

ICANN

Moderator: Brenda Brewer
March 26, 2015
2:00 am CT

Jonathan Robinson: Right. Good morning, everyone. That's nice and loud. We'll - we're going to get going now and start the couple of days' meeting because we need to kick off right away. So the volume's a little high the mic. Great thanks.

Okay so that's good audio on the Adobe. Can I get someone remote telling me whether we've got good audio in the Adobe Connect room? All right Thomas confirms -- Thomas Rickert -- confirms that the audio is good on the audio bridge, so that's great.

So of course welcome everyone. Great to see you all in - I think we saw most of you last night. Some of you had to come in rather late last evening, so thanks for getting going right away.

We've got members, participants, remote participants, staff, we've got professional support from both (Sidley) and maybe the colleagues from Sidley could just put up your hands so we know who you are. That's (Holly) and (Sharon) here from Sidley. And then we've got the team from XPLANE. Are you guys in the room? At the back there, thank you.

So when we decided we wouldn't do a full sort of round table or across the room introductions, it'll take too long, but to remind you please when you do speak, both for the benefit of everyone in the room and for those on the - remotely and for transcriptions purposes, please make sure you announce your name.

In a similar spirit, we've got one of the key things we're here to do is talk about and integrate the work of the design teams, so whenever you refer to the design teams, please just don't refer to them as design team B, A, you know by their alphabetical or numeric reference. I think we'll drop the numeric -- that's confusing anyway -- and we'll stick with the alphabetical, but also use a word like escalation, service levels, something that just references the audience to the piece of work you're working with.

So I'm obviously Jonathan Robinson. This is Lise Fuhr, my co-chair, and the two of us will be working with you through the meetings. We've got I hope a very nice orientation document for you that (unintelligible) have worked on. It should be on all of your desks in front of you.

(Grace), for remote participants, we sent this out on the list? So it's a PDF and it's titled CWG Handout. And this is designed to make - to give us effectively a common orientation for those very familiar with the process but also those less so, and covers items like timeline, the structure of the draft document, and the historic work that we've done and so on.

And I think you'll find -- and possibly most importantly -- at the end in terms of our current work a list, a table - the last page is a table of the design teams, with both a status giving you the initial priorities, the status, the dependencies. Dependencies is something we've tried to capture which indicates the sort of interlinking or hierarchical nature of some of these design teams. In other

words, the work of one is best served by having completed the work of a previous one.

Obviously the objectives for our group as a whole is the production of a proposal. And then the question is what are the characteristics of that proposal that's going to make as successful as possible? Clearly one that's concise and coherent is something we're working to. And in order to achieve that, what we've started to think about and talk about - talk with the staff who are going to assist us with drafting that, is to produce what I would call a short form proposal.

That short form proposal will be - will have exactly the same headings as we've been working on to date and correspond to the RFP but be in a form that contains the highest level of substance that we can reasonably put in a proposal that will then be complete.

All of the other detail we're going to try to push into the appendices, because we are very cognizant that in pumping out these sort of tens of pages of document we alienate and remove the likelihood of effective public comments and of audiences who are important to us getting a good grasp of the document.

So a concise, coherent document is very important. One that is comparable to the other existing documents is also important. In other words, the proposal in from the names and numbers groups. Why is that important? Well the ICG's going to have to try and produce something coherent out of all of this anyway, so we may well reduce the likelihood of them - of the ICG struggling to compare and correlate the documents by at least having a reference of our document's comparability to that of the other groups. And clearly our

objective is to produce a document that is based on the consensus of the group.

Now the uncomfortable sort of other side of consensus of course is that it requires compromise. It's very rare that you'll get consensus without some compromise along the way. So I'll just remind all of you in that as we drive ourselves towards, as a group, the production of concise, coherent document, it's going to require some compromise along the way.

What do we want to achieve here? We want to achieve significant progress with the production of that document such that we're in a position in the relatively near future to put something out for public comment. As you know, we have a date for that set already. Whether or not we're able to stick to that date will depend in part on the progress we make at this meeting.

So we want to specifically focus on reviewing and developing the existing contributions from the design teams. And those - the staff have worked - the staff supporting us have worked very hard with the design team leads to condense that design team work into the form of summary presentations.

Ideally you've had the chance to read all of that input and go through it. And so the summary presentations should - will be based on that but should give you the core recommendations coming out of each of those. To the extent that they are not complete, it'll give us an opportunity to review and assist the design team with their fledgling contributions.

And I think I would like at the completion of this meeting to have a complete list, if possible, of any outstanding design teams, any design teams that have yet to be commissioned. But overall, our approach is to maintain the momentum towards a proposal suitable for public review.

I'll make a final comment before handing over to Lise. And I think that whenever we've often got involved at a kind of solution level -- and that's fine and good because that's our job; that's what we want to put into the proposal -- wherever possible in thinking about that content, it's fully if not more important to think what requirement, what's the problem we're trying to solve. And if you can just have that sort of silent mental question in the back of your mind at each - whenever we're discussing things.

Because I think that might be one key that helps unlock the prospect of compromise. Rather than focusing on being locked into a solution, it's what issue or - are you trying to solve for or what requirement are you trying to meet and does the alternative or a variation still meet - still pass that test, so. And then finally once we've got to that point, are there any other constraints that might exist on that proposed piece of work.

There's no doubt that Lise and I are doing this together. So let me hand over to Lise to make some additional remarks before we get into the substance of the meeting.

Lise Fuhr: Good morning, everyone. And as Jonathan said (unintelligible) we're getting along with a good (unintelligible). What is our (unintelligible) we are aiming for developing (unintelligible) evolving and processing very - three chunks of (unintelligible).

We're having the design team (unintelligible) don't want you to get into (unintelligible). And it's very important that we don't duplicate their work but we (unintelligible) to add on to their work and they can add onto (unintelligible).

Furthermore, we sent you an e-mail yesterday (unintelligible) input we got from the direct customers. I'll ask staff to (unintelligible). On the list (Shawn) made a comment that we shouldn't go into this specific document. That's not our aim and we don't want to get into this specific document, but we think it's nice to have a reference and see are we in line with some of the direct customers or are we in a position. So we use it at a tool and only as tool, not as a direction.

And finally this is - and I think that's going to be the main, how is the mood of the room, how are we going to attack the work. Are we going to be willing to be open, are we going to be willing to be calm and to compromise where it's appropriate? Don't dig into details. Then I think we will reach what we are coming here for, and that is to solidify as much as possible of a draft proposal.

Jonathan Robinson: Great thanks, Lise. So very close to getting onto the main agenda then, which is of course a tight agenda and we'll do our best to keep to time and make sure that it's intended to be concise and logical, that design teams follow one from the other and they're not necessarily in the alphabetical order. We tried to produce them in a logical order.

A couple of other very minor housekeeping points. Did you mention the two minutes? I think it's very useful if people can try and keep their contribution to two minutes or less. When you're talking, it doesn't sometimes feel like two minutes. It can very easily go on. But try and think in your mind of a two-minute rule. I don't know if there's a guide. We'll try not run a clock, but be aware of that.

But often we tend to repeat what others have said. Repeating is useful if you really need to emphasize or make sure that that point is reinforced. But if it's clearly been understood and appears to be absorbed, there's no need to repeat

it. And of course be respectful of balancing your contributions to ensure that others make the input as well. And hopefully it'll be kept in check by you, but we'll, if necessary, the chairs will keep it in check.

We'll manage the queue from the Adobe Connect room. So we'll trust that everyone is logged into that room. Please do log in, and if you want to speak, raise your hand and we'll select you in order or as appropriate from that room. And again, just a reminder, to announce your names.

So the first primary agenda item is to hear from the group that's working on enhanced - I'm sorry, Alan, go ahead. I should have asked if anyone had any points.

Alan Greenberg: Sorry. Just an announcement. (Shawn Odajay) could not attend due to personal reasons, and León is stepping in as member for this meeting.

Jonathan Robinson: Thanks, Alan. Any other comments or points on this sort of housekeeping or overall issues before we move onto the agenda in the main? Let me check with staff. Do we need to pause in between like we do at an ICANN meeting for the recording? Are we just running a continuous recording? So there's no need to break specifically for the recording.

All right. As a reminder to you all of course, these meetings are recorded and transcribed, so be aware that if you're not happy with that, that will limit your participation.

So just shortly after 9:15 then we move onto our next item which is the update from the accountability group. This is going to be led by one of the three co-chairs. León Sanchez is one of the other co-chairs. Thomas Rickert has kindly agreed in spite of being remote to be available to support León. And I know

and recognize that a number of you were at the accountability meetings over the last - over Monday and Tuesday of this week, so you may well want to contribute here as well.

It's clearly a critical piece of work and one on which we are both dependent and actively involved in working with. As I said at the meeting last night, Lise and I spent a good few hours yesterday with León, Thomas and Mathieu, the three co-chairs of the group. So let me hand over to you León for an update and we'll take it from there.

León Sanchez: Thank you very much, Jonathan. This is León Sanchez. (Grace), could we have those slides displayed on the Adobe Connect room? Thank you. Is everyone capable of scrolling, Grace? Yes could you please enable scrolling so everyone can just go at their own pace?

Well as I said I'm León Sanchez. I'm one of the three co-chairs of the CCWG, and on enhancing GAC accountability we had two-day sessions Monday and Tuesday. I think we made good progress with the objectives that - on our charter. And I'd like to brief you all and bring you up to date with the different progress that's been made since our Singapore meeting.

In our Singapore meeting, we established - of course we finished establishing the status quo. This is making an inventory of the existing accountability mechanisms and reviewing some input we received from the community. And then we stepped into the final requirements that we thought would be important for enhancing this accountability within ICANN.

And well you can see on Slide 2 with the schematics, we identified some contingencies and risks and we began thinking on principles that would enable

of course in turn community empowerment, and then those would provide with proper review and redress mechanisms for enhancing that accountability.

Then the next step would be to envision the solution, which we are in the process of having it designed. And of course this solution will be stress tested. We have developed a set of 25 to stress test that have been carried out. And we'll of course - we're running this stress test to the solutions that are being proposed so far that are on the table.

And of course when the time comes when we'll reach a legal-validated solution, we will stress test it, and if it passes the stress test, then it will become a recommendation that will be submitted to the board. And if it doesn't pass the stress test, then it will be turned back for review of the large group, and of course so that we can meet the expectations set in our group.

So on the next slide you'll see some key components. We think of this as pillars for the work we're doing in our group. And these pillars are the empowered community, think of it as the legislative powers in a state, the board, which would be the executive, the principles and bylaws, which would be the constitution, and the independent appeal mechanism, which would be the judiciary.

So if you think of these four key components and you begin playing with them, you can get a different set of examples in which this would apply and would provide of course with different powers and mechanisms to the community.

So which are the powers that we are thinking of providing the community with so they can trigger the proper mechanisms to reach a better level of accountability? Well we're thinking of course of board removal. We're

thinking of providing the community, enabling the community to remove the board under different circumstances of course, considering different scenarios and situations, but this would be one of the powers that we are considering building into enhancing ICANN's accountability.

We would also be thinking of giving the community the ability to veto or block bylaw changes. And we would also empower the community to - with the ability to review and return the budget for rectification. So if we saw, for example, with regard to the IANA managing functions that the budget is not appropriate or it's not enough or it doesn't meet the needs or expectations from the IANA clients, then a mechanism would be able to be triggered so the budget would be returned for review and rectification to meet the expectations of the clients and the wider community.

We will also - we're also thinking on providing the power to approve changes to fundamental bylaws. These fundamental bylaws of course would be those that need a higher standard for review and - to be changed. So think of it, as the name says, as the fundamental bylaws that would be entrenched into the larger bylaws of ICANN governance structure, and it would be very difficult for them to be changed. They would require a very high standard and of course different thresholds that would make it difficult for anyone to just unilaterally make changes to these fundamental bylaws.

Then these powers of course would be exercised through mechanisms. And for this end, we went through (unintelligible) the current mechanisms such as the ATRP, the RFP, the ombudsmen, et cetera, and we are going through the process of reviewing those mechanisms to see if they do meet the needs that the wider community expect them to have with regards to accountability.

We're thinking of an independent review panel, which would be revamped. And by revamped I mean I saw a question from Chuck Gomes on the list that if we were thinking about having those decisions to be binding, and yes this is one of the things that we are definitely considering to enable with this RFP.

And we're also thinking of having a standing community committee, which of course the details are still a work in progress and we're still discussing how which - all the details such as composition, powers, et cetera. But we're thinking also of having this standing community. This would of course - may require modifying the corporate structure, ICANN's current corporate structure, to have this standing committee contemplated in the bylaws and maybe some other mechanisms. And we would also think, as I said, of a community veto.

So how did we reach these mechanisms? You can see template for mechanisms that was designed in our meeting in Singapore. And the different questions that we poured into this template that could be seen as a recipe book, we were thinking about how we could enable the community to exercise this power, which would be the standing to invoke the different mechanisms designed, which would be the standard of review, which would be the composition of the decision-making body if we would decide that we would need a decision-making body, for example in the RFP, which would be the decision process, which would be the standard for accessing to these different mechanisms how we could avoid creating excess barriers such cost, language, et cetera, and of course the potential means and time to implement.

We are mindful that --especially with regards to for example some of the IANA functions -- the clients are expecting really agile solutions for their needs. So we're mindful of having an expedite and maybe a summary process which would answer to these concerns.

And finally the next steps that we're looking into is to continue to work with our legal advisors. We have engaged proper law firms. (Sidley) is here with us, and they've been providing already advice to our group. And we're very happy to have them onboard. And I think it is very useful to have them as well on board because since they will be providing the legal advice for this group, then I think we can coordinate in a deeper sense not only with this community group but also with the law firm that will be providing advice for both groups.

We will continue to refine the mechanisms that so far have been put on the table for the design community for the working parties that are working on them, like work party one and work party two, and we will continue of course to stress test the different proposals under consideration. We also have a working party dedicated especially to stress tests. Cheryl Langdon-Orr is here, part of the stress test party, and they've done amazing work just as the rest of the group, of the larger group.

And we are aimed to issue a first document with a proposal for public comment before Buenos Aires. That would enable us to continue the discussion in Buenos Aires and of course to take the comments received from the wider community into our document in the Buenos Aires meeting.

So that would be the update I have for you with regards to the work that we did on the last phase within the CCWG. And I don't know maybe my co-chair Thomas, who's in the Adobe Connect room, would like to expand on what I've said or make some comments with regards to the work that we did. We also have here Avri Doria, who also was with us, and she's one of the experts that's been advising us on different matters.

So I'd like to just ask if Thomas would like to jump in and make further comments. Of course they're welcome. Avri, you may have some comments. Those would be welcome too. And then if you agree, Jonathan, maybe you can open up the floor for questions and comments with me. I see Thomas does have his hand up. Thomas, could you please take the floor?

Thomas Rickert: Yes good morning, good afternoon, good evening, everybody. Can you hear me all right?

Jonathan Robinson: Yes, Thomas. We hear you fine.

Thomas Rickert: Thanks. Excellent. Now I think León has given you an excellent summary. I would just like to emphasize a few points, and that is that we have been working strictly on a requirements basis.

So in the - in considering replacing the historical relationship with the U.S. government and particularly the stick, as it's been called by some of the group, with which the U.S. government can threaten ICANN by alternative approaches, so basically we are removing - imagine it as you remove somebody who can induct or impose directions on ICANN, which would be the U.S. government, and we're replacing that by an empowered community that's basically from the bottom can remote control, if you wish, what ICANN is doing.

And we were looking at the requirements that the community needs. We're not yet at a level where we confirm the concrete implementation, but what we can say is that the empowered community will consist of the SOs and ACs. The way this exactly works will need further consideration.

But then what's also important maybe for the linkage between the two groups is that we have defined the list of contingencies. And Cheryl Langdon-Orr, who's in the room, will be best placed to speak to that in more detail, but it's things like ICANN is not running the IANA operations at a level sufficient to satisfy its customers, or there is a decline in the domain industry as such which is drying out the financial income streams for ICANN.

And the question is how do we deal with those contingencies. So you might wish to add other contingencies that you have identified, and we could work together to have a cohesive set of stress tests, scenarios that we want to safeguard ICANN against and then play that through to see whether the holistic approach that we're trying to take also addresses the concerns of both groups.

With respect to the complete mechanisms that we're taking I think it's worthwhile noting that the empowered community will have according to our current deliberations will have standing to deploy the independent review process.

Also not only are the decisions coming out of the IRP binding but we have identified the deficiency with independent review process and so far as it only looks at process.

So that will very likely be, you know, I'm speaking a little bit tentative because we don't yet have consensus on a package right? But the tendency in the group is that the independent review process will look at the merits of the case. So the community as well as the aggrieved parties will likely have standing to invoke the independent review process.

And with that the analogy of a judiciary was made we put at the fingertips of the overall Internet community a tool to have ICANN's decisions reviewed and whether as the case may be reversed.

What does that mean for the IANA functions? At the moment we are contemplating a standing committee of independent panelists which can likely be confirmed or vetoed against by the community so that the community has a say in who's ultimately going to make the decision.

But there might be particular needs for your group. You will remember that we had discussions earlier there was an exchange of communications that we said we want to establish accountability mechanisms that help solve problems to the extent ICANN or the ICANN board makes decisions with regards to the IANA functions.

And that would not be the case with respect to delegations and re-delegations.

So you might wish to have another set of panelists independent panelists that serve particularly your needs. You might have the need for maybe other standards of review for the independent review process.

Nonetheless we think that we're working on some generic principles for the IRP that would enable you group to piggyback on and to have a cohesive accountability mechanism that could be deployed for different purposes.

So I guess I should pause here. We could and I'm since I'm not in the group I can't establish face contact with the co-chairs but we could go through a couple of very concrete scenarios that might be of interest to your group and show you how we think they are robustly safeguarding your community as well against contingencies.

So I should pause here and back over to you. Thank you.

Jonathan Robinson: Thanks Thomas. That's helpful additional follow-on from Leon. Avri has got her hand up and we'll see where the Q&A goes. So your offer of some concrete examples may well be useful.

Let's see if there's additional comments or input from the room and then we'll - we may will come back to for those examples. Avri?

Avri Doria: Thank you. Avri speaking. I just wanted to add two things. One is and they were almost touched upon but I wanted to emphasize them.

One is in the stress test work that's being done an attempt is being made to respond to the questions that this group might have in terms of accountability.

So I'm actually thinking at some point it may be worth our while in the CWG to actually go through the stress test and to go through our accountability concerns and see to the degree to which that's been covered there.

The other thing I wanted to mention is that there's been a very serious effort to also include all of the AOC commitments and some of the ATRT recommendations that came out of the AOC reviews in the bylaws and that's also been an integral part of what we're doing and part of what my focus has been in that group. So I just wanted to add those two points.

Jonathan Robinson: Thanks Avri. And I don't know if it's useful to anyone else but when I think of those stress tests sometimes as Thomas mentioned similarly thinking about scenarios or maybe even use cases.

But that's, you know, sometimes I find stress test doesn't really give me the picture of what's going on, it's really testing whether it's fit for purpose.

I think that's a very good suggestion you made that we might we - so I'd like to capture that as an action.

And I see that that's something we can capture in the notes to review the stress test consider either adding to them WG or having our own supplementary set that we can work with and then of course to cross check that against RFP4.

We have ourselves some other areas of effective stress testing or at least crosschecking using reports like Back 69. But I think bringing that altogether as a coherent piece of work makes sense. I see Chuck your hand is up so go ahead.

Chuck Gomes: Thank you Jonathan, Chuck Gomes speaking in my personal capacity on this.

I want to go back first of all I want to say that the - I'm really happy that you're looking at the independent review process and looking at strengthening that considerably.

I think that is from my perspective with regard to the IANA functions much more important than for example the removal of the board.

I'm not opposed to the option of removing the board but I don't think that helps in real-time very much. That's a drastic measure. It's one that has to be done cautiously and it will be time-consuming.

So I think within with regard to accountability for the IANA functions and the performance of those the independent review process is a much more critical piece for us. So I just want to make that point.

Again I don't think any of us want a board that is acting out of fear of being removed so there's got to be some balance there. It's got to be done very carefully.

And in when we're dealing with real issues in terms of IANA functions performance we are going to need something much more timely than something drastic like removing the board. So the IRT work is really critical. Thanks.

Jonathan Robinson: Yes Leon did you want to respond?

Leon Sanchez: Thank you Jonathan. This is Leon Sanchez. Yes Chuck you're right. Removing the board would be - it is considered as a last resort. As you said it is something drastic.

And we do want to empower the community and have been able to do this but this would be a condition that some last, last resort.

And yes we definitely need to provide the community with a very expedited way of having the IRP solve the problems that are imposed upon them. So yes I think we're in the same line of thinking that you just imagined. Thanks.

Jonathan Robinson: Alan go ahead.

Alan Greenberg: Thank you, Alan Greenberg speaking. I'll give a slightly different side to what Chuck was saying.

I don't think any of us envision removing the board to be honest or perhaps even rejecting the budget.

But the knowledge that we have the ability will hopefully change behavior not in fear that they're going to be rejected but just knowing someone's watching and there are options.

Similarly rejecting a budget some of us hope that the main benefit of that is that there will be continued - right now there is significant consultation on the budget with the community.

That's not documented anywhere as something that has to happen. We're hoping that the knowledge that it could be vetoed essentially or sent back will encourage this kind of interaction and make it even more productive and make sure that we're listened to more.

So it's not really a fear of the action being taken but the knowledge that it's - that it is an option we hope will do some significant behavior modification.

Jonathan Robinson: Yes. And I will remind this group in terms of thinking about that I'm talking issues around the budget whilst understand the point that Alan makes that these may be in point remedies this groups got for example a strong interest in the budget and the particular allocation of resources to the IANA function.

And in a sense that's both a requirement and a stress test. So the kind of thing that would be really good for this group to be thinking about and to be talking about with the CCWG is things like that.

Are we satisfied that the work of the CCWG will meet our requirements in terms of financial accountability in and around the IANA function because it would be great if it did because it would take that piece of work off our table and it would remove duplication, take one more - one less thing we need to sort out ahead of preparing the proposal. But you, we need to be satisfied that we're getting or will get the right output that we require but Thomas next.

Thomas Rickert: Thanks Jonathan. I'd like to dwell a little bit on the idea of removing the board because that's been discussed quite a bit. And certainly this is disruptive to ICANN's operations.

At the same time our group (unintelligible) was of - to essentially to have. Because if you think of the requirements that we have we want to make sure that ICANN is running smoothly, that it's financially stable, the IANA functions are operated in a secure state of resilience fashion.

And these parameters these important paradigms were going to likely put into the mission of the bylaws right? So that's going to be in our constitution if you wish.

And what happens that is, you know, you wouldn't immediately jump to spilling the board but let's maybe go through one or two examples. There is an iterative process of the community liaising with the board when it comes to the budget. Your group has specified some budget requirements.

So we can easily say and we're trying to do so that the community will veto the budget that the board is proposing if the budget does not show the level of specificity, the details that your group is requesting.

Also we will be able to check whether the budget has allocated sufficient funds promising that the IANA functions can be performed in an appropriate manner. We can see whether there is sufficiently knowledgeable staff or sufficient staff size whether the right technology budget is allocated.

You know, so we have an indication certainly not a guarantee but an indication that both the budget as well as the strategic plan have foreseen the satisfactory operation of the IANA functions.

Now let's assume for a moment that the board is immune in this iterative process to take on the community's wishes and approves a budget that is not fulfilling these requirements. Then as a matter of last resort you might wish to threaten the board that they're going to be removed or actually remove them.

To use the analogy of the customer relationship and think that further if you are hiring somebody else's services and you're not happy with the performance of the services then what do you do?

If you buy from somebody else then you might likely go away. But we are now changing to the situation to one where the community has oversight over the organization.

So what would you do in such a scenario where, you know, I know that the analogy is not perfect -- far from it -- but just to mention the idea if you own the company then you would not go elsewhere.

You would impose pressure on your management to hire the right staff, buy the right technology, have the appropriate processes in place in order to fulfill service level requirements. And if that fails you remove the management. And that's what we would do here with the board.

Also if you are not happy and you are let's say a ccNSO member then you can invoke the community mechanism and try to bring about a change from the inside. If you are not a ccNSO member you go to the independent review process to have board decisions reviewed and potentially reversed.

So we think that, you know, the aggrieved parties can take action when necessary but also we foreseen that the community has the power and the tools to take action and influence the board's management of all this to the satisfaction of the overall community.

And we even perpetuate that by making set provisions in the bylaws particularly robust including security, stability and resiliency of the routing of the DNS.

So whenever the board fails to meet those core - this mission then that would actually be a violation of the constitution and could allow for an independent review panel to reverse the decision in a binding session.

So we think that, you know, if the community can more or less have full control and we think that this set of powers is sufficient for Phase 1 for what needs to be in place or committed to prior to the transition to bring about other changes and have sufficient control so that your expectations are met.

Jonathan Robinson: Thanks Thomas. I'm going to work straight through that. Chris?

Chris Disspain: Thank you Jonathan. Good morning everybody, Chris Disspain. I just I wanted to come back to your budget point Jonathan. I know Thomas has kind of address it in one way and in - and in amongst a whole of other points.

Before I do I just want to say having spent two days with the CCWG earlier this week I think the work that's been put in and the things that are currently on the table and being suggested are really heading in the direction of providing the IANA side of the fence if you like with the sort of mechanisms that it needs.

But in respect specifically to the budget whilst I acknowledge what Thomas had said I think that having the sort of sledgehammer approach of vetoing the budget because it doesn't provide enough detail maybe not - we should maybe go one step further and in this group perhaps mandate the level of detail that we want ICANN to put into the budget about the IANA function.

So I don't think we need to have mechanisms. I think we can use the mechanisms from the accountability side. But I think we should probably get very clear about the detail that we want and we should make that as part of the plan, in other words provide us with the budget for IANA.

Jonathan Robinson: A very good point Chris. I mean again the vetoing the budget is the ultimate remedy or at least recourse. But really mature and responsible participants will set out their requirements well in advance of that. So that's very helpful. Thanks. Thanks. So let me just - Paul all right.

Paul Kane: Thank you very much Mr. Chairman and good morning everyone. I have to say I'm very grateful to the accountability working group for the work you have started. I am very focused on the IANA. I'm not familiar with your work areas and I wish you well in the work that you undertake.

The concern I have is we've been touching on budget. I mean the last time I looked ICANN staff numbered about 150 people. That's a shed load of people. That is a lot of money. And the thing is you get performance reports

for those people and people try to expand their mission. So budget is a big concern.

I'm from the cc TLD community. And the cc TLD community on the whole do not make a substantial contribution to ICANN just to be candid because ICANN doesn't add that much of value to the ccTLD community.

We have our own mini ICANN's within our own jurisdiction and we're there to serve our local community. And so the budget issue is a large one but we are just very focused on getting service from the IANA. Provided it meets our service level expectations we're happy. And Thomas Rickert's point about we can go in shop somewhere else we use a different supplier that is not an option currently on the table to us.

I do not want to see us ever spill the ICANN board in the same way as I don't want to see the ICANN board ever impact the operation of the ccTLD. So we have a well-defined area.

So what would be helpful from a CC perspective and a IANA perspective is to learn more -- and maybe have a workgroup already in this area -- as to how you see the accountability just for the IANA part, not just global IANA ICANN issues, just the IANA part, how do you see the IANA accountability to its server to its customers taking place and what remedies can we have in the event of them failing to deliver the service we need?

Jonathan Robinson: Paul question to the co-chairs of the group. Are you asking a question to Thomas and Leon?

Paul Kane: I was yes really just to see if that's the work area that they're focused on or if it's their work area's currently broader than just IANA?

Thomas Rickert: This is Thomas. I'm more than happy to attempt an answer if you would like me to.

Jonathan Robinson: Okay. Go ahead Thomas. And I think Leon is willing to help as well. Just remind everyone of time. I think this is a really important area and if we need to run over by a few minutes we will do so. Because this is clearly critical and sets the tone for our work together which might make the whole process overall efficient.

So I'm not unaware of the time but I think we've got a few more points to cover. So Thomas be brief. Try and come back your answer and if Leon needs to add to it then so be it and then if necessary I'll add any comments of my own.

Thomas Rickert: Sure. Now first of all to start with our group has a charter on the basis of which it is working so we're looking at ICANN's overall accountability. At the same time we are cognizant of the special needs of the IANA customers.

And I'd like to point your attention to two areas, one of which is actually the financial area where we are looking at budget transparency. You could have different accounting and different, you know, complete isolation of the IANA functions so that you have a full oversight of what the expenditures in that area are. You can have that audited separate from the overall ICANN financials.

So, you know, I get - I think you get the idea of what we can do there to basically isolate that as a specific operational area pretty much as it is now but even in more detail. And the other point would be that you could use the independent review process in order to get decisions rectified.

I think for other areas it would - you could maybe be more specific as to what your needs are. We've encouraged you to come up with contingencies that you want to be safeguarded against and then we can look at that in greater detail.

But even though the IANA functions are special need some of the accountability mechanisms that we have not designed exclusively for the IANA functions operations are - also have an impact on those and help safeguard the IANA community from wrong things happening.

Jonathan Robinson: Thanks Thomas. So just add my sort of 2 cents worth. I mean I think it's our job through the work of the drafting team that you worked on Paul through other drafting teams like the Escalation Drafting Team for example to make sure that IANA is operationally countable. And really that's the focus of this group is the operational performance and accountability of the IANA function.

What I think the CCWG does it provides us with overarching given - it provides us with overarching mechanisms into which we can escalate issues should they not be resolved within the sort of operational areas that we are responsible for and have built in the SLAs, the escalations, the direct customers, the CSB and so on. If all of those - if in the event that none of those meeting our requirements we have overarching mechanisms with which to which we can evoke.

And that's very rarely we've got to be satisfied that there's a coherence. And I noted (Jordan)'s point earlier to make sure there is no gap between the work that we do and the work that the CCWG does. So I think there's a kind of holistic view one wants to try and have of this.

And I don't mean this as a politician but I'm kind of cautiously optimistic that we're starting to build that coherent picture together with the interlinking between the chairs of the CCWG and the CWG together with the common - commonality of the advisors we've recruited on the legal side and with various elements we should be able to build that coherent picture.

And I think this action that we've captured to review this stress test should also assist in making sure that there are no gaps between. There's a queue now which has Avri, Greg and Martin and it so and then Chuck.

So I think let's see if we - let me see the time. We're just at the top of the hour so let's close the queue after that. So we'll close the queue after the next poll. We'll work through those but Avri next.

Avri Doria: Thank you. Avri speaking. I'm going to make some comments that build on I think part of what Chris said about the budget. And these are - it's a discomfort I have that I think that chairs of the CCWG have already heard me talk about that the work that's being done in the CCWG on the budget while as a second order effect may deal with some of the transparency issues that concern the CWG that really it's in a sense across purposes that the work being done in the CCWG to have overall accountability of the budget and the ability to do the overrule a good thing fine.

And then as was said there though there was the notion that if the budget doesn't have enough accountability then we can, you know, reject it and ask for more transparency if we can't see.

I think this group has its own transparency requirements on the budget that aren't directly being covered by what's in the Workstream 1 work on the budget and the CCWG.

And it may even be worth -- forgive me for saying this -- that there be a design team here to deal with what is the budget transparency that this group needs specifically.

That's not something the CCWG can even get into when they're looking at it as you said they're looking at the larger picture. So I would like to sort of I think there we have sort of an impedance mismatch between what they're doing and what we need. Thanks.

Jonathan Robinson: Thanks Avri. So the action is to that we should capture there is for this group to specify and scope out the required budget transparency.

And then we can get a confirmation from the CCWG that they are addressing it or if not that we find another way of. But it's really it's about the requirements the specification. So let's capture that as a need.

And whether that happens specifically within a single design team or gets captured elsewhere it doesn't matter. But the requirement is to be specific about the budgetary requirements of this group. Greg?

Greg Shatan: Thank you Jonathan, Greg Shatan for the record. In listening to the summary I'm struck by something that we've been working through as well which is, you know, which we're now more focused on which is escalation and listening to discussions of things like spilling the board, rejecting the budget. These are various nuclear options. I think it's important to fill in below with

these sub nuclear options. And so as we say we hope we never have to spill the board or outright reject a budget.

But the question is what happens, what are the steps along the process where we actually do accomplish what we wanted to accomplish before we get to the big red button?

You know, we now have an escalation design team to deal with escalations along our path. I think this CCWG may need to think more about escalation along the way to those nuclear options.

Certainly when we were talking a lot about separate ability in Frankfurt we spent a lot of time talking about the nuclear options and, you know, learned that we needed to spend more time talking about the escalations which is actually the lower levels of the escalations is actually where the most time will be spent when something's escalated.

You hope that as you go up each rung with the escalation it will be less likely to occur. Spending time, you know, building for the 100 year flood is well and good but if you can't drain your daily water that really won't help. Thanks.

Jonathan Robinson: Thanks Greg. Let me just take it on as a point I guess for the CCWG as a suggestion. But it's a reminder that we need to continue outward work on the operational escalation and related points. Martin?

Martin Boyle: Thanks Jonathan, Martin Boyle from Nominet. And although a member of the ccTLD community like Paul I can't really speak for the ccTLD community. But I will note that ccTLD is a lot of them pay quite substantially into the ICANN budget and an awful lot of us put a lot of effort and time into the work

of ICANN and as well as also doing the mini ICANNs the Paul referred to in our own communities.

I actually strongly welcome the work that CCWG have done. And part of their matrix of measures includes empowering the community. And I think an awful lot of what we are going to have to do here is do the empowering of the community at a level of trying to resolve problems as when they come up.

And I'm always very concerned about the idea of us mixing up the word of escalation. I think what we need to do - and a lot of the design teams are trying to do - is to make sure that we have empowered the community in such a way that we are aiming first and foremost to address the problems and resolve them, rather than at the next stage where we escalate and then we have the mechanisms that are sitting in front of the CCWG to allow that escalation to take place.

Escalation in my mind is a sign of failure - that we will not have done our job properly. We should actually be sorting them out at source. And then - as somebody else has already referred to - we just need to make sure that when we do need to escalate, we have the clear link between resolution aside of the earlier equation - into doing something more powerful. Thanks.

Jonathan Robinson: Thanks Bob. Chuck?

Chuck Gomes: Thank you - Chuck Gomes speaking. And I want to talk about the budget that we've - that several people have mentioned. First of all I want to endorse Avri's suggestion that it might be good to have a design team on the transparency that we want in the budget with regard to the IANA services.

And I want to point out that it's an ideal time to do that because the - as most of you know - the draft fiscal year '16 budget is out for public comment right now. And it's out in a record early time - something that we've been asking for for a long time - with enough time for the community including a design time and the CWG to have input into it if we get on it right away.

I also want to reinforce what Greg said - and I think all of us understand this - that we need to be focusing on the steps before the drastic steps. And we have an opportunity right now in the budget comment period to actually have some impact in the fiscal year '16 budget that will affect the visibility that we have in the IANA services that are provided by ICANN.

So I encourage all of us to take advantage of that opportunity. And I have found Xavier and his team to be more than willing to work with us and to help us go through that. And I'm sure we can get somebody from their team to participate in our design team if we go that way.

Jonathan Robinson: Good. Thanks Chuck. So that's appreciated suggestions. And Bill's on top of the action which looks likely to go ahead as questioned, whether there's a single design team to deal with budgetary matters or that fits into something else. I can't imagine what else it fits into, though it seems a very elegant way to do a standalone group.

So let's try and make sure we've captured that useful update. Good to know what's going on in the CCWG. It's interesting in and of itself to anyone who's a participant and active player in the ICANN world and process. But critically it's vital to us to ask the question, does it meet the requirements? And if not, is there anything we can do to insure that what is going on in that group does meet our requirements?

I think that the points about the escalation is very helpful - thinking about both within our group - the fact that for the most part we should be able to go through a series of steps and resolve any problems without relying on overarching powers. And for the most part those overarching powers should be there as a position of last resort.

So we have picked up a couple of points in and around that linking. And we need to be sure that we can depend on that, and that they serve our purpose, and we are satisfied that they do. I wonder if in looking at those actions that have come out, and reviewing the stress test to insure that they either meet what we require or need addition, and how they link with RFB4, is anyone interested in picking that up as a piece of work? Surprise, surprise. Cheryl?

Yes, that's a good point. (Grace) reminds me that hands should be up in Adobe Connect. But I just - for the record - confirm that Cheryl has raised her hand in the room and expressed an interest and willingness to pick that up. I'm sure she'll have a couple of other willing volunteers.

I guess there's also - we won't - I won't call for volunteers yet on a draft - a design team to deal with the budget. I think one of the - we've really got two particular objectives - well three in relation to design teams. Close them where possible, give substantial input to those that we can't close, and send them on their way to being closed, and commission or indicate perspective design teams. This is one of them. So it can go onto our list as a perspective design team. And we'll see what that list looks like and how we prioritize it at the end of the meeting.

So I think that brings our session to a close at ten past the hour. We let it run on. Lise and I agreed that that was the right thing to do. Well yes, please do.

León Sanchez: Thank you very much Jonathan. Just a couple of remarks. I would like to of course encourage the CWG to voice their concerns and step forward with those requirements that you might be considering as essential to further develop your proposal - to double check within the CCWG if they are actually being addressed. And if they're not, we'll of course streamline them into our work stream.

And I would advise to the escalation path - this is something that can be further developed in work stream two, so far as we guarantee that the powers be considered within work stream one.

So I think you Jonathan. Thank you Lise for this opportunity to talk to this group. And we'll continue to work happily.

Jonathan Robinson: It might have been a completely different meeting. I will note the concern in the Chat so that it's not - it hasn't gone unnoticed that, you know, work stream one is that which is in effect contractually committed to be undertaken in direct support of the work of this group.

And so I'll note that we need to be very clear on what is and isn't covered by that work stream one. We anticipate putting in our proposal which will indicate that it is contingent on the satisfactory outcomes of work stream one. So there's a dependency there that we'll need to be aware of. And so I'll note that there's that discussion in and around the scope and content of work stream one.

Okay, thanks everyone. That's a useful discussion - a helpful update. And let's move swiftly on to the next session which is the first of our design team sessions. And I'll hand the chair for that over to Lise.

Lise Fuhr

Thank you Jonathan. Is this working in the Adobe room? Because I had trouble last - okay, it's working. Thank you.

So the first session on DTA, that's on SLAs, SLE abbreviations. And that's actually (Paul Kane) who is the lead of this. And as we started out, we'd like to finalize as much of the design teams as possible. And we have asked staff, and together with staff there's been this way of working where we are making a short summary of every design team, so we have the recommendation and the outstanding working issues.

And this is what Paul is going to deal with. Paul, will you come up here and do your presentation as the lead of the design team please? You'll have the presentation. Yes. While Paul is getting ready, we have a lot of issues. And this is actually one of the design teams that has a lot of linkage to the other ones. And as you see, we have tried to capture that in the right column.

But Paul?

Paul Kane:

Thank you very much. This is Paul Kane for the record. Just to update you all on the work the group has been doing, as mentioned before it comprises of three gTLDs and three ccTLDs. And I'm very grateful to all of the contributors to this work.

What we did was reviewed initially the SLAs that NTIA have with IANA. They were written some time ago. But more useful and more apparent and more appropriate was actually the service levels that IANA is delivering to the community today. And I'm pleased to report that IANA on the whole is doing a pretty good job. And I gave you at one of our earlier meetings a rundown of the statistics involved.

So what we have sought to do is capture today's actual performance. And that's based on results published by IANA, and also consulting with customers of IANA to obtain from them real world data. And in the submission made there was a flow chart which is a very approximate flow chart. Not all elements are 100% accurate. But the idea was to capture the work flow.

So we conducted an analysis of the service levels that NTIA has with IANA. Then we did real world activity, based as I say on historical data and also interactions with customers, and wrote than down, captured it. And that's our baseline SLE - service level expectation.

Expectation is very similar to agreement, except some of the customers of IANA will not wish to have formal agreements. So it was decided that we have a service level expectation post transition. And that is defined and has been sent out to the group - the CWG group.

The other aspect is automation. Very particular within the gTLD community, there is a high level of requirement for end to end automation, where the registry operator can make a submission to the IANA, and it happens seamlessly and efficiently - the registry operatory being the party who is responsible for the entries in the IANA database.

That is true also within the CC community, but less so. I cannot tell you precisely how many CC members would welcome end to end automation. I've been advocating it for years. I see significant benefit. But my company works with the technical end of this space, whereas some welcome human interaction - human involvement in the IANA process. So it's hard to say. But if I said 50/50 I'd probably be wrong. But it's around about that.

So in our submission you will see that we have tried to suggest some escalation paths, mainly as (Martin Boyle) said in the Chat just earlier, it's a customer supplier relationship. And the registry operator needs to be able to have a quiet word with IANA just to see what the issue is - why things have not proceeded as expected, and then to see if there's a slight problem or it's an operational problem at IANA or whatever it is unofficially before really hitting the escalation path.

So we've come up with a generic escalation path, sent an email in, expect a response within a defined period of time. If no response to that or no remedy is resolved, then go to the IANA manager, and then failing that, go to the CSC group representative.

The aspects that are outstanding, we hold the view that the registry is the ultimate authority. And I understand that there is a Design Team D that's looking at the authorization path. I'm not familiar with the work of Design Team D. But once certainly I've finished the work in Design Team A, my time will be freed up a little bit, and I'm happy to be involved.

It will be close. There you - I see. So we'll see what happens that D comes out with. Escalation path, we've already touched on. And the other aspect is how to make continuous improvements. The idea of an SLA is always to insure that service improves from the status quo. And that is I understand being handled by a different group, C and N. So there's my brief update.

Lise Fuhr Thank you Paul. I see Chris as having his hand up. Chris, go ahead.

Chris Disspain: Thank you Lise, and thank you Paul. I'm delighted that we think that IANA is doing an okay job. That's great. I want to make a very specific comment. I'm

speaking as the CEO of ADA, the ccTLD (unintelligible), and someone who's been involved in this space for a very long time.

I'm concerned about - we talk a lot about being concerned about ICANN's mission creep. And I'm slightly concerned that we don't mission creep these design teams. It seems to me that it wants to have some sympathy for Paul's view about automation. I don't think that's actually a service level expectation. I think that's a change to the way that IANA operates.

And I don't believe that that's something that should be included in the service level expectations. I think if the community believes that IANA should be automated, then it should start a process to deal with that. But I'd be concerned that we don't overstep the line here.

I'm very happy with service level expectations. But I'm not happy that we make significant changes to the way that IANA operates at this stage. Thanks.

Lise Fuhr Thank you Chris. Paul asked me if there's more questions. And then he'll talk to those. More questions? There's no one in the...

Chuck Gomes: Chuck Gomes, sorry. I appear to be - now it's back up. Adobe Connect had disappeared on me, so I couldn't raise my hand in the Adobe Connect.

I have a few questions and comments that I'll just share all at once. If you want to stop me Paul, and respond to any of them, that's okay. After having reviewed your very thorough document - so thanks for that.

First of all, in the measurements of the SLEs currently, I get the impression that there's - that the time that a registry operator takes to respond is included

in the measurements. It seems to me - and I'm sure your team has talked about this - that those should be removed from the measure so we get a clear picture.

In my own opinion it would be much better if those were taken out. It's in - it's the registry's responsibility to respond quickly. If they don't, the impact is on them. It's in their control. But I think it would be a lot clearer to track the measurements of SLEs if those elements were removed from the SLE.

In your introduction, Part B, the title is Root Zone Management Processes are Largely Automated. And this comes back to the discussion on automation. Am I correct in assuming that that has to do mostly with the root Whois database, and not delegations and re-delegations? Or are some of the delegation processes also automated? And I'll pause on that one since it would be nice to get an answer if you have one.

Paul Kane: So if I may just go down the list - Chris' automation point. It has long been the desire from certain members of the community to have automation. Should automation at this particular juncture hold up the transition - no it shouldn't.

If you ask me personally am I happy with the level - service level one obtains from the IANA, the answer is yes. The reason for including it is that for a significant number of years - so 2005 onwards - there has always been an understanding that automation would be available for those parties that want to have it.

So I think Chris' point is very valid in that it is appropriate to introduce the concept of automation at this juncture. That is a question that is a valid question. I have concluded, or it has been included in the reports because the group felt it helpful to put a marker there.

Having off the record conversations with IANA staff, they are aware of our desire to have automation. But if one goes back to 2008, one of the reasons for not being able to deliver automation was the involvement of NTIA. Without NTIA it may be that impediment is removed.

The next question with relating to including in the SLE, a very valid point you raised Chuck. The registry operators see to be the party that slows down the process the most. The issue that happens is a request is submitted, technical checks are done on that request. If it's compliant, the registry manager then confirms that the admin and technical contact confirm that they wish those checks to proceed.

And you are correct. But is it appropriate for the SLE to actually carry it, bearing in mind it's designed for an IANA role? IANA doesn't have the ability to determine how quickly a registry manager responds. It was felt that it was helpful to document how long a registry manager should be expected to take to respond.

And IANA is currently working on having a third contact. That is in the works right now - very helpfully - called an authorization contact. So the authorization contact would actually be able to approve changes. So you're right - it doesn't impact in any way IANA by having it in the report. It's an expectation on the registry manager that everyone is - knows how long one should - is expected to take.

We can shade it in a different color if you wish. But the point you raise is valid. It does not impact IANA per se simply because IANA is asking the registry manager for their input going forward.

I do see (David Conrad) who I have to say used to run the IANA. And when he was IANA general manager, things really moved forward with respect to an automated process. So I'd like to concede the floor to (David).

(David Conrad): Actually, thank you. I do have a question here is, you know, as you're aware the - much of the IANA process as related to rezone management are already automated. And I'm just - I guess I'm a little confused as where - what gaps you see in terms of automation that need to have additional automation implemented.

Paul Kane: So just to answer that question - and also to bring in the delegation question - there is a desire amongst registries for end to end automation. So I agree that a lot of the functions are now automated - the technical checks, the interaction, the EPP interface with NTIA and various assigned root zone operator.

But the registry manager has a web form to go through with some manual impediments. Using today's technology it should - like you have already for an EEP interface - it could be end to end. Certainly the gTLDs for those parties that manage multiple TLDs - I mean 50 TLDs in some instances - would welcome end to end automation.

Chuck Gomes: So just to sort of restate what you're actually talking about is an IANA API that would allow registry operators to integrate their provisioning systems into the IANA systems and submit changes through an API instead of having to go through the web forms and do things manually that way.

Paul Kane: Correct.

Chuck Gomes: Okay, thank you.

Paul Kane: Two way authentication. With regard to automated delegations re-delegations, I don't think anyone has been advocating a fully automated delegations re-delegations path. But I - it's in there, once again as an expectation.

Lise Fuhr Thank you Paul. And well while - you have a question Chuck, that I'm...

Chuck Gomes: I do have some more, if it's okay to continue.

Lise Fuhr Go ahead Chuck.

Chuck Gomes: Chuck Gomes - and that was very helpful. In your process performance tables, you have an actual times columns. I confess I don't know what that means - actual times.

Paul Kane: That's where we reached out to registry managers who were able to give us historical data of their interactions with IANA so we could determine what the actual time was.

Chuck Gomes: So if it says less than a minute, is that on average?

Paul Kane: That is based on all the respondents we have. They have an automated email acknowledgement system which issues a ticket. And I think on that one, I think we said okay, it could be down, so we'll allow some more time.

But the reality is yes, less than a minute for the auto responder to send an email. And we've said the proposal should be within 30 minutes.

Chuck Gomes: Okay, thank you. Jumping ahead here, you have a category in your tables that's titled Change to Root Database that is Not a Re-delegation. So is that - does that mean like for example a change to a name server or - yes. Okay. So

it's like that. Okay, that's fine. That's what I concluded, but at first I wasn't sure.

Very quickly here, there was one other thing. With regard to penalties, I understand the challenge there. And I want to point out that one of the problems with financial penalties that your team probably has already discussed is that if you - for example if ICANN is the president and will hopefully continue, ICANN's a performer of the IANA functions. And we penalize ICANN for not meeting an SLA and there's a financial penalty, in essence what that means is that we're kind of penalizing ourselves.

And in particular we're probably mostly penalizing gTLD registrants who pay the bulk of ICANN's revenue. So to me financial penalties don't work. Now what's the right answer? Is it maybe eventually some staff changes need to happen or something? I don't know what the answer is. But I agree with your concern that financial penalties are problematic. Thanks.

Paul Kane: Just on that issue, the penalties and indeed the escalation part was quite a challenge. The point Chuck raised is exactly the issue. If IANA fails, there have been calls from certain members of our community that there should be a penalty of hypothetically \$5 million per beach.

Well it's the registry - gTLD registries - that frequently are paying ICANN. So it doesn't actually damage the organ. And so the other concept was points - to have a certain number of points. And that has an effect. But what affect can that have?

The only remedy - the ultimate remedy we have - is spilling the board, a term I'm not familiar with - but removing the board. The board as I highlighted in

my earlier intervention, ICANN on the whole are doing a good job. The IANA today is doing a good job.

CCs - the community I represent - I'll be correct if I'm not. There are some CCs that participate actively in the ICANN framework. There are a significant number of CCs that don't. ICANN however is an important mechanism. And just because it fails to perform on the IANA technical function, should that impact the rest of the good work that IANA is doing? I would argue probably not.

So we need to have an ultimate sanction that does not impact in my mind the operation of IANA at the forum - the discussion body, the policy body for gTLDs because it's a technical function. And that's where the (separability) issue was an attractive last resort. And I understand another working group will be handling that.

But the financial penalties don't work. A certain number of points triggers separation - no idea. We haven't been able to identify a penalty for breaches that makes sense to the stability of operation, which is what we all strive for.

Lise Fuhr: Paul, and some of the issues we're talking about here can be dealt with if we have the escalation group, we have the customers and the CC. So I think we need to be mindful of that, and we need to be mindful of time. And I have two more on the list. I have Olivier - you're next. Thank you.

Olivier Crepin-LeBlond: Thanks very much Lise. Oliver Crepin-LeBlond speaking, for the transcript. Thanks very much for this word. First a disclaimer - I have no understanding or operational experience in root management.

A couple of things on the report. First, with regards to the timings that you provided, it looks as though on - for many you've drastically reduced the timing so as to have a very fast turnover, which of course would be the sort of thing that you would get if you had further automation.

Have you considered the risk with regards to shortening the timings in some processes, as in you might have a very nimble system that can respond very quickly, but it might introduce risk, rather than having a slower response time but a lower risk of errors and so on being - creeping into the system? That's the first question.

The second one is just a comment on Appendix A. You've provided examples of IDNs, and I think that they're unreadable in the pdf that I certainly have.

Paul Kane: Just on the slower or the speed of change, these are actual - what we are recommending is what IANA is doing today. It's not related to the SLA that it is has been NTIA - 21 days I think to make a name server change. That is no longer applicable.

The gTLD community have an SLA with ICANN which requires changes to be made in seconds. So there were some on the group that advocated that the IANA should live to the same expectation - same standard - as the gTLDs are expected to do. That was not something that we thought reasonable at this juncture as part of the transition. We wanted to capture real world activity happening today, and use that as our baseline.

So yes, it's a significant improvement over 21 days. But it is today's - what is being achieved today. Improvements tomorrow could be to actually go to the same standard that ICANN requires of gTLDs. But that is not advocated at this point.

Olivier Crepin-LeBlond: And the Gs are even shorter, is that...

Paul Kane: Oh, Gs are seconds. Yes. No, Gs are expected to make transactions very, very quickly because they are authenticated. And that's where (David)'s comment was useful. Having an API would enable authentication verification, but also would allay many of the concerns that the group had.

Lise Fuhr: Okay. Next in line is Greg Shatan - Greg?

Greg Shatan: Thanks Lise - Greg Shatan, for the record. As a general matter, listening to this and also to the earlier presentation by (Leon) and Thomas on the CCWG on accountability, I think we focus too much on the board and not enough on management in terms of accountability and focusing on escalations and focusing on - even on penalties.

So we talk about spilling the board, but we never talk about firing the CEO. Seems to me that while the board is a very visible example of the height of power if you will or responsibility in the organization, so is the CEO and so are managers below the CEO.

So for instance I was thinking colloquially, what would be the escalation if there was failures in the IANA group? I would say heads will roll. But is it really the board's head that would roll? That might be at the very top. But I think it would impact on management. It might impact on, you know, the size of Fadi's bonus or the size of - or the money that is flowing on internally within that.

So I think generally we need to think more about how we manage management, and not so much about how we manage the board.

Lise Fuhr: Right. And that is more into the escalation I think, and not within the SLE as a lay group. But I would like - well that raised a lot of hands. Wow, guys. So I am - I think we shouldn't get into this discussion of the CEO. We have five minutes left.

So if any of those are comments regarding this, I would prefer we're not taking this at this moment. If not, it's Alan Greenberg next. Thank you.

Alan Greenberg: Thank you. My hand was up way before we talked about firing the CEO, and I don't intend to talk about it.

Two issues - on accountability measures, you're right. Right now, you know, we say you better - there's an implicit statement. You better do a good job and then keep us happy or we're going to fire the whole board. And on paper that's all there is.

I really think what we need to do is tell the accountability group - and I wear both hats right now, so I'm telling myself - what it is we need. One of the things I would think would be regular interactions between perhaps the CSC or somebody within the IANA overseeing process and the board. You know you must meet once a year - twice a year - and have a candid discussion on what the expectations are. You know that's something I think is reasonable that this group tell the accountability group they want.

In terms of automation I think we have to be really careful - automation on the gTLD level. If they mess it up, one person's URL doesn't work. If it's messed up on the IANA level, a whole TLD doesn't work. So, you know, the comparison is not quite a fair one. Thank you.

Paul Kane: Just on that point - and that is one of the reasons why I think the group agreed that having automation at this point is not a requirement, although nice to have. I think you have to be able to prove you're technically competent to be able to have these things, and our industry is interesting.

Lise Fuhr: Thank you Paul. I know Jonathan, you would like to give a go at Alan's remark, and you're next in line to. So go ahead.

Jonathan Robinson: Thanks Lise. I had a point I wanted to make, but they're sort of connected. And I'll respond in part to Alan and the thread that's going on.

I mean we have at least - the purpose of these design teams is to build out the operational components of the proposal. Paul's area is about one key component of the operational relationship - that is the service level expectations or service level agreement.

But we have also the CSC, the primary perspective customer of this function. We have a team working on escalation mechanisms. So it's not binary. It's not you failed on SLA, we spill the board. There's a whole series of interactions that go through. And we heard earlier that within the accountability group, a very constructive suggestion that actually there may be some leathering or some work to be done.

But I think that's work in progress is my sense that that's what's going on there. So I'm relatively confident that the nuances will be met by the composite of the design teams, and certainly not all in the SLA design team.

Secondly - and that was the point I raised my hand to make - I think we need to be really careful here. And I think - I suspect we are. We just aren't as explicit as we need to be about what are necessary conditions for the transition

and what are desirable. So it's quite clear that Paul is saying it's highly desirable to have automation, but it's not a necessary condition.

So in framing the recommendations - or that's the way I understand at least. In framing the recommendations from this design team and others, we need to capture what are necessary conditions and what are desirable, because to the extent that they are desirable, they can be handed over to the CSC or an appropriate body for future improvements and development.

And that's one of the key concepts we must have in mind. This isn't a handover, and then the whole thing stops there. And I know it might seem like I'm stating the obvious, but clearly we've got a customer that is going to require continuous improvement and development from its supplier.

So that's - and then I had a quick question for you Paul, just to make sure I and we understand the difference between SLEs and SLAs. Because an SLA - and perhaps you did address this and I missed it - but an SLA is clearly a contractually binding agreement to perform to a service level expectation.

What are we handing over at the point of transition - a set of expectations or are we expecting a binding commitment on day one? And, you know, are these targets or contractually binding commitments?

Paul Kane: So I believe they - in order to have a contractually binding arrangement, you have to have two consenting parties to have a contract with. That is not necessarily going to occur in this situation in that there are two TLDs who have contracts with IANA, and there are ccTLDs who do not wish to have contracts with anyone - ICANN and IANA.

And one of the things that's important is to make sure that that requirement of not having a contract continues. Many CCs would not be able - willing to enter into a contract with IANA. And so the proposal was - which I think we discussed it on one of our earlier meetings - was to refer to it as an SLE.

In effect it's the same. It has the same standing as an SLA, but it doesn't require a contract - a formal agreement between two parties.

Lise Fuhr: Thank you Paul for that. Yes, we need to wrap up, and we actually have some recommendations from this group. And as I hear it, the first is a review of the current SLAs. So that's not a real recommendation.

But we have some defined SLEs for the post transition. And I saw Chris is saying is that absolutely necessary to have improvements of this for the actual transition to have them know that we need to have a defined SLA SLE in place? So we have the automation that's highly desirable, but not necessary.

And then we have that the group is actually endorsing the customer committee or the standing committee - COC - to monitor and fulfill the escalation path.

Greg, your hand is still up, but that's an old hand, or because I also see that Chris wants to...

Greg Shatan: It's something that you said, but I'll wait. Just very briefly, I think that the - that certain escalations are going to take place within the CSC, but not the entire escalation process. Thanks.

Lise Fuhr: Well this - there are some guidance for escalations in this design team proposal. Chris?

Chris Disspain: Yes, sorry Lise. Just to correct - I didn't say that I thought that defining SLEs was not necessary. I think defining SLEs is necessary. What I said was I think that automation is - I don't think there's consensus around it, and therefore I'd be concerned about putting it in as a recommendation.

The ccNSO for example I think would need to work to do it. And I know that the ccNSO doesn't represent all ccTLDs. But I do think it would need to do some work on this and figure out whether or not automation was something that we were comfortable with.

And I also think there's a role for the governmental advisory committee in it. And I'll just be very brief but very clear. You can automate a number of things. But if you start to automate changes that are in effect leading to a re-delegation of that TLD, that's problematic. And governments are going to be very concerned if no human eye is looking at changes that would amount to a stealth three delegation simply by over a period of time making a number of changes.

So I think there's much more work to be done on that. And a simple statement that says it's highly desirable but not necessary may actually lead to us doing a huge amount of work on something that we simply can't come to agreement on.

Lise Fuhr: Okay. So what you're saying - and I agree Chris - it might be desirable but it needs to be investigated further. And I have a line but I'll close the queue now because we're actually over the limits of time.

But we have Olivier next, and then I have Jonathan.

Olivier Cretin-LeBlond: Thanks. Olivier Crepin-LeBlond speaking. A quick question - escalation paths as you've got in there - is that the customer escalation path? In other words you've got a problem, first you call IANA help desk, then IANA general manager, and then customer representative on there. If that's the case, then it might be good to put customer escalation path.

Lise Fuhr: Well said - point taken - done. Okay Emily, is that the CC? Okay. You wanted to have...

Jonathan Robinson: I have two quick comments then, very briefly. I think it might be preferable and providing there isn't an objection from the group to say an automation option, because it's possible that it may be that both could exist - coexist. So I would suggest we write an automation option.

Second, I'm not sure we've agreed that the automation needs to be reviewed by this group. My concern is that this is not - that was not the suggestion it needs. And I think future automation needs careful review. Thank you.

Lise Fuhr: Okay. And with that, is anyone objecting to the recommendations from the group?

Chris Disspain: Not objecting to anything - I think they're great. But may I ask how this works? There's more - at some point more details going to need to be put in. Is that right or not? Is that - are we - is this it now?

Olivier Cretin-LeBlond: Olivier, Chris - this substantial underlying deed. The intention is that this goes into the group - into the proposal, and for the most part that that is the substance of our proposal.

Chris Disspain: Okay.

Olivier Cretin-LeBlond: To clearly - the proposal isn't final. It will go through a public comment process. But it's - the intention is that this is substantially good enough to go in a document for public comment.

Lise Fuhr: And we have mentioned the work that needs to be done on the outstanding work issues, and that needs to go into the other groups.

(David), well I closed the queue. But if it's a very quick one, yes.

(David Conrad): I'm sorry. A very quick clarification - so my assumption has been that the APIs associated with the automation is not a gating factor to moving forward with the proposal. That is that, you know, we can agree that the API - implementation of API is definitely something that needs to be done. But that will not block the completion of the transition. Just wanted to clarify that.

Lise Fuhr: We agree, yes. And I see Chuck - a quick comment. And then...

Chuck Gomes: I want to respond to your question - are we okay with the SLEs that are being proposed? I like the idea, and I told this to Paul earlier that they propose some stiffer SLEs than existed currently. I think that's good. But I guess my question is have we confirmed - and you may have already done this - that all of these are indeed realistic with the IANA team?

And I can tell you that hasn't happened with the few that relate to the root zone maintainer, but I am working on that. But I think, you know, before we - there may be a little bit more work to do on that, just to make sure that they are all realistic.

Lise Fuhr: Thank you for that Chuck. And as far as I know, a lot of this is built on what's actually being carried out. It's not - it's the actual time that's been used for any change. So I think it's just to put it in as an SLA, so it's not been based on just we'd like to have it faster. It's been based on what's been done now regardless of SLA that's not stating that it should be done this fast.

Paul Kane: Just to sort of try and wrap this up, I think the document is a proposal. I hope the CWG members will endorse the proposal. It goes forward for public comment. And if anyone has an issue with any of the times raised, that might be an opportunity to raise it.

But we based this -as I mentioned - we based it on real world transactions. I just hope that this work item - SLE per se - effectively can be considered done, closed and moved on.

Jonathan Robinson: I'm not sure Chuck got the answer where - and I'm not sure I completely understood Lise's answer. Are these realistic expectations? And are they based on - Lise said that she understood them to be based on what is happening in the real world today.

And if that is the case, then it's reasonable to assume that the supplier will conform to those. And if that's the case, then it seems reasonable to put them in the document.

Paul Kane: So these are based on fact - on fact. So with the discussion with respect to IANA, I have to say there was a relationship and NTIA that inhibits IANA staff being able to speak freely with us. And so the issue we have is IANA staff have been helpful. The CTO of ICANN has been very helpful.

So all we could revert back to was fact - not what would be nice. What would be nice from a technical perspective is real time changes. I've been advocating that for years. That is not what we are advocating at this juncture. We want this transition to occur based on the facts of today.

Lise Fuhr: I have one last kind of (unintelligible). Okay, yes.

Chris Disspain: Yes, it would be me, wouldn't it? Just for clarity, I just want to make sure that these service level expectations have been discussed with the IANA staff, and that they are comfortable that they can meet them. Not a lot of point in putting them in a document for transition to have IANA staff come back later and say well we can't possibly do that. Have we checked with them?

Paul Kane: Yes. The IANA staff have seen the document. Have the IANA staff endorsed every time that's stipulated in the document? The answer is not - is no because they have to get IANA approval before they can talk - NTIA approval before they can talk to us.

I just would like to say this document once again is based on fact. It would be good if we could approve the recommendations subject to comments received from the community which includes IANA and Verisign and anyone else who has a comment. But I would very much welcome this design team being closed, passed on, so I can get back to my day job. Thank you.

Lise Fuhr: And thank you Paul. And I'll close this session by saying that we'll have the SLEs confirmed by IANA and the root zone management. Okay?

So thank you Paul, for leading this group and session. So yes, let's (unintelligible).

Paul Kane: And for the record, I'd welcome this entire CWG being closed so I can get back to my...

Lise Fuhr: Now we have a coffee break. Let's - at ten past we'll reconvene.

END