

ICANN

**Moderator: Brenda Brewer
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Greg Shatan: I think we have Jonathan and Lise. We have - we all of the client committee.
So is there anyone from the...

Woman: We're ready to go.

Greg Shatan: Yes, and we have Brenda. Grace is not joining us due to a conflict. So I think this is everyone. So perhaps we should kick off. We don't have any particular agenda, but I think the point here is to check in post Istanbul, make sure that (Sidley) feels like they have clarity on what their current marching orders and what they're working on at this point to iron out any issues, expose anything that may have come up in the few days since Istanbul too that might require different work. So I will turn the floor to Holly.

Holly Gregory: Well thank you, Greg, and I'm very pleased to say I think we've made great progress over the last four days. We have sketched out a model that reflects our understanding of sort of this combined accountability hybrid model. I'm going to turn the floor over to Sharon. She'll walk us through the current sort of ideas, and we do have some places where we have questions and would like some clarification. But our goal is to get this to you over the next day or so.

So with that in mind, I'm going to sign off and let Sharon pick up, if that's okay.

Greg Shatan: Perfect. Thank you.

Sharon Flanagan: And do we have Jonathan on as well? I see him in the chat but I didn't...

Jonathan Robinson: Yes hi, I'm here. Can you hear me okay?

Sharon Flanagan: Oh yes now we can. Great.

Jonathan Robinson: And so actually before you begin, Sharon, I'll just make sure we're clear. I'd love to hear from you. Holly said accountability hybrid. I think the - what I understood her to mean is that we're going to talk about whatever - I mean we'd really like to understand what your takeaway from Istanbul was and what progress you've made with that. And I think my understanding is that that was to look at the variations of what we were calling an internal model, which may or may not absorb some elements of the hybrid.

And then addition, a critical part is how that links into the work going on in the accountability group. So I think that - and it would be very good to understand that you have a common understanding of that brief and to hear what progress you've made in respect to that. Thanks.

Sharon Flanagan: Yes that's great. Thank you, Jonathan. So we've been working on, I think when we left Istanbul, the idea was for us to put more meat on the bones on the model that the group landed on, which Holly's coined hybrid accountability.

But I mean what we're really - what we really are working on is that model where the IANA functions would be dropped into we're calling it a subsidiary, but an entity where ICANN would be the sole member. And that entity would have its own board and we would talk about what that board would look like. But that would allow for some kind of immediate separation of the IANA functions and then potentially the separability, you know, kind of down the road.

So that's - and as you say, that is very dependent on accountability mechanisms to ensure that there is an ability to address whether it's a dysfunction at the ICANN level or dysfunction at the IANA level, but we can kind of talk about that kind of as we look at those, as we look at the model. But that's what we working off of. Does that make sense, Jonathan, and everyone else?

Jonathan Robinson: Yes thank you, Sharon. It certainly does. And I think I'm mindful of the fact that we need to understand what you're doing but also that others will listen in on this and take from this, you know, their understanding. So that's why I'm seeking to be so sort of pedantic, if you like, about scope and where and how it - yes.

Sharon Flanagan: So and what we're - what we'd like to deliver to you is a work product that would include a visual of the model and then some narrative drill down on some questions and decision points, because obviously this is a high level. You know, at a high level we discussed the model in Istanbul, but now we have to develop it at all the different, you know, stages of it.

But it would start with a schematic that would show what, you know, what we think the group had decided on. So you've got ICANN as it is, this new accountability mechanism, and then as I said below that, this post transition

IANA, which I think we're calling PTI or the IANA entity, and ICANN would be the sole member. And then above ICANN there would be this multi-stakeholder community, and that's the work I think largely of the accountability group. But CWG will have to weigh in as to what it needs in terms of that multi-stakeholder group to satisfy the goals of CWG.

But so in terms of what that multi-stakeholder group would look like at the top level, that I think we just left as more conceptual, and that would come in we thought through CCWG in terms of is that a member, is that some private community council, what exactly does that look like from a legal standpoint.

And then kind of off to the side of the post transition IANA, you'd have both the MRT, which would be a periodic review function, so periodically ever X number of years look at how the contract is working between ICANN and the post transition IANA and then, you know, giving some feedback back up to the board of ICANN as to whether it is or isn't working. And then the ICANN board would be, you know, would have the authority to make a decision, but that decision ultimately would be subject to review by the multi-stakeholder community.

And how the review would happen is again a little bit of an open question depending on the outcome of the CCWG group. But that's kind of conceptually where it would be. And then we'd also have the CSC, which, you know, we understand that to be really being led by one of the design team. And we've contemplated it in our model, but in terms of how membership would be determined and all of that, we understood that the design team is working on that. But perhaps you could clarify that.

Greg Shatan: Jonathan, is that a new hand?

Jonathan Robinson: Yes it is, Greg. Your line is very crackly (unintelligible).

Greg Shatan: I'll pick up. Jonathan, go ahead.

Jonathan Robinson: That's much clearer. Thank you. I think three points. I might as well take them in reverse as they were coming out. On the CSC, yes, Sharon, I think that is my understanding as well that this is design team-led work. It's great that you incorporated sort of graphically or visually and accountable of the output of the CSC, but it doesn't strike me at this point that they are specifically subject to detailed legal work. So that's consistent with my understanding.

You mentioned the MRT, and the way I understand this to be now going is that you've essentially got this empowered community coming via the CCWG and then a periodic review function of the IANA entity or the IANA performance.

So I just wonder whether it's perhaps sensible to rename this in your work, and you can make reference to the MRT as was, but it feels to me like we've kind of evolved beyond the MRT and we move back into a portion of that remit being handled via ICANN by the empowered community in the CCWG thinking, and a portion is a periodic review function. So I'll leave that with you as a suggestion or leave that with the group as a suggestion. But that's something to think about.

And then a third point, which you may not want to get into right now but it is vital we touch on it at some point in this call, and that is the CCWG will be looking to us for guidance of requirements, and that may be relating to the point I just made.

But in addition, so we're going to try and work with you and get your help to specify those requirements so that they support our emerging model and the interlinking is solid, and moreover that to the extent that we can, and I think I mentioned this to you and it was discussed in Istanbul, we establish a form of contractual linkage between the work of - when we submit our proposal, our proposal is conditional on certain outcomes of the CCWG work.

So I don't want to distract us with that right now, but I think at some point, we do need your help with that as to how to make our proposal conditional on and bound into the outcomes of workstream one so we can say our proposal is such but only on condition that the CCWG meets certain thresholds of accountability. Thanks.

Sharon Flanagan: So can we talk a little bit about what the right mechanism is to feedback that information to CCWG? Because I think, you know, you're right. Obviously there are a number of places where the CWG model will be dependent on the accountability mechanism.

So is - are you envisioning that before the proposal is actually made that there is some dialogue in writing or, you know, on - by phone where CWG articulates to CCWG what its requirements are, or are you envisioning that the proposal will just contemplate what is needed and that would be the mechanism to give that feedback through to the CCWG?

Greg Shatan: Jonathan, do you want to go ahead on that?

Jonathan Robinson: (Unintelligible) Thanks, Greg. Yes I'll try not to hog the whole call here, but Lise and I met with (Mathieu) of the CCWG today. He wasn't joined by (Leon) and (Thomas). But essentially I said to him that at or around the 10th we would be able to provide him with some definitive or more definitive

output, you know, anticipating that you had been doing this work. He said well the sooner the better, as soon as you can give us more information.

So I think one channel is via the communication between the chairs. Another might be - that's probably the best channel but, you know, others may have a different view. But certainly we would like to keep them as informed as possible is our thinking and give them an update no later than around Friday next week. Thanks.

Lise Fuhr: Jonathan, Greg, may I add to this?

Greg Shatan: Yes go ahead, Lise.

Lise Fuhr: I agree with Jonathan that I think the communication is best settled by the chairs, but we need (Sidley)'s help in order to make sure that we capture as much as possible in that communication. So what I would like is that we may have a first go of the subject together with (Sidley) and have that quality checked at a later stage too when by (Sidley) in order to see if we captured as much as possible.

Because I - we actually - they actually want this to be - to get back to them as soon as possible, so we might have a preliminary letter sent to them and then after this we'll get back with a more finalized version. Thank you.

Greg Shatan: Thank you, Lise. This is Greg, just briefly and then I'll turn the floor to Holly. I think that it's fine to communicate via the chairs in name, but I think that communication needs to be transparent and public rather than kind of quiet and more back channel. So the chairs can communicate both publicly and amongst themselves, so to speak. I would encourage this to be a public

communication so that it's seen by both groups as to what in essence the order being placed by the CWG is. Holly?

Holly Gregory: Thank you, Greg. I think this communication issue as between the CWG and CCWG is a very important one. I think that there are, you know, because we're involved in both projects, I think that there's a lot of very natural cross contamination, if you will, as we move forward and that we probably shouldn't get too caught up in, you know, how the formal linkages get made. I think we will naturally start to see some convergence just as the work flows go. We're seeing it already on both sides.

That being said, I do think that we have to be careful about not avoiding addressing certain issues because we think CCWG is going to. I think it's important that we have the CWG expresses a view about what might work and what might be possible. The great detail on that kind of work on the accountability mechanism can be left to CCWG.

But for example, I want to make sure I understand Jonathan's comment around the MRT, which is to be renamed something. To my mind, the MRT is very much a device that's critical to the IANA transition and therefore is not sort of a general accountability mechanism that is left to the CCWG. It's really part and parcel of what is needed to create this, you know, to allow this transition to go forward.

And therefore I think it's very much in the remit of CWG to put as much meat on the bones of that as it can, understanding that once you get to the higher levels the mechanism by which the multi-stakeholder body has approval rights becomes the CCWG work, if you will. But we can call for the need for an approval right.

You know, if that's a little bit of clarification, I hope so. I do think that these streams of work will very naturally interlink as we move forward. And I do think that within the next, you know, ten days we should be able to have something that can be shared in a more formal way with CCWG. Thank you.

Greg Shatan: Thank you, Holly. Lise, is that a new hand.

Lise Fuhr: It's actually a new hand, but it's on another subject so I don't know if we want to continue this discussion and I'll get back to what I have - my question.

Greg Shatan: Sure. I think we'll stick with this for a little bit. Jonathan?

Jonathan Robinson: Thank you, Greg. I do agree with Holly that coordination will naturally emerge. I just - I'm as sensitive as you are, Greg, to making sure that that's open and transparent and clear, but I agree. Through the use of these client committee meetings, with a common use of legal advisors, and through the coordination work of the chairs, that should be okay.

I don't want to get us too tongue tied on this MRT thing. It's just that when I heard Sharon talk I heard that there was going to be a periodic review function, if you like, in conjunction with a mechanism that's being developed in the CCWG and maybe we should, rather than get into too much into those sort of obscure semantics of it, we should wait. I suspect your proposal will cover all of this, and so I don't want to get too tongue tied on it now. So I'll hold off with any further comment for the moment. Thanks.

Greg Shatan: Thanks, Jonathan. I'll put myself - I'm in the queue next. So it's Greg Shatan again. The - I did share Holly's concern that the MRT function is not a CCWG general but more CWG specific function. And I think it's something that we need to get more clarity around within the CWG but also in the legal model

but - so I'm a little concerned that putting it off to a CCWG accountability designed mechanism or group isn't going to fill the bill.

So I think we all have kind of questions around that, you know, what that grouping would be and what that function would be. And I think it's an important place for additional clarity to emerge. Lise?

Lise Fuhr: Well I have a question for (Sidley) because I was of - well I was - I thought that we would have actually two models investigating, the internal, where you have the kind of sensing and affiliation or a subsidiary, and we would have one without. Or is that - maybe that's not correct understand of where we came out of Istanbul.

Greg Shatan: Sharon or Holly, like to address that? Sharon?

Holly Gregory: This is Holly. I'm happy to address that. We understood coming out of Istanbul that we'd been tasked with focusing on the - on a single approach at the moment with others that are potentially back-burnered if we need to go back to them so that we could drive forward and that the model we would have looked at was an internal model that had, as Sharon said, this sort of subsidiary or affiliate notion.

It borrows - in part it borrowed from the hybrid model but with aspects of other models as well. Jonathan, I'd like your view of that if that isn't your understanding, but that's how we understood it coming out of Istanbul.

Greg Shatan: Sharon, I see your hand is up.

Jonathan Robinson: I'd like to respond to that.

Greg Shatan: Why don't I let Jonathan respond first and then Sharon.

Sharon Flanagan: Yes this is an old hand. I was on mute, sorry.

Jonathan Robinson: Yes so yes, Holly, I think that's right. This - again there's probably semantics here. I mean it's an internal model. I understood with possibly with variants or some commentary on the merits or not of reinventing the IANA function in the affiliate coating.

And so it's - I think the understanding is it's internal but possibly with some comment or discussion on the variants of that in and around. I mean it looked like there was effectively a form of front runner, which is this - exactly as you described, but there may be some commentary as to merits or not of that structure. But essentially I think that's right. I hope others agree.

Greg Shatan: This is Greg. I think, you know, there - I think at this point it's more a question of degree than a question of difference in kind. So, you know, we're definitely, you know, looking at the internal model. I think that there is, whether you look at it as two alternatives, one which includes a subsidiary or affiliate concept which could then also include an intercompany contract by which obligations and responsibilities are communicated and memorialized, and then a second variation, or at least the pros and cons of that variation versus a variation that's purely a model that's based on accountability triggers where the IANA function is not structurally separated.

There's no subsidiary or affiliate and there's no - and documentation needs to be handled, you know, consistent with internal practices. But I think that both of those variations were kind of on the table coming out of Istanbul, and so I think that they should be both reflected in some fashion in the documentation that - or model that's being produced. I think that's kind of the major - the only

major variable that - between the two flavors of the internal model that are currently in the front-running position.

But I think we're better off and more consistent with where we came out of Istanbul if we reflect, you know, both flavors, perhaps with the affiliate model being the front runner among the two and the other one expressed as a variation with pros and cons against the front-running model.

Sharon?

Sharon Flanagan: Yes so to what extent do we think that the direction is that there really must be a contract? Because to the extent that we all feel that the consensus was there must be a contract for this model to work and I think we are back to requiring some kind of legal entity around the IANA functions. And so let me just pause there and see what your reactions are to that question.

Greg Shatan: This is Greg and I'll react first and then try not hog the microphone. I don't think that a contract is absolutely essential. I think it is the most - a very straightforward way in which to both transition from the current state of affairs and also in which to capture obligations and oversight.

So, you know, conceivably there could be - there are certainly obviously plenty of subsidiaries and parents that don't have contracts between each other and other elements by which their performance is both measured and their responsibilities are defined, but the contract has it kind of a lot of advantages on its face.

But if those are not, you know, one of the reasons we've got you guys is to say well contracts sounds easy and, you know, the first time around you ended up with Contract Co because contracts are kind of self-evident. But you can do

all the things you want to do without a contract with or without an affiliate model. Or you may say gee a contract really is the best way to do this and anything else is going to be a lot more - have ambiguities and complexities. So in that sense I leave it up to you.

Jonathan?

Jonathan Robinson: Yes thanks, Greg. I think that's - I think you said it all when - I mean this is partly, you know, it's a significant factor is us seeking your advice. A contract is a possible variant but not a necessary condition. And so we would very much like to have you put a proposed structure together based on what you learned in Istanbul, and you may well comment on that - the contract aspect of it, but like I say it's not - I think it's a variant that may be an option but it's not a necessary condition stipulated by us. So that's probably my input on that. Thanks.

Greg Shatan: This is Greg. If I could just add, is there anything else on this direct point? I have a comment on an aspect of what was mentioned but not on this direct point of the models.

Holly Gregory: This is just Holly. I think that's fine but we have a half an hour left and we want to get through this, and we've got some questions for you.

Greg Shatan: Great. My only other point is very brief. Just that I think I heard Sharon mention ten days in terms of getting something turned around. I think that's fine; however, if there's an earlier idea of what the CWG could do for us, or rather the CCWG, we might want to communicate that even while our plan is in the oven. Holly, I'll it over - and Sharon I see your hand is up.

Sharon Flanagan: Yes so I think what our goal is to get you something tomorrow, and I think what we're planning to do is to flag in that document the places where we think there's a CCWG requirement and to try to put that with as much detail as possible, and then maybe that can be used, parts of that can be used, as communication back to CCWG on what's required.

Greg Shatan: Great. So let's turn to the questions you've got.

Sharon Flanagan: Yes please. That would be good. Okay. So the first question we had is that part of this model, the PTI entity model, contemplates these agreements, they were called shared services agreements but really more kind of just service agreements between IATF and the PTI and the RIRs and the PTI. So could you please give us a little more of an understanding as to first what the current arrangements are between those groups in IANA, and then second, what is contemplated by the hybrid model and the post transition IANA?

Because what we heard clearly Istanbul is the potential for these arrangements or agreements but it sounded like they weren't a certainty and that was a little confusing to us.

Greg Shatan: Jonathan?

Jonathan Robinson: Yes (Sharon), I'm not an expert on the existing arrangements, but it's important that we, in many ways, don't contemplate; it's beyond our scope to contemplate what their arrangements could be. We need to do our work to make sure it fits the purpose for our needs, and to the extent that it accommodates them at some point in the future is up to them.

So we've got to be very careful that we aren't seen to be designing a model that presumes any future change in their arrangements.

Greg Shatan: Holly?

Sharon Flanagan: Does that mean Jonathan, (unintelligible) not address it in the model and just not discuss it?

Greg Shatan: This is Greg. I would say our remit is to come up with a proposal for the names function, and the IETF and the RIRs are the numbers and protocol perimeters function. And I think we can assume they have current arrangements with ICANN.

I think at least one is in the nature of an MOU if not both, and MOU in this community seems to mean a contract which both parties agree is binding even if it may not look like it.

So those arrangements would I think continue and we would just assume that they would - if the IANA Function operations were put into an affiliate, that the MOU would just be satisfied by ICANN through use of its affiliate. But that we shouldn't contemplate having some sort of board of all three over this is kind of out of our remit and scope.

Holly Gregory: So this is Holly if I may. So is it enough if we just go to footnote or indicate that we know that there's also a relationship with those two groups and that, if to the extent that that's currently with the IANA Function staff group, if we move it that would just carry on.

Greg Shatan: The relationships with ICANN as a party to the MOU, and so if they drop IANA into a sub or an affiliate, you know, just to make the necessary arrangements that ICANN's MOU - ICANN can satisfy the MOU through the affiliate providing those services.

Holly Gregory: Okay, so that's a footnote at most.

Greg Shatan: Yes.

Holly Gregory: Okay, thank you. Sharon, do you have any other questions about that?

Sharon Flanagan: No, that's good.

Holly Gregory: Okay.

Greg Shatan: I see Jonathan has a hand.

Jonathan Robinson: But briefly. Yes, to make it very plain, their view is that their relationship - I believe their view is that their relationship with the IANA Function and/or ICANN is none of our business. And so to the extent that we speculate what that might be in the future, we start to tread on their toes. So you're correct; it's a very limited (unintelligible) anything of what we say.

Sharon Flanagan: All right.

Holly Gregory: Okay, terrific.

Greg Shatan: Sharon, I see your hand has popped up.

Sharon Flanagan: Yes, so we should just - let me just make sure I'm clear on this. We should just contemplate that when we talk about putting IANA into an entity, we are talking solely of putting the naming aspect, the naming function, into that entity, and we won't address numbers and protocols beyond the scope.

Greg Shatan: I would say that I wouldn't name them in particular, I don't think the IANA Function can actually really be split that way. But we should just solve for our own problem.

Holly Gregory: I think it's enough just to note that we note that there's a relationship with these other entities and that we assume, you know, that it would continue or those entities will address it but that we're not covering.

Greg Shatan: Yes.

Holly Gregory: Okay Sharon, should we turn it back to you to go through the questions?

Sharon Flanagan: Yes, I think we've answered some of them already.

So I wanted to understand one thing coming out of the meetings. We had talked a little bit about putting the IANA Functions into an entity that could theoretically at some point be divestures spun out.

But it was very clear in the conversation in that meeting that that's not at all the intention. And I got the sense that people weren't even really comfortable contemplating it.

Could you all please weigh in on that whether there would ever be a scenario and whether the CWG would want the flexibility to move the IANA entity out from under ICANN into, you know, an independent group or under a different entity?

Greg Shatan: This is Greg, I'll weigh in first and then, again, try not to hog the mic.

I think it is a possibility. I think you see in the group there are a variety of positions held by people, and sometimes they express them as if they are expressing them for everyone. Don't be fooled -- even here.

So if Paul Kane, for instance, says that, you know, should never happen, that's Paul Kane speaking.

And so I think it is a possibility. Obviously first off it's a very much nuclear option for any type of separation to occur, and you know, one potential type of separation is for the IANA Function to be spun off or spun out in the sub becoming either independent or an affiliate of another organization.

You know, another option, you know, is that the IANA Function is contractually granted to another party or entity and that the current IANA affiliate is essentially that we just turn out the lights on it. So those are both possibilities whether everyone in the room likes them or not.

Jonathan?

Jonathan Robinson: I have a very minor addition in that I think you may not have covered then a third variant which is simply ICANN decides to sub-contract one or more technical components of the function for the purposes of operational efficiency or any other reason.

Greg Shatan: Thanks Jonathan. Turn it back to (Sidley). Or Holly, is that a new hand?

Holly Gregory: No that's an old hand, I'll put it down.

Greg Shatan: Sharon?

Sharon Flanagan: Okay, so when we think about the scenarios down the road, the potential let's call it separation, we see it as their being two scenarios. One is there is a problem at ICANN; there's something not working there.

And in that scenario, what we were contemplating is that, or to propose to the group, is that the remedy is either some kind of veto by the multi-stakeholder community or a full replacement or recall of the Board and you put in a new Board that can operate in accordance with what the multi-stakeholder community is looking for. That's kind of the scenario where there's an ICANN problem.

The second scenario is when there's a problem at the IANA Function itself and for something not working. Obviously right now it's working great; everything seems to agree on that but what if it didn't in the future.

And then in that scenario what we were thinking on our proposal is that that would be the scenario where the periodic review team, you know, assesses and determines there's something not working, feeds that back up to ICANN and the ICANN Board. And ICANN makes a decision that potentially is subject to some kind of veto by the multi-stakeholder community, or ICANN says, "Yes, we agree with the periodic review team; there is something not working and we will subcontract out to a new group or we will replace the current IANA team and put in a new team."

Is that consistent as you see the ways that you would need to have kind of feedback on things going wrong and how you would need to address them?

Greg Shatan: Jonathan?

Jonathan Robinson: Thanks Greg. Yes, briefly, that is consistent with my understanding.

And the only kind of supplement I would make to that is that in scenario one, that's primarily in terms of a design or a build of capability, I think that's primarily in the sort of ccWG world, the accountability work, which is why any proposals you produce - and I'm imagining that you described initially a visual of that visual representation of that proposal, it might be good to box out areas of that that are primarily work of the ccWG so that it becomes evident that this group's problems, if you like, or issues are solved in a holistic way by your consideration of respective changes by the ccWG and indeed our work. Whereas clearly scenario two is very much in our scope.

So thanks. Briefly, that is consistent with my understanding at least.

Greg Shatan: Sharon.

Sharon Flanagan: Okay. That's helpful, thank you.

So one of the questions-- and our response is going to outline this; it's just an open point but I wanted to just raise it now -- is that if we are forming an IANA entity, we have to address the governance of that entity. And so there's two potential options.

One is that the IANA Board is really just ICANN, you know, individuals/officers or what have you, but that there's still accountability if there's a problem even though that Board is really an ICANN appointed Board.

The second scenario or the second alternative is that Board is truly an independent Board comprised of a multi-stakeholder community that would

be appointed in accordance with some perimeters, you know, that would still need to be determined.

So that would be sort of an example of variance. We can point out, you know, the two alternatives unless you think that there is a clear direction on that.

Greg Shatan: This is Greg. I would say that both of those variables should be reflected, and I think that also kind of goes that MRT question as well. Thanks.

Sharon Flanagan: Okay, and so I think from a terminology standpoint, I think we're going to stop using MRT when we mean the Periodic Review Team or the Periodic Review Function, and then when we mean the multi-stakeholder community up at the very top level, the ccWG work, we'll just refer to it as that multi-stakeholder community. That will be helpful from a terminology standpoint rather than us continuing to use MRT when that sounds like that's maybe a relative at this point.

Okay.

Greg Shatan: I see a couple of hands have popped up as you said that. I'll call on Lise who is a little faster at the buzzer than Jonathan.

Lise Fuhr: Thank you. No Sharon, I was just curious because I thought that MRT was actually the Periodic Review Team. So we would not have an extra MRT. So I get a little confused by what you just said, or is it just because you want to rename the MRT as the Periodic Review Team?

Man: Sorry.

Sharon Flanagan: It's the latter. Yes, renaming the MRT as the Periodic Review Team.

Lise Fuhr: Okay, thank you.

Greg Shatan: Jonathan?

Jonathan Robinson: A very brief practical suggestion. Because of the history of this, we call it the Periodic Review Team but renamed the Multi-Stakeholder Review Team, I would suggest you call it the Periodic Review Function which is consistent with what we've been talking about.

So it's terrible I know. But give it a new acronym; call it something new. And then it's clearly distinct that it's an evolution of where we've got it (sic).

And I would suggest, for the purposes of your proposal, calling it the Periodic Review Function, which of course is a new manifestation of either of those two previous incarnations. But it makes it clear that it's derived with a new structure, overarching structure, in mind.

Greg Shatan: Thanks Jonathan. Let's turn it back to Sharon again.

Sharon Flanagan: Okay. Another question we had is the IRP aspect of the CWG's work, so to the extent to which you need some kind of independent review panel.

It sounded to us like it was pretty clear that CSG and that design team is going to be looking for some type of IRP process, and so we can contemplate that. But then what that process is I think is that's another example of where the work of CWG dog tails back in with the work of ccWG.

But is there another scenario other than the CSG, is there another scenario you envision where you would need some kind of independent review panel functioning?

Holly Gregory: This is Holly. May I speak? I don't have my hand up.

Greg Shatan: Holly, please go ahead.

Holly Gregory: Just to clarify, you know, we're talking about these different review functions and that's clearly the review function that's related to the contract that has been called the MRT and the Periodic Review Team and now we're going to call it the Periodic Review Function. Then there's another set of reviews that are more about ICANN generally.

Is that what you're talking about Sharon? I mean these other processes on issues to get redressed that may not specifically relate to the IANA Function?

Sharon Flanagan: It was more just open-ended. I think when I looked at the model, it was clear that CSG contemplates some kind of internal review panel.

On the Periodic Review Function, I think it was initially our proposal would be that that group reports into the Board, and then the Board acts and there's some ability to veto it. I wasn't contemplating an independent review panel on the Periodic Review Function, but if that's something that the group wants please let us know.

And then the second question is is there anywhere else, as you look at this, that you think there's going to be a need for some kind of judicial, you know, quasi-judicial mechanism?

Holly Gregory: But you mean that second question separate and apart for the good of the general accountability mechanism that ccWG are looking at. For example, currently...

Sharon Flanagan: What I'm asking is - it's kind of the question ccWG has had for CWG. What do you need specifically? What are your requirements so that we can make sure that we feed that back and it gets implemented?

Greg Shatan: Jonathan?

Jonathan Robinson: Yes, okay. So I think what I understood the scope of what we're talking about here is the same as (hetis) genesis in the multi-stakeholder review team or otherwise previously.

There is a requirement for periodic, whether that's annual or every three year, there is contemplated that there will be periodic reviews of the IANA Function specifically.

That review might encompass various elements. It may include input that's been escalated to it from the CSC, although one would hope that the CSC largely sorted it out its own problem with its supplier the IANA Function. But generally there is an opportunity for periodic oversight kind of review to make sure that a form of independent check or semi-independent check that reports in and says, "This is how it's going."

This is completely separate from ICANN more broadly which is you could say is reviewed to death. There are many different reviews that go on in and around the ICANN policy making and other structures.

So I think this is very specifically on the performance of the IANA Function.
So it's a review of the performance of the IANA Function.

And then third, it is potentially contemplated, although likely in my opinion, answered by the work of the ccWG, that there will be some form of ability to appeal - it strikes me that, I think my understanding to date is that is starting to be developed by one of the pillars of the ccWG's work, and that the ability to appeal to some independently for some course of action that has been inappropriately followed or - yes, inappropriately followed in some way, either not respecting an instruction or acting without instruction, that there is an opportunity for independent appeal. But that's being worked on by the ccWG.

So I think those are the three areas. But generally, it's very much the ability to review the performance or not of the IANA Function on a periodic basis.

Greg Shatan: Sharon?

Sharon Flanagan: That's helpful. I don't think we had any other specific questions. I'll pause and see if the team, Holly or anyone else, wants to ask any other questions.

Holly Gregory: I don't have anything else at this time.

((Crosstalk))

Edward McNicholas: (Unintelligible) Edward, yes. I just wanted to jump in with a clarification.

There was a discussion earlier about that we would remit in terms of this project was limited to the names function, and that we should kind of just

make side reference to the number and protocol functions. And I understand on a logical basis how to separate those.

But don't those functions have to be in the same entity on some level? And so I just wanted to make sure that we were thinking about it correctly for approaching this.

That those functions would be - that is the core of the IANA Function and that we're not contemplating having only a name function in this IANA sub; all of these functions would be in the same sub. And they would all be subject to the same governance mechanisms.

Or is that not right? (Unintelligible).

Greg Shatan: Jonathan, would you like to take that?

Jonathan Robinson: I'll try. And again, I'll confess to not having a high level of expertise on the way in which the numbers and protocols do their work.

But this is a highly politically sensitive area. We operate independently but rely on the same function. So I think if we were working holistically, which we should be, we should be cognoscente of their existent, cognoscente of their dependence on the IANA Function, but not confine ourselves - but confine ourselves to our work, you know, on the names side of things.

The ICG's job is to integrate the proposals from the three different communities. So to the extent that we contemplate and anticipate what the ICG might do or have awareness of the other proposals, that's sensible. I mean to work without any knowledge of or reference to their proposals, but that's very different to presuming we can solve for their requirements.

The minute we attempt to, in some ways, solve for the requirements of the other communities, that would be highly presumptuous and cause us all sort of issues. So we need to stick to our own work, but that doesn't mean we can't be aware.

And so for example, one of the things I've been advocating within our group is that the people have done their best to be aware of the proposals and we structured the other proposals, and that we structure our work to be as consistent with those proposals as possible such that, when the ICG comes to knitting them together, we've done our best to help them.

That's really delicate the part we're treading here. I hope I've helped illustrate that a little.

Edward McNicholas: No, that is very helpful to understand the swim line (sic) sir; I appreciate it.

Greg Shatan: And I think - this is Greg, just to brief go on that note. As Jonathan said earlier in the Chat, the ICG, which issued the RFP to which all three communities are responding, is responsible for harmonizing all three proposals into a single one. So we have to kind of leave it to them to a certain extent to do that and not be presumptuous.

At the same time, it's clear that our proposal would be illogical if we were to say that only the naming function of IANA would be put into an affiliate and that the other two functions would remain within ICANN proper.

So I think we can assume that all three functions will take place within the affiliate and how the other two communities and solve for that with the

relationship to ICANN and the relationship to the affiliate is something that we can't dictate.

But then the question becomes how do we communicate that beforehand to see if we'd like to have those communities indicate something now about how they would do this, or whether they would do that after the proposal has gone to the ISG? That's kind of an open question, but I don't think one that we need to answer to do this.

I see Martin is saying it's important to realize it's not technically necessary to have all three services into one organization but easier to keep them together.

You know, one of the things that's interesting to note is that the Numbers Function makes very few requests of the IANA Function; essentially it's for new blocks of numbers, IP addresses to be issued. And I think there were only three requests last year.

Nonetheless, the record of who has which IPV six addresses or IP addresses is an essential part of the root zone. So in any case, we have just a minute left so I'll see if there's any other questions or issues before we drop off. Holly, I'll kind of look to you.

Holly Gregory: No Greg. This has been very, very helpful. I think you've addressed our questions. We have some greater clarity of what we need to get done in the next few 24 hours.

And our goal again is to get something to you in the next day or day-and-a-half or so. And we wish you all a very pleasant holiday weekend.

Greg Shatan: Thank you Holly. I'll look forward to slipping this inside of my Passover Haggadah and reading it instead of reading the stories of the Jews escape from Egypt.

For those of you celebrating Easter, I'm sure you'll find some place to stuff your version of (Sidley's) work product as well.

Lise Fuhr: Thank you.

Greg Shatan: So I think with that we can adjourn this call right at the top of the hour.

Jonathan, I see - I will give you the last word.

Jonathan Robinson: Unfortunately I can't top yours Greg, but I will just say that one final thought for (Sidley) is just to - and I think I've said this but just to make sure we distinguish clearly between where you envision a change taking place as a result of the ccWG's work and where it very much fits into our work.

So as best as you can to delineate between the two even though you are doing a great job in my view of looking at the problem holistically which I think we should all want you to do. Thanks.

Greg Shatan: Thank you, and with that I will echo Holly wishing you all a good Easter/good Passover/good Holiday, whatever holiday you may celebrate at this spring solstice or equinox rather. And I will call this meeting adjourned. You may stop the recording.

Man: Thanks.

Lise Fuhr: Thank you, bye.

Greg Shatan: Bye all.

END