within the ccTLD community to do any form of appeal mechanism.

And so I think some of the debate on the list was reflective of the fact that many people don't feel that they want this or that it's possible so really what it did was validate the need for this.

So there is a revised template that has been circulated. And I think there's greater clarity on this but I'm certainly open to answer any questions in this respect. Thank you.

Lise Fuhr: Thank you, Allan. Is there any questions or comments to Allan? I see a comment from Milton Mueller saying there's no actual design in this design team. I don't know if that's a question or an actual just a comment. Greg, your hand is up. Go ahead.

Greg Shatan: Thanks. Greg Shatan for the record. I'm just curious what thoughts are on the next steps and kind of timing for kind of coming back with some sort of a

deliverable or a - at least a sense of where the team is going or where the community wants the team to go. Thanks.

Lise Fuhr: Allan, will you answer the questions and you can also manage the queue if you want.

Allan MacGillivray: Sure. Thanks, Lise.

((Crosstalk))

Allan MacGillivray: I have yet to have a discussion with the other individuals on the team so I don't want to get too far ahead of them, Greg. But as is reflected in the template I proposed I wanted to take a survey of the ccTLD community so our work will be largely in designing those questions.

And the timing will depend on how quickly we can firstly finish a draft of our survey, put it into the field, allow sufficient time for a response from the community and then bring it back.

This process could really take two courses if we find that there just is not enough consensus on any form of a mechanism then we may have to abandon this. If indeed there would appear to be a measure of consensus on let's say what I would call a - like a limited appeal mechanism then we'll have to determine what the next steps would be for the development of that. But as I said, I really don't want to get too far ahead on this without talking to the team. Thank you.

Lise Fuhr: Okay. Olivier, your hand is up.

Olivier Crépin-LeBlond: Thanks very much, Lise. Olivier Crépin-LeBlond speaking. Can you hear me?

Lise Fuhr: Yes.

Olivier Crépin-LeBlond: Excellent, thank you. I'm looking at this proposal and it doesn't appear to be making any reference to the framework of interpretation anywhere. And I wonder how that relates to the framework of interpretation which is a working group that's been going on for a long time and that did go pretty deep into these issues didn't they?

Lise Fuhr: Allan, will you answer that one? Allan, if you're talking you're on mute. We can't hear you.

Allan MacGillivray: Yes I am. Sorry. Let me start again. As I hope the template makes clear, this is not - this is just trying to assess whether there's any basis in the community for a mechanism to review whether in effect IANA has applied - whether - there is a debate around whether IANA has applied policy in the correct manner.

The FOI report is an attempt to fill in some of the color around existing policy. So while they, I guess, exist in the same space, I would say this design team is a very, very narrow focused - it's a very narrow focused objective which is to find out whether there is any measure of consensus in the community about whether there should be a mechanism to review whether IANA has applied existing policy correctly and by means of having a redress mechanism. Thank you.

Lise Fuhr: Thank you, Allan. Milton, you're next.

Milton Mueller: Okay. Yeah, Allan, I understand the need to assess the level of consensus among the ccTLD but as I understood the discussion - me and essentially Martin and perhaps one other person, the problem was you didn't want the appeals mechanism body or the appeals process to be setting policy and there was a debate about I guess the line between making policy and appealing whether policy had been properly applied. Is that what makes some ccTLDs nervous about this?

Allan MacGillivray: Well, Milton, I think there is - I think - I can't really say what makes them nervous until we've had a more systematic assessment of that, okay? I know that some of them - some of the issues would involve - and this is what came out in our own CWG survey, for example, is that there is a high degree of consensus around the need for quote, an appeal mechanism.

But when we ask the question within our own survey who should have standing to make that appeal, and one of the question was whether other ccTLD managers should have standing. Well, that is where the level of consensus fell away. And I think that's an example of the debate we will have.

Many - some might accept that an incumbent manager might have the right to appeal but they might not accept that a third party manager, who perhaps because he or she is concerned that this case may set a precedent and could affect them in the future, that is why they might want to get involved. So this is why I think there's a whole myriad of issues that have to be considered.

And there's a question about whether there is enough consensus for a broad mechanism to be implemented. But there may be - just may be consensus on a much more narrow mechanism and that's what I'd just like to try and find out. Thank you.

Milton Mueller: Okay so that's the basis of my question. Wouldn't you actually make more progress if you tried various design alternatives other than this appeals mechanism? And then assess the level of consensus for different solutions rather than looking at this purely as a kind of passive consensus of where sentiment is now, wouldn't we need to be making progress toward the actual design or the actual solutions of these kinds of problems?

Allan MacGillivray: Milton, I would say that that is how I would like to approach this. But not having had a discussion with my other team members other than by exchanging the template, I don't want to get too prescriptive here but I think you can understand at least where I would like to take this. Is that helpful?

Lise Fuhr: Okay, I see Milton writing "yes" in the chat. Any other questions for Allan and Design Team B? Is not I know that Paul Kane has just joined so we will have an update from Paul Kane on Design Team A. Paul, are you on the call?

Paul Kane: Thank you, Lise. I don't have much additional news from our call on Tuesday. As mentioned on Tuesday, we have done performance reviews going back to September 2013 so we are actually dealing with real facts, real world and that will form the baseline for our work going forward.

What we're just trying to formulate now is the process flow so we can identify each task involved in interacting with the IANA. And then from that we can attribute the baseline SLE timeframe and then work through the rest of it.

I'm hoping - hoping being the term - to be able to circulate early next week the process flow FAQ sheet which should help make sure that we are on the right track. We are working with IANA behind the scenes, in fact overnight (unintelligible) to assist us in that. So we will certainly get those dialogue

going with IANA to make sure that the information we present to the larger group is accurate (unintelligible).

Lise Fuhr: Okay. Paul, thank you for that update. But have you started working on - while you're - it doesn't seem that there's any email on the list that's been created for this group. Is that because you haven't sent any or should we have the communication moved over to this list? Paul?

Paul Kane: I think the list was - I've actually just been away and I'm just back. I think the list has been created. I will send out, later today, in about three hours time when I'm back from my next meeting - I will send something to the list to make sure it is working. If it is not working then I'll have a word with the secretariat. But I agree, the intent is to port communication between the members over to the mailing list so members can see what we're (unintelligible).

Lise Fuhr: Good, thank you. Any questions from the group to Paul? Are you in the Adobe room, Paul, or you're just in audio?

Paul Kane: Yes I am.

Lise Fuhr: Okay so you can see if there's any questions. But it doesn't seem...

Paul Kane: I'll be around for about the next 10 minutes so...

Lise Fuhr: Yes, but I can see Chris Disspain put a question in the chat for you. So he is - I don't know if you can see it yourself. He said, "Paul, please provide the team response for the general consensus on the list that this team should be doing, A, porting across existing service level obligations to the post-transition environment; B, creating the possibility of reviewing and changing them in

the future and not doing, C, reviewing and updating the substantive content."

That's a question for you, Paul.

Paul Kane: Okay so, yes, so what we have done is we've tried to use real world statistics or that's what we're currently analyzing or my staff are analyzing, obtaining real world statistics of IANA's past performance which, as I said on Tuesday, and the graphs highlight, is pretty good.

The impediment seems to be where registry managers put in a request and then don't authorize the task once it's been validated as being in compliance with the technical standards.

IANA are currently looking - they're aware of the issue, they are looking at having an authorizing contact where the - rather than just sending information to the admin and technical contact they will have a third contact where the credentials are not currently displayed. And that's the authorizing contact. That should help alleviate many of that particular aspect. But to answer Chris's first point the intent is to use real world statistics as the baseline for the SLE.

Next question, creating the possibility of reviewing and changing them in the future, that actually was raised at the last call. The intent - it's currently not on our list but there seems to be a number of people that would like us to do that. The intent is - the first piece of work is to ascertain the process flow which is something we're working on. That's one tract within the group.

The other tract is to ascertain the real world standards or performance that IANA is currently delivering. That was the work that my company - my staff are working on based on real world statistics. Those two should come together, I hope, by the end of next week.

The third approach is the escalation path based on the real world data. And the escalation path is primarily to define that the registry manager should - or one of the things that's being thought about at the moment the registry manager with a problem should first of all send a low priority update requesting help to a generic IANA email account.

The second higher level is that it's sent to a designated individual, probably the manager, and then what happens after that is currently under review, possibly sending it to the CSC. But nothing is yet defined. So what we're trying to do is identify the best most efficient way for IANA to service the community as it currently does.

But as Chris has highlighted, there is a call, which is a fourth piece of work, which is currently not on our agenda, creating or identifying where problems are and reviewing and changing them in the future. That is something that we can do but I would like to get the three pieces of work that we have committed to out of the way first.

(Unintelligible) I can't really answer that because if we do - sorry, the Item C - I can't answer that one at the moment. I would like to say no but (unintelligible) reviewing the substantive content and we may as part of your B, suggest areas of change.

But at the moment that is not on our agenda but it may fall into the purview. Don't know the answer. We're just focusing on the three, certainly to do the fourth item which you refer to as B, may involve (unintelligible) your list as well. And anyway we'll be coming back to the CWG group.

Lise Fuhr: Thank you, Paul. And I see Chris is also thanking you in the chat. It would - it will be very nice to have this communication because it seems that you've been doing quite a lot of work and it will be nice to have this on the email list just for the sake of transparency.

Paul Kane: Let me just emphasize...

Lise Fuhr: Yeah.

Paul Kane: ...whilst we have six participants in the workgroup, the - I'm responsible or I've taken on the logistical review of where we stand today. And Jay Daily and Jeff - not Neuman - the other Jeff - on the gTLDs, are working on the process flow. And so they've been very helpful.

The other members of the team have been quite quiet so - Eckhaus - thanks very much. Thank you. So the other members of the team have been quite quiet. So there is not a lot of email, we're just cracking on trying to do the work rather than talking about it. So it will not be a particularly active mailing list. We'll gladly transfer...

((Crosstalk))

Paul Kane: ...what we are saying to the public list so everyone can see how much or little is actually (unintelligible).

Lise Fuhr: Okay and I think we should check the scope to see the template you've made to see if all what you explained now is covered in the scope. So but you can do that with Bart or Marika. But thank you very much. I don't know if there is any other questions for Paul. Doesn't look - Greg, your hand is up. Greg, go ahead.

Greg Shatan: Thanks. This is Greg Shatan. You know, looking at the description of the design team on our list of descriptions it says the - first that there's going to be a review of the function - the current SLEs and then figuring out whether these need to be modified which is where, I guess, the survey of actual service level comes into play.

Then it says following the completion of the specific task the DT may continue, if directed by the CWG co-chairs, to look at other issues such as escalation documentations, reporting and collaboration. So maybe this is more of a comment than a question but it seems like perhaps the group is jumping the gun in presuming that it is also doing escalations and doing them kind of at the same time as this is being looked at. So just a little concerned about process there.

Lise Fuhr: Thank you, Greg. And that's why we'll have a look at it again. Okay. And I see Milton Mueller is worried if there is some overlap with the CSC design team. And, Paul, will you give a go at that question?

Paul Kane: So the escalation path - basically I, you know, like many of us I have a day job and so I would very much welcome getting this piece of work off my in-tray asap. But I would also like it to be complete. What you as a group, the CWG, choose to do with it after I believe we have completed our task is fine.

I think Milton's point is very valid. The way I see the service level expectation document emerging is that we have the baseline determined based on - or founded on facts - the real world facts. But we do need to think about the escalation process. There needs to be - the CSC, which is effectively the customer group - needs to be aware of instances where updates or - updates or

requests to IANA have not been fulfilled. That is the - effectively the highest escalation path proposed.

What the CSC chooses to do and the processes that the CSC has in place we are not going anywhere near. But there needs to be some mechanism from the SLE group where after asking IANA to do updates or asking IANA to perform certain tasks and them failing to do so - and by the way, I don't think there's been any - or much evidence or any evidence in the past of this actual action being necessary but - because IANA normally behaves very efficiently.

But the escalation path does need to be able to end up with the CSC being effectively the ultimate point of reference all registry managers that have a problem. So yes there may be some overlap. I hope it is not significant but I see the CSC as being the highest escalation path, as it were, it's up to the CSC to determine how they handle it going forward.

((Crosstalk))

Steve Crocker: This is Steve Crocker. May I offer a question?

Lise Fuhr: Go ahead, Steve.

Steve Crocker: Hi. Paul, thank you very much for that. Let me make a distinction between two kinds of issues that might come up where the failure is against the service level expectation. One is a specific instance in which a request has not been handled expeditiously and what the escalation path might be for that.

And the other is where there's a persistent lack of response or the service levels have fallen in a broad scale below expectations. In my mind those are very different and need very different levels of treatment.

Paul Kane: I would echo that. And one of the things that the CSC could potentially do - I'm not involved in the CSC work - is periodically review the performance. But I certainly agree that the two are different. I'm just interested in the day to day operation aspect.

But I'm guided by the group and I sincerely hope that - I'm hoping - although I'm away next week - I'm hoping the need of next week or possibly early the following week this work item will be completed.

So the document will be in the public domain for discussion and then if you want us to do - revise a particular thing we will be happy to look at it. So about two weeks away, I sincerely hope this - the document will be out.

Lise Fuhr: Okay. Thank you, Paul. There is a question in the chat for you. It's Siva who's asking if the escalation path uniform irrespective of the sensitivity and (unintelligible) of the registry's problem consider an extreme situation that takes a registry offline. Is there a hotline path?

Paul Kane: The simple answer to that is yes. As today, there is an emergency escalation path that IANA provides to registry customers and that is likely to continue. So, yes, that is already - or will be - the document isn't even written but it will be included so thank you for the question and the answer is yes.

Lise Fuhr: Okay. Thank you, Paul. Any other questions for Paul before we move on? Paul, you were saying you're away next week, will you be able to give an update or will you ensure that someone from your group is going to give an update for this group?

Paul Kane: I will attempt to join but I am trying to emphasize is there may not be that much work done. I'll be working over the weekend to try and get it done as much as I can before I leave because I would welcome the document - just to make sure we have the process flow right, that's where - we got to have a baseline, we got the statistics, baseline, which we believe are accurate and I'm going to have those checked with IANA staff.

But I would like the process flow also aired within the community to make sure that we have addressed everyone's issues, everyone concerns. And we are doing it in an efficient manner. And then from that we can build the SLE itself. So it should all work quite well.

Lise Fuhr: Okay. Thank you, Paul. And doesn't seem there's any more question for you regarding Design Team A, SLE/SLA. And, well, I know that Donna asked if we could postpone the update from Design Team C until Staffan Jonson is on the call too. So we will have review of - no, review and finalize of the CWG principles document with Martin Boyle instead and then we'll get back to Donna later on the call.

Martin, are you ready to go through the principles? Martin, if you're talking you're on mute.

Martin Boyle: I was indeed. Sorry about that.

((Crosstalk))

Martin Boyle: Yes we can. Unfortunately I've got two buttons that mute and unmute me and one of them keeps clicking in. Right, thank you very much, Lise. Martin Boyle here. I sent (unintelligible) an email quit late last night and that

proposed a way forward on the document because since our call on Tuesday we found that a number of other issues have come in.

And so I'm going to need to sort of try and cover those and certainly there are at least two major outstanding problems rather than just the one outstanding - main outstanding problem that we thought we had.

So what I would like to do is to go down the - in the way proposed in my email and start off with a question to you all as to whether we can remove the comment and extent the editing on material that has been sitting around now for a number of calls.

Now, the items I flagged I'm going to have to change that list a little bit in that Item 5.4 I missed. That has got a substantive issue on it so I will remove that. Where I wrote 6.2 I meant 6.3. So in fact I'd like to look at 2.3, 5.1, 6.3, the chapeau of 7, 7.3 at 6, 8.1, 8.3 and 9 and ask whether anybody has got any issues on any of those items for the changes that have been proposed or for the comments against those items.

Seun. I take it that that was an accidental hand. All right. I'm not seeing any objections to that. And certainly this will make it very much easier for us to focus on the issues of substance that we have left.

Right, my second one was to see whether the suggested compromise I put forward for 7.2, which was the big issue that we discussed on Tuesday, was acceptable. And those of you that have seen the recent email will have seen that Elise has flagged that no it isn't.

However, what I would like to do is say that we will carry on working on option - the suggested compromise under 7.2, and again take that one off line

and then that is between Paul, Elise and me to try and find words that meet the requirements of all three of us.

Is that acceptable to everybody? Has anybody got any objections would be an easier way of asking that question. And I see nothing so we'll work in that particular way.

My next one was on 5. And I'd like to go through 5.2 which came up from - I mean, earlier this morning. I don't know whether Rinalia is on the line. No, she isn't. So I'd like to do 5.2, 5.3 and 5.4.

For 5.2 Rinalia flagged that there was a bit of a confusion in the wording. Currently it reads, independence of accountability. Accountability should be independent of the IANA functions operator. I went back and suggested that perhaps we'd missed out the word "process" - "processes." And so I would like to go ahead with that and make that modification for consideration at the next call.

Rinalia though came back and said whether it was the ICANN accountability processes. I actually don't think it is. I think the - where the accountability processes are has to still to be defined and therefore should not appear in the principles. And I've gone back on list on that. So if nobody has got any objections I will make the modification and recirculate the draft with that - with that included.

Five three, I'm going to try and remind myself exactly where we were on this one. Yes, Milton Mueller suggested that the bits in brackets at the end of 5.3 was unnecessary. I strongly agree with him. I think it is unnecessary particularly in terms of principles and therefore I would propose that for deletion, and in fact did last night.

Can I - as that's quite a small change - or at least I think it's quite a small change, can I pause here and ask whether anybody has any objections to deleting that particular bracketed text? I'm not seeing anything so I will mark it accordingly but expect to clear it at the next meeting.

And then 5.4, the footnote and that was something that I should have flagged as being fairly new text. Avri has suggested that we ought to include the word "ICANN consensus" so (unintelligible) would be required to achieve ICANN consensus.

And I don't think that's right because firstly I'm not quite sure I properly know what ICANN consensus is. And secondly, I actually think that the level of consensus and the way that any group is working is still - still has to be defined as we go ahead in developing that - that mechanism.

So what I'm suggesting is that we accept the footnote but that I will include Avri's comment as a markup and that then allows us to pick this up next Tuesday or next week when Avri might well be on the call.

No, is everybody happy with that approach for 5.2, 5.3 and 5.4? I see Greg.

Greg Shatan: Thank you, Martin. Greg Shatan. A couple of things, with regard to 5.3, looking at it now, it says, "The policy processes should be independent of the IANA functions operator." The term "IANA functions operator" I think we have been using to mean ICANN and not the IANA group although that could be a different operator in the future.

So I'm not sure whether this is meant to say that the policy processes should be independent of the IANA staff or the team or that the policy processes

should be independent of whoever the IANA functions operator is, which is currently ICANN. So I think there may be a definitional issue.

I think we started using IANA functions operator and stopped using ICANN with the idea that in the event of separability ICANN might not be the IANA functions operator. So I think we need to figure out what our nomenclature is and use it consistently.

So - and then secondly in terms of consensus I see what Brendan is saying in the chat and I agree, I know that what Avri is referring to is consensus that's used in GNSO working groups which is indeed what's generally referred to as rough consensus. And outside of ICANN but inside GNSO at least is always just referred to as consensus.

So I think if we - if when we use the word "consensus" it would be helpful to explicitly note that it's not any particular definition of consensus or else I think people will assume that the definition of consensus they deal with everyday is the consensus that's being dealt with.

Now I know other groups operate on different types of consensus. The GAC is all in favor and none an objection or at least if not all in favor no objection. In other groups I think SSAC has a different way of working. And in GNSO we have one group that works on full consensus and everyone is very careful to refer to that one group's process as full consensus. So just, again, a kind of word to the drafting of things. Thanks.

Martin Boyle: Thanks so much, Greg. Going to your two points, let's do them in reverse order. That's actually helpful for me on the understanding of consensus. And so I will try to have a go at finding some words that reflect your explanation of the difficulty.

For the other one, I - it's probably just me but I've always worked on the basis that IANA functions operator is entirely independent of who is actually the IANA functions operator. At the moment it is a team within ICANN. In future, it might be a team outside ICANN.

And my intention was that this was independent wording. So if I've got that wrong, somebody is going to have to help me and tell me what neutral wording would be in this particular case. But...

((Crosstalk))

Greg Shatan: ...just come back?

Martin Boyle: Yeah, go ahead, Greg.

Greg Shatan: The issue is - I think that in other documents we've used IANA functions operator to mean ICANN and not merely the IANA group within ICANN. So I think we need to find some way to refer to - to make sure that we're using the same terms because as I look at this, you know, clearly in 2 and 3 it doesn't make any sense if the IANA functions operator means ICANN because the policy processes can't be independent of ICANN at the moment; they're independent of the IANA function but not of ICANN as a whole.

So if we're going to use IANA functions operator to mean the team that actually does the IANA work then we need another term for what - what is currently ICANN but could be some other larger vessel that the IANA functions operator is part of as well. So, again, I think we just need to be careful about nomenclature and decide what we're using the term IANA functions operator to mean and to be consistent across documentation.

Martin Boyle: Okay, I'm - I am completely confused because when I've used - when I've been using IANA functions operator I've been using it as that bit currently of ICANN - in future might not be of ICANN - that is operating and working and doing the work relevant to the IANA functions. So I would welcome perhaps from you, Greg, offline some sort of primer that allows me to choose the right terminology.

What I'm trying to get - what this particular paragraph is trying to say is that the IANA functions operator that the people who were doing the work in the IANA team, wherever that might be, are basing their work on the policy that has come out through the relevant processes most likely through the ICANN GNSO or ccNSO processes. So if it at some stage you can send me an email, Greg, that sort of explains what terminology I should use there, then I will go ahead and incorporate it.

Did you want the floor again? Seeing your hand still up, Greg.

Greg Shatan: Just to note that in Section 9 it says, "To separate the IANA functions from the current operator." And then it looks like perhaps I suggested or it says that I suggested it, i.e. ICANN, but then again that doesn't work if we're using "operator" to mean - that whole sentence doesn't work if by operator we mean the IANA functions bit within ICANN unless there's also - again, maybe I'll just take this offline because we probably need some way to refer to ICANN generically and also to refer to the IANA group generically by separate terms. Thanks. And we can move on then.

Martin Boyle: Yeah, okay. Thanks, Greg. I will look forward to receiving that explanation because obviously I am completely and utterly lost on this. And I see that

that's also sparked some discussion in the chat. Can we then move on and into 5.6.

And (Martin Seaman) posted something yesterday that suggested keep this paragraph in place and then consider later whether we need to - need to reexamine it. I don't know whether, Martin, you'd like to talk to this - talk to this concept. This is about whether - whether an appeals and address principle in here and in the terms that it is in is appropriate bearing in mind the wide discussion that's going on in the design team.

Maarten Simon: This is Maarten here. Can you understand me?

Martin Boyle: I can indeed.

Maarten Simon: Okay. Well, my idea was - and this a bit difficulty I have with the principle document. I think discussion on it and that's one reason to keep it in. And but on the other hand if the idea of the principles is that we all have to meet them we might possibly fill so then it should be taken out. But it's - I think in the end we could decide that we all think it was a nice principle but we don't need it and then if there is consensus about that we just leave it.

Martin Boyle: Okay, thank you, Maarten. Is everybody then happy that we leave this in but we do some further thought in the light of the work that Allan MacGillivray is working on with the Design Team B? Any objections? I see one tick from Cheryl. Okay let's work on that basis.

Six three is the next one. And, again, - all right, 6.2 was the next one. My failure last night to be able to hit the I key the right number of times. The - we need to have a decision here whether 6.2 is retained. And if so whether we include the words "for all routine functions" so in other words automation of

the process as a principle is required and whether that - if we do think it is necessary whether we want to restrict it to all routine functions or allow it to be - or have it as a principle that it should be for everything.

Firstly can I ask whether anybody would argue for deletion of this as a principle, the process should be automated? I'm not seeing anybody. And therefore the next bit is whether anybody would object to - no anybody would think that that should apply to all functions or whether that would then be for routine functions. And I see (Martin Seaman) asking for the floor. (Martin), go ahead.

Maarten Simon: Yes, sorry, Martin, I was a bit late at raising my hand because in my opinion automation of the IANA functions is not something that should be part of the - shouldn't be a principle in this transition of oversight. I don't see the connection. It's a wish we as community have but to make it a principle is a bit far-going in my view.

Martin Boyle: Thank you, Maarten, that's nice and clear. Does anybody want to argue the opposite? If nobody argues against it then I'm quite happy to put a line through this particular item. I see nobody arguing for. Okay, right. We delete 6.2.

And then for 6.3, again that was you, Maarten. You - no, sorry, I'm getting that wrong; 6.3 was not on the list. So excuse me, I'm getting completely lost on this.

My next - the next point was 7.1. And, again, that was Maarten Simon making some editing changes. The - so the new wording would read, "Be predictable. Decisions are clearly rooted in agreed and applicable policy as set by the relevant policy body."

Which I must admit, does actually sound rather clearer than the wording that was previously there. So would anybody object to those changes? I see you're asking for the floor, Martin, did you want to speak to this item?

Maarten Simon: No, sorry, I forgot to lower my hand.

Martin Boyle: Okay. Does anybody object to the proposed revised wording? I see none so the next version will include that revised wording. The next item, and in fact the last one on my list, last but one on my list, is for Section 10. And Stephanie prepared some wording for that which is now in the text, "Multistakeholderism, any proposal must foster multistakeholder participation in the future oversight of the IANA functions."

So that was the text that Stephanie volunteered to produce for us. Does anybody have any comments on that text? Mary. Mary, go ahead, we can't hear you so you might be on mute.

Mary Uduma: Hello, can you hear me? Hello?

Martin Boyle: I can hear you now, Mary.

Mary Uduma: Can I be heard? Okay, can you hear me now? Yeah, I did raise the issue of (unintelligible) is a principle we are putting together (unintelligible). I think we should use the word "should" in that (unintelligible). English is not my first language so please pardon me.

Martin Boyle: Thanks very much, Mary. So what Mary is saying is that any proposal should foster multistakeholder participation in the future oversight of the IANA

functions. Stephanie, unfortunately, I don't think is on the call. But would anybody have any objections to substituting "should" for "must"?

I see none and therefore what I will do is accept Stephanie's wording and in the new document will then show as a proposed change the change that Mary has just proposed. Is everybody okay with that? I see no objections.

So that will then just leave - and I will flag that there is a difficult issue on 8.2 and I will take this one offline with Eric who proposed it because I don't think Eric is in a position to speak. If he is by all means put your hand up, Eric. But that we will need to try and go through this to try and find some wording that works.

At the moment I think too many people would object to including me to the proposal that Eric has put forward as the alternative to and therefore we'll need to try and find some wording that meets his requirements and others' concerns.

So with that I think I've got to the end of the document as best we can do it at the moment, Lise. I'm happy to take any further comments on or offline. I'll try and produce a new document by the end of today for circulation to everybody and hopefully that will be a much cleaner document for people to look at. Thanks very much. Oh, Olivier, floor is yours.

Olivier Crépin-LeBlond: Thank you very much, Martin. Olivier Crépin-LeBlond speaking. And just commenting briefly on 8.2, I've seen the interaction on the mailing list. And I just wonder whether we're not in this impasse, as one would say in French with - on the one hand a broadly - well laws basically based on the Codigo Civil, the Napoleon code, and on the other side laws which are not based on that and I think we might wish to try and keep out of using the

national laws specifically because of this because there are some countries without such national laws.

I just thought I'd add this over to the discussion. But, yeah, it's better to take it offline. And if you want I'll - I'll be happy to also take part in that discussion if you take it directly by email. Thank you.

Martin Boyle: Thank you very much, Olivier. And, yes, it's interesting that the exchanges I've had with Eric I think we're both trying to achieve the same thing. And a lot of it seems to end up at the impasse, as we say in good English, that makes me suspect that you're right that it is just a difference in the way laws are interpreted, the way the policy framework is interpreted. And so I will gladly take you up on your offer, thank you very much. And with that I can pass it back to you, Lise.

Lise Fuhr: Thank you, Martin. And thank you for a very thorough walkthrough of the document. And I think we should agree that we only have two subjects left now and the rest - so we don't keep reopening the wording so we agreed on this wording and we'll go on the other - the last and outstanding issues at the next meeting. Thank you.

And the next is - I don't know if Staffan has joined the call. If not I think we should do the client committee update from Greg. And then we'll - no matter if Staffan has joined or not, go back to do the review of the scope document for Design Team C with Donna Austin. But, Greg, you first on the client committee update. Thank you.

Greg Shatan: Thanks, Lise. Greg Shatan for the record. This will be a much more brief update than the one given in the meeting earlier this week. I'll refer anyone back to the previous meeting for a comprehensive update. Since the last

meeting we have received from the firm that is currently the frontrunner, a proposed engagement letter which is basically the retention document which has been modified from the typical engagement document to reflect some of the unique circumstances of this relationship.

I think the engagement letter is still a work in progress. So we'll see where that goes. We're still awaiting more discussion of what I'll call the rules of engagement by which I mean how we can proceed to work with Council on going forward basis.

There's a couple of general principles in the engagement letter that make sense, for instance, if the generally this will be done without concerns about privilege and confidentiality which generally keep documents in very narrow circulation at least in terms of advice and only produce kind of public documentation that this will be done more in a sunshine type of proceeding.

And the next step that we have is a discussion in a few hours with the front running firm to go over both the engagement letter and the concepts of the rules of engagement and any other questions that might arise.

I'm still referring them towards the front-running firm because one of the three firms that - in this round has not yet given permission to name them. I've been engaged in a bit of - emails have gone back and forth but this is something that they have to take back to typically the office of the general counsel within their firm so it's not a snap decision. But I expect to have something on that and hopefully be able to release the names of all three firms and their kind of - their capabilities documents to this group.

Separately we've also had - and kind of in the nature of perhaps insurance, should none of these three firms work out, which I think is highly unlikely,

but nonetheless we've had a discussion that indicated before there were a couple of smaller firms that are focused on not for profit law and particularly not for profit governance issues.

Just spoke to one in - that is California based and very impressive in their depth of knowledge of these issues under California law. And maybe not have enough breadth for the issues we're looking at but they've also indicated that they've worked in a teaming fashion with other firms.

And while I think the firm we selected has all the strengths we need in that area, it's maybe good to have in the back pocket a firm that is obsessively focused on California not for profit, although they know about many other not for profit jurisdictions and issues as well but just something to keep in mind.

Hopeful that, you know, if there's a good discussion with the front running firm we can move forward in looking to engage them. And, you know, get them engaged somewhere - it's now Thursday so it might be optimistic to say the end of this week but relatively early into the following week I think would not be too ambitious.

Olivier, I see your hand is up.

Olivier Crépin-LeBlond: Thank you, Greg. I'll wait until the end of your update and then I'll ask the question. Thank you.

Greg Shatan: Okay, that was actually pretty much the end of the update so you can - you're timely.

Olivier Crépin-LeBlond: Okay. Thanks Greg. Olivier Crépin-LeBlond speaking. And thanks for this update. As I voiced during the last call, I'm concerned about the

amount of time this is taking but of course I understand at the same time that some of these things do take time. And we need the right firm rather than the fastest firm for them to be providing their advice.

I do have a question though, in their proposal have any of these firms been able to give you a timetable of their advice? I mean, they have the list of questions that we have and have any of them been able to let you know from the time of signing contract when they were going to be able to have answers to our questions?

Greg Shatan: I think that assumes that the centerpiece of this representation is preparing a set of written answers to our written questions. I think those questions were more in the nature of providing a sense of the scope and concerns of the group and not a question and answer process. That would actually be a rather unusual way for law firm advice and counseling to go forward.

We can discuss with them whether that is in fact what they think should happen but that's a - that's really not necessarily the intention of this process. You know, the advice needs to kind of wrap up those questions but not necessarily in a Q&A format. The advice really needs to be more the product of discussion and not just of kind of throwing questions over the transom. I'm sure that if, you know, we just wanted to get a bunch of answers to the questions they could probably do it in a couple weeks.

Chris Disspain.

Chris Disspain: Yes, Greg, can you hear me?

Greg Shatan: Yes.

Chris Disspain: Thanks, Greg. Thank you, you've just - just in your response to Olivier you kind of encapsulated my question. He who controls the discussion to some extent, controls the result. How do you envisage managing the discussion with the law firm? Speaking as a lawyer myself and someone who's dealt with, you know, clients for a very long time, the person who gets to involve themselves in the discussion with a lawyer has a significant amount of control over the debate.

So if the lawyer says we're not entirely sure what you mean by the question that's been written down here, can you give me some more detail or who says do you mean this? Would you like me to go down this avenue? Those who respond to that are the ones who - to some extent, and this not meant to be in any way (unintelligible) and it's just a fact, control the discussion.

How do you envisage that the community itself will be able to buy into the - the building of the advice from the law firm? Because I accept completely your point that a simple series of questions is not really going to cut it. We need to be having a discussion, we need to be asking off the wall questions, questions that come up simply because of a response from the law firm. How do you envisage managing all of that together to a result at the end that we can all buy into?

Greg Shatan: Thanks, Chris. I think to some extent that's the rules of engagement discussion that I think is somewhat still to come but I'll tell you pieces that have already emerged and how I generally envisage that. I think there's two parts to that at least.

One is the client committee would generally be the group directly interfacing with the lawyers most often. And I do think we will revisit the question of the

composition of the client committee when we're acting as clients and not as potential clients. So that's something I've put out for potential thought.

Secondly, that - I think we will move to a more typical, if you will, working method where we will have a public mailing list and we will operate with Adobe Connect for meetings and therefore have a record of each that can be of each meeting that will include meetings with counsel that'll be done, you know, done in Adobe Connect so we'll have the ability to follow the work of the group in a much more real time fashion and dis-intermediated fashion. So I think that's part of it.

And then I think out of that the, you know, the - and I agree with you completely that, you know, the - just doing it as a paper Q&A isn't really, you know, how legal advice, you know, develops well. And, you know, that I think in terms of figuring out how deliverables will work, needs to be a bit worked out.

But I think the idea is that there would be interim deliverables that are, you know, would be seen by the group on a, you know, relatively consistent basis so this isn't going to be just a long gestational process with a single document at the end whether that document is an answer to questions or some sort of more developed legal advice.

I think there will also be an opportunity, hopefully multiple opportunities, for the lawyers to come before the CWG as a whole and not just the client committee and engage in...

Chris Disspain: So, Greg...

Greg Shatan: ...back and forth. Yes.

Chris Disspain: So, Greg, sorry, if I may - this is Chris again - and I'm sorry I put my hand down but I just want one comeback on you. I completely agree with everything you've said. Question for you, given that where you are right now in the process is there any possibility you think that representatives of the law firm could be in Istanbul for the face to face meeting?

Greg Shatan: That has been discussed. I think there is - I think we'd have to decide if that's something that is highly desirable and whether we want to have them come out to Istanbul or just participate remotely.

Chris Disspain: Even on a fact-finding basis why would it not be? I mean, even on the basis that they just turn up and listen surely that's got to be beneficial for them, hasn't it?

Greg Shatan: Yeah, no I think it is. Certainly would be. I think we have to do a bit of a cost benefit analysis on that in terms of basically taking their entire, you know, taking, you know, three or four lawyers for four days - four full days in terms of travel, no matter how you cut it is not cheap.

On the other hand I think that the face to face is a unique ability to kind of speed - have at least speed learning if not...

((Crosstalk))

Chris Disspain: Absolutely. And maybe it could just be one lead person and everybody else following along online but I would...

((Crosstalk))

Chris Disspain: ...encourage us to think about that.

((Crosstalk))

Chris Disspain: ...thinking about the fees because, you know, once you put your lawyer's hat on you can't help but think about the fees. But just from the point of view of getting them up to speed I think that would be extraordinarily valuable.

Greg Shatan: I agree. And actually I'll bring that up on the call we're having later this morning with the firm so that, you know, in an ideal world I would have them all in Istanbul with us. But in a pragmatic world, I'd still like to get as close to the ideal as possible if that's, you know, what's on.

So in terms of - I'm seeing if there are any other - well, Olivier, I see your hand is up and then I'll look at the chat. There seem to be some separate points there.

Olivier Crépin-LeBlond: Thanks very much, Greg. Olivier Crépin-LeBlond speaking. And indeed we did discuss the idea of having some of those lawyers in Istanbul or perhaps even listening on or participating remotely if that is able to cut the costs.

The concerns I have is really down to the timeline. I'm just hearing now that you're saying oh, it would really help the lawyers to sit in and listen and learn on things on discussion in Istanbul. Well how many months do we have to provide our advice and to end up with our - I thought that we were going to have responses by Istanbul so that we could actually have those several processes that are currently stalled - they are stalled. They're standing by but they're waiting for legal advice.

And so we're now in a situation where we're going to teach lawyers about the process in Istanbul? That doesn't seem to make sense at all. Are we then meeting up...

((Crosstalk))

Greg Shatan: ...Olivier, it doesn't make sense is that you're misinterpreting everything I've said, that's why it doesn't make sense.

Olivier Crépin-LeBlond: Okay.

Greg Shatan: Perhaps I've miscommunicated.

Olivier Crépin-LeBlond: I'm sorry but...

((Crosstalk))

Greg Shatan: So let me clarify what I'm saying before you try to - before you argue with what I'm not saying. I'm not saying they would just...

Olivier Crépin-LeBlond: Okay.

Greg Shatan: I'm not saying that they would just be, you know, students by the time they get to Istanbul. We've already had substantial discussions with them. They've already brought themselves up to speed impressively on the issues we're dealing with specific to the group and the larger IANA transition.

All I'm saying is that it would be a - versus not having them participating in any way in Istanbul that it would be a great advantage to moving forward to

have them in Istanbul. So sorry if the term "learning" made you think that they were not already going to be knowledgeable in providing advice.

Secondly, we very much discussed the idea of having a deliverable of some sort before Istanbul and that would help to sort out our thinking in Istanbul on these larger questions that we do have - haven't been able to move forward on.

However, in terms of, you know, comprehensive answers, you know, we're not talking - we're talking about right now it's Thursday. By this time three weeks from now we'll be in Istanbul. So we're really talking about, you know, that's a couple of week to prepare to move forward. I think we want to make maximum use of those two weeks - or 2.5 weeks with the firm once they're retained. And I don't think that necessarily means we'll be spending time for months afterward with the firm, you know, just trying to get basic answers to questions.

So I hope perhaps that clarified where I think we are in the process, Olivier.

Olivier Crépin-LeBlond: Yeah, thank you - thank you very much, Greg. It's Olivier speaking. Thank you for this. I think we are in violent agreement on this. But, you know, I do reiterate the concern that if we do not have answers to those original list of questions that we have sent out and if we don't have it Istanbul then effectively my feeling is we're wasting our time going to Istanbul.

And, you know, we need to move forward on this and we need - the questions are not of course the only thing that we're going to need from this - from legal advice, but that would - that's a first hurdle that we need to pass in order to continue engaging with legal advice that legal advice is then - and then for them to provide us with further answers to questions or. And, you know,

engaging with them that's fine afterwards. But those questions, in my view, are vital to us being able to move forward.

And so I'm sorry for emphasizing this and repeating it but, yes, three weeks, well heck with it, you know, I've seen companies getting started and starting to make money in less than three weeks. And we just need to emphasize this is really going to have to be fast track. And I hope that the legal team will be aware of this because this is not going to be a marathon, this is going to be a sprint. Thank you.

Greg Shatan: Thanks, Olivier. And I assure you the law firm has emphasized to us how ready they are to hit the ground running and to move quickly. So - and, you know, all three firms, you know, indicated that but I think this firm, among other things, indicated that the most strongly.

So - and I think that in terms of timing I think everyone is - understands that we need to get - be able to break the log jam with the help of counsel so that we can have a substantive discussion on, you know, frameworks and proposals at that level in Istanbul. But I don't think that means it would be a waste of time to spend time below the level of structures. But your point is well taken.

Seun, I see your hand is up.

Seun Ojedeji: Yeah, this is Seun for the record. Thank you very much. Hello, can you hear me?

Greg Shatan: Yes.

Seun Ojedeji: Okay good. (Unintelligible) when Olivier was talking about timing so maybe some of my comments is little bit repetitive so apologies if it's a little bit repetitive.

On the - on Tuesday there was presentation on the - you made a presentation about three firms. This is Thursday, we're still making presentation about three firms. You mentioned that selection would be (unintelligible) by end of this week. End of this week is Friday. So I like to know what exactly is delaying making decision on one firm, selecting one firm from the three.

Is it in relation to getting permission? Because I noted that you mentioned that you tried to get permission from one of the three firms whether to mention their name or not. I don't think that's - if that is one of the reasons why it's been delayed, I don't think that should actually delay making the selection so that they can get to work.

And my second question is in relation to the principles. You did mention that some principles are - have been (unintelligible) letter. So what are those principles? Have they been shared? And it would be good to know what they are.

And then there is also the last question in relation to engaging the - whatever firm that is selected. How long exactly will it take if you make a decision to select one firm today? How long exactly will it take ICANN to engage them? Because I think that needs to be (unintelligible) the difference between the client committee saying okay fine, we approve of this particular firm, how long does it (unintelligible) ICANN to engage them in their work? Thank you.

Greg Shatan: First off I don't think there's been any delay. The process has been moving quickly; it's just not a simple thing. So the - and I think we have - we are

pretty much talking about one firm, not three by this point in time. So we are moving forward with the one firm.

And, you know, based on the conversation we have today with them, you know, would hope to be able to pretty much decide that they are the firm that we are going with. I hope there won't be any residuary questions after that but, you know, we'll need to circle up.

And I am not the client committee; I am only one of four of our members on the client committee so I can't make that determination myself. And I think that, you know, ICANN has also indicated from their side that they understand the need to move quickly and getting the engagement actually signed up.

And we've already, as I said, been working on the engagement letter. It needs a couple, you know, work in a couple of sentences basically just on some of the more unusual things versus typical reference.

And so, you know, if in fact we select this firm, which is highly likely, I just - I don't want to be premature and say we have selected them, that's why I'm calling them the frontrunner but they're the only ones that we are working toward this. So if you are watching a horse race and there's a horse that is six lengths from the finish if it's a winner, probably. But it could always break a leg.

So I'm not going to say that something is done before it's done even though it's in the process of being done. So in terms of - and so, again, I'll go back to what I said earlier, by early next week - relatively early next week I think we should have the firm in harness so to speak. We have an agenda and only 25 minutes left. In terms of the...

((Crosstalk))

Seun Ojedeji: ...this is Seun for the transcript record. (Unintelligible) principles. Thank you.

Greg Shatan: We haven't given them the principles document. They've seen the discussion document for Singapore and they've seen the legal scoping documents it stood in Singapore. We've also discussed with them the integrated model and the need to look at that in terms of potential models. But I don't know again that we've necessary given them specific questions on that but they're aware of that. And again, you know, so that is all part of it.

So, Seun, your point is nothing is delaying the frontrunner from being selected...

((Crosstalk))

Seun Ojedeji: Hello, Greg, this is Seun for the record. Maybe I need to clarify again. In the notes I'm looking at now says that consider rules of engagement, a number of principles are contained in the engagement letter. A number of principles are contained - that means that some principles are from the principles.

Greg Shatan: No, that's...

((Crosstalk))

Greg Shatan: No, that's not correct.

Seun Ojedeji: Oh okay so that means (unintelligible) thank you.

Greg Shatan: Right, the use of the word "principles" is not to refer - not referring to the principles we were just discussing. Let's say working methods are referred to but we need some more understanding of working methods.

One last question and then just from James Gannon. In terms of how legal staff is providing input, they are looking at these documents as well as us. And they have - but they have been I think appropriately understanding that ultimately this is our engagement on a substantive basis. They - so I think I will be able to answer that question better after the call today.

So I think that - hopefully that answers that. Brendan, I think I answered that question already. The document itself has not been updated but they've been informed of the integrated model and, you know, a lot of the same questions that are in there already go to the integrated model. So I think that in terms of getting answers that - to how we need to look at these models and what the pros and cons are is all in there and it'll definitely be in the advice that we get.

So I think that it's now - I've been told I should move on to the next point. Thanks - next agenda item. Any further questions obviously you can put on the list. Thanks.

Lise Fuhr: Thank you, Greg. And I'm sorry to be the one to shut off this very interesting discussion but I'd really like to go on with the scope document that Donna Austin will present because it's also very important to get moving on the Design Team C. Donna Austin, can you do a presentation of the scope document please?

Donna Austin: Thanks, Lise. Can you hear me?

Lise Fuhr: Yes.

Donna Austin: Okay great. Donna Austin for the record. So this document was developed with the help of Marika so Staffan and I have worked on this over the last few days and I posted it to the mailing list probably about 12 hours ago now. I have had a couple of comments back which I'll get to once I've run through the document that is currently in Adobe Connect.

So just to preface this, one of the challenges of putting this document together was we don't have an understanding of what the other yet to be determined elements of the CWG proposal will be and what I'll refer to then is whether there'll be an MRT, a Contract Co, or a golden bylaw.

So we've done the best that we can, I suppose, in trying to structure this within thinking from my perspective that we've had in discussions around the CSC previously.

I'm assuming there's value in just running through what all of these are and then I'll open it up for questions so I'll just do a - practically a read-through of what the elements of this are and then I'll open it up for questions.

So building on the 1-December draft transition proposal and taking into account the work undertaken by RFP 3 in particular the functional analysis of the CSC, the design team is expected to describe the, A, role and responsibilities of the CSC in relation to the administration and oversight of the statement of work; B, identify and list IANA reports that are currently provided to the NTIA or provided as a result of the IANA contract and specify and list those that are expected to be provided by the IANA functions operator post-transition.

Specify an instruction for CSC describing a process how post-transition the CSC will review these reports. And specify an instruction for the CSC describing a process how post-transition the reporting requirements will be reviewed.

Specify an instruction for the CSC describing remedial action in the event of poor performance of IANA against specified SLAs. So we do need to factor in the work that - or take into consideration the work that Paul's been doing with the SLEs or SLAs.

Specify an instruction for the CSC of what is not mandated or out of scope so basically what do we consider is out of scope of this group. Specify an instruction - sorry - consider whether it's appropriate for the CSC to be an initial point of escalation for TLD operators who are experiencing IANA performance issues.

Consider whether the CSC would be responsible for the authorization role currently performed by the NTIA for root zone changes related to delegation and the more frequent Whois database changes. Consider the extent to which the CSC could engage with IANA on emerging issues, that is those issues that are currently unforeseen that have the potential to impact registry operators and IANA services.

This in some respects goes to some of the discussion on the list around David Conrad's questions about how issues such as - he's used DNS SEC as an example that arise in the future will be dealt with. And the composition of the CSC take into account - taking into account the agreed roles and responsibilities of the CSC design team.

The design team will work on the assumption that the status quo should be maintained as much as possible throughout the transition while a process mechanism should be put in place that will allow for review and possible changes to the reporting requirements based on that review after the transition on an ongoing basis.

I just - so my understanding is the co-chairs are to sign off on this scoping document before we commence the work. And I think probably what is of interest to people is the proposed membership of this group is a minimum of two gTLD registry operators with the operational knowledge of IANA functions and current reporting requirements; the same matching representation from ccTLD registry operators, one IANA staff member, current or former, one nondirect customer service - customer representative with - sorry - Grace complaining about a 6:00 am start; a 4:00 am start isn't brilliant either.

One nondirect customer representative with operational knowledge of the IANA functions and current reporting requirements. We've also added in here one liaison from the NTIA to verify NTIA's current responsibilities.

Obviously this is something that we haven't discussed with the NTIA and we need to get confirmation that that would be okay to do that but we thought it was reasonable that we did have somebody that we could interact with from NTIA.

Just on the proposed membership, Avri did have a question on the email list about the proposed membership is missing the one liaison we spoke of who had knowledge of the policies related to the IANA activities. I think I remember this discussion but I need to go back and refresh my memory.

In my mind the IANA staff member should be able to do that. And I also have a sense that the ccTLD registry operators should also have an (unintelligible) policies as well. So it may be that we don't need another person, we just need to ensure that we have somebody that does have that knowledge.

The other question that we received on the mailing list was from Danny Younger. And he raised the four questions that Larry Strickling had raised during his remarks at the State of the Net conference. A

And Danny specifically asked that these questions should be taken into account in the scoping of the document as well. So I think that's something we need to add into this document. So I'll just stop there and I'll open it up for questions to see if anybody has any. Thanks.

Lise Fuhr: Donna, will you manage the queue yourself?

Donna Austin: I will, thanks Lise. Greg, go ahead.

Greg Shatan: Thanks, Donna. Greg Shatan. A suggestion terms of scope and in terms of trying to get a deliverable back more quickly on the other aspects would be to drop Section B, the identify and listing of IANA reports and deciding which of those reports will go forward.

While obviously this is all an integrated and intertwined project, it seems to me that's as much a part of kind of service level agreement or, you know, specifications as it is kind of specifying what the CSC - how the CSC will work.

And maybe if, again, you know, hard to say how it will work until you know what reports it's going to get. But I think to probably make some general

assumptions on what types of reports are going to come and leave the more specific discussion of what those reports should be to a different group, sub group or a second phase of this team so that we can actually - because it doesn't really go to designing the CSC particularly. Thanks.

Donna Austin: Thanks, Rick. My take on this was that it is actually necessary to identify and list the current IANA reports in order to understand to what extent the CSC will be doing. So I may have misunderstood your question but is my thinking on B.

I do notice that Staffan has joined the call so, Staffan if there's anything that you wanted to add if you can raise your hand and I'll hand over to you. Thanks. (Christopher).

Christopher Wilkinson: You can. Oh that's great. I read this with great interest and I appreciate the detail that your group has got into already, it's (unintelligible) for others who might try to do the same in the near future. My main thought concerns your sub point H. If the CSC takes this authorization role that is real power especially if anybody is still thinking about a separate structure.

In which case first of all there's going to be a massive competition among registries and other stakeholders to become members of the CSC. So my first point would be to say that if you retain H you also have to have a separate paragraph or - about how the CSC will be appointed from among the relevant stakeholders.

And secondly, my second point in that context would be to emphasize that as we see conflict of interest and competition popping up in several design teams now, to emphasize that the - appointing a CSC which would be immune from capture and conflict of interest and have the authorization role as was

suggested in Point H, would become extremely difficult on a global basis in the multistakeholder environment. I just wanted to point that out.

Thank you, guys. I bought a new headphone and mic and for the first time for about a year I've been able to speak to one of these conference calls. Thank you.

Donna Austin: Thanks, Christopher. It's a good point. It's interesting that you see the authorization role as potentially political whereas NTIA has said that it is purely a clerical or administrative. And I think just going to the way that we've worded H we've actually said that we, you know, the aim is consider whether this is something that the CSC should be responsible for. So I take the point and I thank you for the comment.

Staffan, I'll hand over to you.

Staffan Jonson: Thank you, Donna. Well, actually you already gave my answer to Christopher's remark that as you also did initially that this design team has the issue of understanding and is dependent on what other groups are giving for output. So this is a consideration if - so nothing is written in stone. Thank you.

Donna Austin: Thanks, Staffan. Christopher is that an old hand?

Christopher Wilkinson: It's an old hand. Yes, but I agree that my analysis of the situation is that there is a serious risk of the transition resulting in the politization of the IANA function especially in the separate scenario because it in effect creates two entities, ICANN and IANA, who are, in good terms, competing for power.

And in the old days, as I think I've said in other submissions, in the old days, it was fairly benign, 9/10 of the work of IANA was updating other people's root servers on existing - name servers - beg your pardon - name servers on existing ccTLDs. We're now in the business where a new gTLD is worth - and I sometimes question this but apparently, for example, dotApp was worth \$25 million.

Now that's - that creates a degree of financial and economic incentive in this whole business which did not exist before (unintelligible). Thank you. Sorry to pass this certain glass of cold water over certain aspects of this discussion but I think it's important to take that into account. Thank you, Donna. Sorry to take so much time. I'll take my hand down if I can push the right button.

Donna Austin: Thanks, Christopher. I don't know that I - I don't disagree that...

Lise Fuhr: Donna, are you on mute or...

Donna Austin: Yes, Lise, here I am. I'm talking to myself. Sorry about that. So thanks, Christopher, for your comments. I don't disagree that this is a political - a somewhat political exercise that we're involved in.

Just to the dotApp comment and about the \$25 million, I just wanted to make the point that that gTLD registries are contracted before they get into the IANA function - the IANA process so it's a much different situation to - the CC world and perhaps a little less open to capture than that.

Do we have any more questions or any more comments, feedback about the document? Milton, go ahead.

Milton Mueller: Yeah, I don't want to associate myself with the somewhat lurid power fantasies of Christopher but I do think it is unusual that you've included the authorization in the CSC design particularly given that there's another design team that's supposed to be dealing with the authorization function.

And I'm not sure I quite understand you're asking whether the CSC should be responsible for the authorization role? Would it make sense then to collapse the authorization design team into this or into - would it make more sense to put it into the Design Team F which is dealing with the specific mechanisms for modifying the root zone file in your opinion?

Donna Austin: Thanks, Milton. To be honest I wasn't aware that there was a design team looking at the authorization role so taking that into account it probably is better to take H out of what we're doing and leave it with the other design team.

Okay, guys, you got four minutes. Any more questions or comments? Lise - oh, Olivier, go ahead, please.

Olivier Crépin-LeBlond: Yeah thanks very much, Donna. Olivier Crépin-LeBlond speaking. And I think that just the very points that have been pointed out here you might indeed wish to have a non-direct customer representative or someone from the working group here to be able to point some of these points out as the word goes on.

I don't know if anyone is knowledgeable enough about the way IANA functions to make a significant - bring significant input into your team but certainly pointing out things which sound odd is something you might need someone in the team to do.

That said, I'm not volunteering, I'm way beyond being able to volunteer on anything at the moment but I hope someone else will be able to do so, thank you.

Donna Austin: Fair point. Thanks, Olivier. So, Lise, I'll think I'll hand this back over to you. Thanks.

Lise Fuhr: Thank you, Donna, and thank you for presenting your scoping document, that was very good. Okay, we are about to finish this call. We have two minute left. I don't have anything under any other business. I don't know if others are having something they'd like to raise under any other business? If so it has to be very quick. No, doesn't seem like it.

Well then I would say I think this has been a very productive meeting. I think we're getting somewhere with the design teams. And I will hope that people will volunteer for the CSC design team. I know we're still short of one person for the IAP team but as Donna says, well the chairs will have a look at the scope document and hopefully get back tomorrow on this. And so we can have this design team on the CSC going.

Regarding the action items, you can see them, they are listed under 8. If anyone thinks there's some action points missing please raise your hand or put it in the chat now. Else we - the chairs will get back to you with a prioritized design team list. Elise will help us getting an additional GAC person for the IAP team.

Martin will solve the principles with Elise and Paul. And Paul has to review his template regarding the SLE. And Martin will make modifications as discussed for the principles and recirculate the draft for the review. But that's

only on the two outstanding issues; the rest I think we are agreed - we have agreed on.

And I see Martin Boyle says (unintelligible), well that's a challenge. I know it's a challenge. I think you're doing a good job. Thank you, everyone for participating. And it's been a very good meeting and have a nice day, morning, evening wherever you are. Bye.

Cheryl Langdon-Orr: Thanks, Lise. Bye.

Man: Thanks a lot, Lise. Bye.

END