

ICANN

**Moderator: Brenda Brewer**  
**April 24, 2015**  
**9:00 am CT**

Woman: The recordings have started.

~~(Grace Abuhamed):~~Grace Abuhamad: Hello everyone. This is ~~(Grace Abuhamed)~~Grace Abuhamad. I will be supporting the call today. We have - this is the second of two identical Webinars that the CWG stewardship is putting together to review on their second draft proposal.

So it is now 1400 UTC. Today's briefing will be led by Jonathan Robinson who is one of the co-chairs of the CWG and I will turn it over to him. Thank you.

Jonathan Robinson: Thank you, ~~(Grace)~~Grace, and welcome everyone on my behalf and our behalf, really, the chairs of the CWG, myself, Jonathan Robinson, as the co-chair, and everyone who's worked very hard on getting us to this point.

If I could just remind you all to make sure that any microphone or audio that you have is muted so that we don't have interruptions. But if you do have something important you'd like to ask during the course of the presentation,

by all means, do put your hand up in the Adobe chat, and if not, we'll certainly make sure that the time for Q&A at the end.

As ~~(Graee)~~Grace said, we've had to Webinars. The first was presented by (Elisa Firm), my co-chair, this morning at - a ticket was 0600 UTC, servicing a portion of the world, where in that time zone was most convenient, and then this is our leader one now.

The transcripts of these Webinars will be prepared and translated and the primary purpose is to talk to you about the evolution and production of the proposal which is now, as of yesterday, available for public comment for a total of a 28 day period.

We have a bunch of relevant information in the links, up in the notes section of the Adobe Connect room, so by all means, cast your eye on that and be aware of the relevant information there.

And I think with that, ~~(Graee)~~Grace, we can go on to the first slide and start to talk about some of the detail here. This is clearly part of the process, the work of the - the cross community working group on stewardship, and that links very closely into obviously - and follows from the National Telecommunications announcement, the NTA announcement, that - of an intention to transfer the stewardship of the IANA function to the global Internet grouping.

And the CWG's proposal is actually a response to the coordination group who sorts proposals through a request for proposal. Ultimately, the ICG, which you see represented by (unintelligible) on the screen above the CWG, will submit - will coordinate and submit proposals from the number community, the protocol community and this proposal from the names community.

And you see those listed as the CWG stewardship, the (Chris) proposal and the IANA plan proposal. And it's the ICG's to bring those together into a (centralized) and coordinated ICG proposal which will then be submitted to the NTIA by the ICANN board.

The NTIA has made it clear that they expect that the proposal should have consensus and broad support. And I think there's a very important point to make clear at this point from this group's perspective, that's the CWG's perspective, that there's another parallel effort, which many or all of you will be aware of, which is the cross community working group's work on accountability.

And in parallel with this work, to deal with the structure and mechanics of the transition, it was always recognized and has been the case for some time that there was some adjacent work which is closely coordinated with the work of this group on accountability.

So that's greyed out a little bit in the slide but there is - you'll see in the light blue dotted representation on the slide around the linkage which is very important and has been underpinned by regular meetings between the chairs amongst - the co-chairs of the two groups, amongst other coordination efforts including cross-pollination via the membership of the two different groups and liaison activity.

I think we can go to the next slide please. So it's worth setting out what the objectives and clearly the - and the most simple level, the CWG is sought to produce a response to the requirements of the ICG and to the request for proposal from the ICG that meets the needs of the name community which is

really recognizing that generic top-level domain, GTLD, and country codes, TLDs, are direct customers of that IANA function.

Ultimately, this group is charted by range of different supporting organizations and advisory committees that you see listed there - the ccNSO, security and stability advisory committee, the GNSO, the ALAC and the government advisory committee, the GAC.

And together these groups will need to sign off on the proposal. There is a summary and description of the IANA functions listed in the lower right-hand portion of the slide which describes the key functions performed under the - really drawn from the statement of work within the existing IANA contract.

And although the IANA functions operator performs all eleven of those functions, this group has been focused on functions two to nine, but as you can see in the slide, it's possible we may also comments on functions one and ten.

I don't think it makes sense to go through all of those in fine detail. I hope you can see them on the slide and the slide deck will be made available to you as part of - it's available for download, in fact, from the ICANN Web site, and it is available as a deck for anyone to refer to.

In fact, I suspect it's available as part of our links from here as well. Yes, it's up in the - you'll see where relevant links Webinar slides, so those are available to you should you need them and ~~(Grace)~~Grace has highlighted that, in fact, in the chat as well.

Next slide please. So when we look at the work that's done to date, this is quite a useful overview to highlight the - what the sort of progress, structure

and the way in which it's worked. And I realized that many of you have been participants in this but, of course, many of you have also followed this and more distance and would, I'm sure, like to understand what's gone on.

There are members that make up the group that actually represent the chartering organizations but have, to date, not had a particularly special status conferred on them. Technically, if it were necessary to put any decision to some form of votes, it would be necessary to call on those members to do so.

(Unintelligible) to operate today on - or without the need for any form of vote and the 125 or so participants have generally participated on an equivalent level alongside the members (unintelligible) for the fact that there was a sponsorship for (unintelligible) on previously held face-to-face meetings of the group, although those meetings were not - those meetings did not preclude participation of the participants in person or on the telephone.

We simply didn't - they were simply not sponsored to travel there by the funding behind this effort. So those meetings were in November, last year in Frankfurt and more recently, in March, in Istanbul.

Overall, there's been an excessive 90 (calls) and separate meetings that have clocked up thousands of working hours, as you can see, and many, many exchanges of email. And that timeline is represented (graphically) below there.

And you can see the work as it's gone through the various points, including the initial meetings out at ICANN 51 in LA, and the division of the group into areas known - will be call our FD groups.

And these were specifically responding to particular portions of the RFP and then all of that led to - up to the work in Singapore. There was a change in the

work structure and the way in which we worked at the Singapore meeting.

You see there in February, I can 52, where we reorganized the work based on elements of that that we'd had.

Our first proposal, in fact, was put out for commenting December 2014. And the 60 comments were received (and analyzed) during an intensive weekend - working weekend in January which you see there, as intensive working days in January.

And the feedback was varied but in some ways, the perspective was that the model that we were working on was complicated, or at least introduced complexities. I think that's probably a better way of putting it.

And to the extent that commenters wanted to analyze it, they felt there were limits in the detail that was available with which to work. So the group committed to working on another proposal including in the restructured format that I talked to about post-Singapore and all that has led to this proposal that you see in front of you now.

I think we took, in effect, quite significant (wide one) structured as a public comment, per se. We had significant community interaction in Singapore in February at ICANN 52. And it's worth noting that that was significant in many ways.

There were open forums. There were meetings held. There are various forms of input taken. And the overarching response was to reorganize and refocus the work into that of what we call design teams who focused very much on the detailed operation of elements of the proposal.

And in addition, a separate stream of work, and overarching stream of work, that looked at the structure. One of the criticisms coming into Singapore was that the group had been over-focused on structural elements of the way in which the post-transition entity would be organized and less focused than some might have wanted it to be on the operational technical details in the design teams were in response to that.

Next please. So when you break that down in a little bit more detail, I think it is important to highlight that there has been sort of continuous feedback, if you like, whilst it's been captured in that public comment period one.

There has been - of which there were 60 community submissions that you can see there. That was a 21 day public comment period. In many ways the public comment has been - or the feedback has been - there's been a continuous feedback loop throughout the work.

And you can see that, as we came into the Singapore meeting, ICANN 52, in February, we laid out the - to all the community, will be called some models, some structures, or way in which the post-transition IANA entity could be organized.

We felt that it was very important to lay these out in front of the community and take the input that we (would). Actually, as a result of that, we got feedback on various elements of those, broadly divided into what we called an external model, internal model.

But then a form of hybrid emerged via some community work that took place during the Singapore meeting and the key output that we walked away from was some variations of the hybrid model.

So we went into Singapore with an internal and external model split itself, in each case, two ways, plus picked up the three additional variants. So we then had seven models, if you like, seven potential structural ways of organizing the structure.

And at that point, we then committed to this focus which is what can see represented here, and I talked about it (unintelligible). So we've got close to microphones.

And at that point we split up into the design teams which can see represented and purple there. And very significantly as well, certainly after Singapore, we overlaid and brought in - well, we went through the process, first of all, of specifying and selecting a law firm that can assist us with legal input on the perspective structural variation that we were considering.

We ended up hiring a law firm called Sidley Austin. And Sidley has been very, very helpful in providing a dispassionate objective and professional perspective on the work of this group.

So you've got represented here your additional focus of structure, the (center) of the diagram, the legal input and the design teams. We all came together as a group of face-to-face - of the (members) and as many participants who were able to travel to Istanbul, plus participants who were able to attend through a series of intensive meetings later in March.

And we committed to, and the group did a very good job, of working through both the output of the design teams and the consideration of the structural propositions.



And in fact, Sidley attended both of those days which were preceded by a meeting of the cross-community working group on accountability. And the joining of the work on accountability, the attendance by simply and the face-to-face participation of the members all came together very well to appoint where the group felt it could, at minimum, set aside a variety of the different models we've been considering and break does down into serious further consideration of two different structural models which we then took further forward.

And I think it's - both of those models were variations of the internal model and the more fundamental difference between the two. And by internal, I should clarify that what that means is, is that the IANA function remains and is retained under the overall ICANN umbrella.

It is not (hired up) and removed and made external to ICANN. However, there was a subtle difference between the two models, or perhaps not so subtle, where there was a legal separation in one of those two models that emerged from Istanbul or a (tool) or not, as the case may be in the second variation.

So that's where we exited Istanbul from, and then very shortly after that, earlier this month, in fact, we committed to doing further work on trying to whittle down those two models and further develop the work of the design teams.

And that was a very intensive couple of days where (Elisa) and I co-located in Brussels at the ICANN - hosted by the ICANN staff in Brussels. And we ran will be called a high-intensity two days of meetings which were six, two hour meetings in succession, where we took probably around about a balance between the time focusing on output of the design teams and development of these structural models.

And as a result of that, agreed to set aside, again, a variant and settle on really focusing our energies on developing and refining the model which is the IANA function internal to ICANN but legally separated in the form of a form of subsidiary.

It's not technically correct to call it a subsidiary but it's certainly illustrative. Technically, it's an affiliate of - it's represented - it's an affiliate which will have the capability to have its own board. We'll talk more about structure in a moment.

I think it's probably worth noting that there's been regular communication out of both of those face-to-face - the face-to-face meeting, the intensive working days, back to Frankfurt, back to the ICANN meeting in Singapore.

There's been regular communications including the chairs writing their own updates for both the group - capturing the group's activity and communicating that more broadly.

And I guess it's worth highlighting at this point that all of this work has been opened to anyone to participate in. This is not closed the members of the ICANN community and anyone who has wanted to participate has been able to do so.

I think I've covered the main points I'd like to cover on this in terms of the development of the proposal. And let's move on then to the next slide. So a key theme through all of this has been, as I (mentioned) early in the presentation, effective and substantial coordination with the cross community working group on accountability.

Why has this been necessary? Well, immediately that - the consideration came up on the back of the NTIA proposal to transition the stewardship, the historic stewardship, of the IANA function.

It was apparent that some had - there were some longer standing and - concerns in and around ICANN accountability measures and, indeed, some current concerns that were thrown up specifically around the transition.

There was a - it was agreed that there would be a separate piece of work to do that as described earlier - the CCWG on accountability, but it was critical that work wasn't, in some way duplicated, or worked on within this group to the extent that it could be dealt with elsewhere.

So, therefore, we begin to work closely with the group working on the accountability work and make sure there was adequate coronation. At first that was little more difficult in that the group was slower getting started or not really - not quite - the group's work simply started later in time than the work of this group.

And so that's a little bit of time to get going. But as momentum built with the work of the CCWG accountability, it became readily more parent what the kind of mechanisms that were going to be put in place and what was available, what would be available to us to do.

And quite critically, what happened is that the CCWG also recognize their need for independent legal advice. And in seeking the advice, they ended up settling on comment that, two law firms, one for their broad and relevant experience on combination of matters including corporate governance and California law and one with particular highly specialized knowledge of California law.

The one with the more general experience, and I believe, is the sort of coordinating firm, is Sidley Austin. And so that has been very helpful in the sense that there is the same law firm advising the CCWG on accountability with this group's work on stewardship, again, helping to ensure that the work is coordinated and done in as efficient and (fair) manner as possible.

If we could go on to Slide 6 please. So looking in a little more detail, what happened was, notwithstanding, the work that the group - the CCWG was doing of its own accord, there was a desire from the group to know and understand what specific areas we would be - we, in the group on stewardship transition, would be strongly dependent on the reliance on.

And we highlighted all the groups working on accountability for key areas of the activity. One relating to their work on the ICANN budget in the accountability and transparency measures that would need to be developed or enhanced relating to the ICANN budget.

And there the CCWG is working on the prospect of a budget veto tool which would be a mechanism by which the community could, in essence, push back on a budget should it not (contain) sufficient details or relevant information which, of course, is particularly important to this group with its focus on knowing and understanding the resources, the resource allocation dedicated to the IANA function.

And so that is a key dependency and linkage point. A second is, and Column 2, you'll see here the community empowerment mechanisms whereby there is a process to - for developing particularly enhanced community rolls and inability to review ICANN (forward) decisions and the ability to approve or

reject decisions, and in particular, going in this case, the focus of this group, the CWG would be on those decisions relating to the IANA function.

And so that is an area where we would have key dependents. There's also something which is both historic and current, which is a requirement from the CCWG on accountability and something which this group will also want to rely on, and that is the opportunity to have review and redress.

And it is envisioned in this proposal that there will be reviews of the IANA function undertaking every (unintelligible) five years, and the intention is that such reviews should be enshrined in the ICANN constitution in a way that's been described as using a fundamental bylaws.

In other words, something which is institutionalized and difficult to undo without significant threshold being overcome. In addition, the work of this group specifically, and this is just the possibility of not only the periodic reviews taking place every five years, but a similar review taking place under special circumstances.

And so that's an important capability that will be - we will - that we seek to have within this group, the enshrining of the five-year (reviews), the capability to institute a special review and the necessity to have those incorporated as part of a fundamental bylaw.

So that's - is something that we will rely on the CCWG to coordinate with us in terms of that capability. And then finally, in Column 4, the opportunity to deal with appeal mechanisms and discussion with regard the ccTLD issues.

So here there is the possibility of ccTLDs developing their own appeal mechanisms regarding delegation or re-delegation at a later date. And the

expectation is that the CCWG, on accountability, will not develop (appeal) mechanisms related to ccTLD delegations and re-delegation, but that (appeal) mechanisms should be in place relating to other issues that may involve the IANA functions.

There is a question in the chat that I'll respond to now regarding (it's empower) mechanisms and the legal advice with respect to the ability to approve or reject for decisions under California law.

I would say in response that question, that that is something which is - recognize I'm not properly qualified to answer that legal - that, with respect to the legal advice but suffice it to say, does the recognition that that's a requirement and there are different mechanisms that may need to take place.

It's difficult without covering the potential structural changes. From our point of view, it's simply a recognition that that would be a requirement and there is further work going on with it. It's almost (a better question asked of those) in the CCWG because that is the capability that they - exactly as ~~(Grace)~~Grace said, that's better handled by CCWG because that's an accountability issue that we would like to rely on.

But certainly it's a good and fair question. So that probably deals with Slide 6. Let me talk on Slide 7, then, a little more on some of the detail on the design teams.

I won't go through all of them in detail but I think it's useful to have a sense of the sort of overview. There were approximately 15 design teams proposed to deal with, as I said, a series of technical and operational issues that were needed to be handled within the work of this group, dealing with the proposal.

They were assigned different priorities at the chair's prerogative in order to manage and coordinate and organize the group's work. And then every design team had a design team lead the list themselves - delegated the responsibility to ensure the progress was undertaken in as rapid and effective a manner as possible, and then to bring that work back to the main CWG group.

A significant part of the work, and the initial work, was completed for discussion at the Istanbul face to face meeting and then the work was largely finalized during the intensive meetings almost two weeks back earlier this month on the 13th and 14th of April. And in particular, there was a focus there on groups that were interlinked with one another. So in that case, there was a recognition that for example there is a group working on a customer group known as the Customer Standing Committee.

And that work of the Customer Standing Committee also required interlinking and interdependence with the Design Team M (or mother) working on the escalation mechanisms and indeed Design Team N working on the periodic review, and in fact with those particular groups we came together immediately after the face to face meetings on the 13th of 14th of April and did some hard yards and hard work to try and reconcile the work between those two different - those three different groups to make sure they were properly coherent.

It's probably worth mentioning that the work on service level expectations is very important to this group and has been the subject of some significant work to date, but the work is not yet complete. It has a set of service level expectations being laid out that have been discussed with the existing IANA staff and they are aware of them, but they haven't yet been fully committed to and so that is not entirely closed at this stage.

Six of the design teams were not ever commissioned and were either - were primarily either dealt with my other design teams. Elements of the work may still need picking up or they were addressed elsewhere by the committee as a whole in conjunction with legal advice or indeed as part of an overall view of stress testing or checking the implications of the proposal.

Let's move on now to Slide 8, which deals with the model itself. The slide is divided as you can see by a vertical gray line and on your left, you have a representation of the existing structure where the NTIA operates - ICANN operates under contract with the NTIA and the NTIA has oversight of the operations of the IANA function under the - within the ICANN structure.

Post transition, we have represented it as you see on the right hand side of the diagram. This is symbolic. It doesn't cover everything, but it does highlight quite clearly the legal separation with that thin black line between ICANN and the ICANN board, and the post transition IANA or PTI as we've come to refer it as, as a legally separated entity with its own legally separate structure and a contract between ICANN and the post transition entity.

One of the themes of the work throughout has been the concept of having a contract. Whilst it wasn't a necessary condition of the work of the group, it was certainly - it has certainly been a theme that has persisted. There is a contract in place, which governs the existing functions, and for many, it was potentially important to have some form of contract, and this contract has facilitated. The existence of a contract is facilitated by a legal separate entity.

Some of you might remember there was an earlier iteration of the proposal where there was a model which was a so called external model where the IANA function sat outside of ICANN within a so called contract company, a company designed to really first and foremost be a vehicle for ICANN to



contract with and you might argue that this is a further evolution of that. In any event, there is a separate subsidiary proposed but it is a wholly owned subsidiary or more correctly referred to as an affiliate with which ICANN has a contract.

The model also suggests in green to the right. It proposes a customer standing committee and this customer standing committee is a particularly important part of the structure because it creates a basis on which the direct customers can have oversight of the day to day performance of the IANA function's operator here represented as the PTI, post transition IANA.

And the Customer Standing Committee has the capability to ultimately escalate issues. Hopefully that won't be necessary and through direct relationship with the post transition IANA will achieve the levels of service that customers through their own direct relationships with the supplier of those services, the PTI, will continue to receive.

One thing I haven't made explicit in this talk of our work so far is that from the beginning, it has been clear that there is largely a satisfaction on behalf of the customers with the services provided to date. So to the extent there are provisions for escalation, development of services, and other accountability or performance related mechanisms, these are set up as natural and logical precautions to deal with performance issues when and should they arise. They don't reflect the fact that there is a concern with the performance as currently provided.

Of course as with any customer supplier relationship, there is scope for improvement, and indeed, this proposal envisages as a part of its structure the opportunity for continuous and ongoing improvement.

There is a question in the chat that asks who are the customers of the post transition IANA? Well those customers are the registries who interact with the post transition IANA on a regular basis to obtain updates and modifications to their TLDs, the way they current interact with pre-transition IANA.

Above the CSC, the Customer Standing Committee, there is a second green (lozenge) or representation and that is for the IFR, the IANA Function Review. This is independent of the CSC and it is envisaged that a review as touched on earlier will need to take place once - periodically once every five years. And in addition, that the first review will take place two years post transition.

So there is scope for an initial review two years post transition plus mandated regular reviews at five-year intervals. Moreover, should there be a requirement; there is the possibility of a special review. The same format as a regular review being initiated by a - as the result of ongoing performance issues.

So I think those are the major elements of the structure and the post transition entity as envisaged by this group. We have very much been focused as a group on continuity and stability of operations, but also on recognizing as I said a few moments ago that problems can happen and may happen and will need to be dealt with as and when they do. And we have a type of structure that is robust and anticipates various problems or issues that might arise, and moreover the have the capacity to deal with the prospect of continuous improvement.

Those of you who have been checking this work will note that a legally separated entity could ultimately - a legally separate entity could ultimately be separated from ICANN's - from ICANN. And the IANA function could in principle be taken over by another entity. This group doesn't suggest in any

way that that is necessary or likely, but it is built into the structure through a series of managed escalations and that ultimately separability is possible when all other options have been exhausted.

Another point that is - yeah so to answer Russ's question, yes. I mean we have been very careful. The questions asks if the IATF and RIR are our customers too. Of course they are and we have been very careful to ensure that our - the focus of this group is on the naming related functions.

With that said, we have been cognizant of the fact that this proposal is to be submitted to the ICG alongside two other proposals and we felt we had to walk a very delicate line between not presuming any influence on those other proposals, but nevertheless, being aware of those proposals and making all reasonable efforts to ensure that our proposal was coherent knowing of course with those other proposals.

Knowing of course that if it was substantially incoherent there was and of course technically still remains the risk that the ICG will simply return the proposal to one or the other two communities and seek modifications or changes such that they can be reconciled. Yeah and thank you James for putting me correct in language and recognizing that. That may be better terminology as direct customers, but frankly, it is probably direct and naming customers.

In any event, the point I was going to make was also to highlight the orange dotted line or the dotted line that goes right around the right hand portion of the model here, which highlights the - and it is dotted because it is not the work of this group per se, but it is work that this group relies on directly as has been referenced before. And that is the accountability mechanisms to be put in

place by the Cross Community Working Group on accountability and on which this group will rely.

So I think I have covered the main points I would like to cover on that model. I am checking the chat for comments. Okay, if we could move on then to Slide 9 please. So Slide 9 starts to look forward from here with a little bit of detail on where we have come from.

I have talked all about the left hand portion of the slide, the design teams, the legal input, the draft proposal, and all of the work that has been done to date, and bringing us up to the 22nd of April where the start of the public comment period began. And in this case, it suggests - actually, the slide looks like there is a minor error there. It was originally envisaged to go out on the 20th of April for 30 days.

In fact, it came out on the 22nd of April and the public comment period is 28 days. The 24th of April is highlighted, which is where we are now. The briefing - the Webinar briefings and heading up to the closing of public comments on the 20th of May.

And you can see that where that takes us is out towards a close of public comment on the 20th of May and then an approximately eight-day period where we have some hard work to be done where we pull together the public comments and bring that all together in a high intensity weekend where we will try and process, integrate, and absorb those comments so we can then deliver. And then around ten days after that, a final proposal sufficiently far ahead of the Buenos Aires ICANN meeting, ICANN 53 in June.

Such that if they deem fit, the chartering organizations will be - have had sufficient time to both consider the proposal and potentially approve the

proposal during the Buenos Aires meeting for submission to the ICG to be reconciled then with the other proposals from the numbers and protocols communities and ultimately to be then transmitted as a single proposal through the ICANN board to the NTIA.

So I think that concludes the slides that I wanted to actually talk to. It is important to acknowledge at this point that this is all about an intense and exhausting piece of work frankly to get us to a point where we were able to get something out for public comment. We would like obviously through these Webinars and significantly through the public comment period to encourage as much as possible critical and constructive engagement with the proposal. And in the interim, we will continue our work and in particular working on Section 4, which is the implications of this proposal and Section 5, the fulfillment of NTIA's requirements in addition to ironing out any wrinkles that exist in Section 3.

So we plan to work in parallel with the public comments, in particular Sections 4 and 5 of the (ultimate) proposal where dependent on Section 3. And therefore, in this version of the proposal in outline form only at this point. And we will continue to work closely with the CCWG and coordinate with the work they are doing.

I want to highlight that we have developed a template type format for submission of public comment. We would strongly encourage and do if possible use that template style format. There is a reason for that in that it will structure the comments in a similar way and mean that we will be best able to process those comments and manage them alongside one another.

And there is certainly no obligation to complete all of the sections. If commenters want to respond only to on in particular, one or more particular

parts of the proposal, you are welcome to do that and there is also scope for free form input. But in general, we very much appreciate if at all possible if comments could be submitted in that structured way according to the template we have provided. And there is further detail on that in the chat on the left hand side.

So I think that concludes the sort of prepared content if you like. These are schematic slides that have been - we've got some professional assistance with preparing. I hope you will find it useful both in terms of evaluating the proposal at a high level and the work that has gone into it, and that these can be distributed more widely as an aid memoire. And with that, I will welcome any questions.

Perhaps I should go back, look in the chat, and just make sure that questions there have been covered. Just bear with me a moment and I will look there, but feel free to raise your hand in the Adobe Connect room if you have additional questions.

~~(Grace)~~Grace: ~~(Jonathan)~~Jonathan, this is ~~(Grace)~~Grace. I have two questions from the chat that I can read to you if you would like. Okay, so the first one.

~~(Jonathan)~~Jonathan Robinson: That is helpful. Go ahead and...

~~(Grace)~~Grace: Thank you. The first one is from ~~(Amerit Sutter)~~Amr Elsadr. The question is as accountability mechanisms being developed by the CCWG accountability are being relied on, which the ICANN board needs to approve, is the CCWG considering independent accountability mechanisms in the event that the CCWG recommendations are not for one reason or another adopted?

~~(Jonathan)~~Jonathan Robinson: That's a good question. Probably the one word answer is no, but it is not as simple as that. One of the things we have been conscious of and thinking about for some time is how to lock in this dependence. And I think we envisage that our proposal really only stands properly on its own two feet if certain of these accountability mechanisms are put in place. Therefore, we would expect to make our proposal contingent and dependent on one or more of those accountability mechanisms to put in place. And in fact, we have spoken with the legal advisors about how best to structure that dependency and conditionality if you like.

So whilst we haven't sought to remedy the problem that ~~(Amerit)~~Amr highlights or the issue that ~~(Amerit)~~Amr highlights through the development of independent accountability mechanisms, our resolution to that issue is to ensure a conditionality and dependence that is accurately described and clearly articulated. And whilst it can't be contractual per se, I think in effect we can build in that conditionality such that it is clear that the validity of our proposal is dependent on certain key accountability measures being in place.

~~(Grace)~~Grace: Thanks ~~(Jonathan)~~Jonathan. And so, we have another question from ~~(Andres Hector)~~. The question is the CSC seems mainly to conduct monitoring to react to (closed talk), so how is oversight conducted?

~~(Jonathan)~~Jonathan Robinson: That's an interesting question. I think to some extent, I guess it depends on what you mean by oversight. But certainly in terms of performance of the functions, the customer will continue to rely on that. The CSC will aggregate that performance and ensure that it is adequate and consistent with whatever service level expectations and agreements have been set.

To the extent that there is a systemic or systematic breach of such conditions, the CSC has the opportunity to escalate those issues. In addition, there is the prospect of the IANA function review kicking in in the three ways I described. After two years, after five years, and under circumstances of concern on a special case.

The post transition IANA is also a subsidiary of ICANN and it is ICANN's responsibility to ensure that this subsidiary and all of its obligations are operationally reliable and you know ICANN itself ultimately has the oversight of the board, and then the CCWG on accountability is bringing in the new accountability mechanisms by which the board is accountable for - and ICANN are accountable to the community.

So that feels to me like there are multiple layers of oversight both in terms of functional performance and governance that could be met through those different routes.

~~(Grace)~~Grace: Thank you ~~(Jonathan)~~Jonathan.

~~(Jonathan)~~Jonathan Robinson: Stefan your hand is up in the - I will turn to ~~Stefan~~Staffan now for a question or comment.

~~Stefan~~Staffan Johnson: Thank you ~~(Jonathan)~~Jonathan, this is ~~Stefan~~Staffan Johnson. Yes, in taking from this proposal, there was a lot of consideration about a more narrow dimension of overview of the IANA functions and it was quite a consensus of having a very narrow definition of what was the Customer Standing Committee and that is technical overview and the direct operations, and the overview of direct operations and the IANA functions.



As mentioned in the chat, there is a more wide definition of policy as well as mentioned by example by (unintelligible) and that indicates other forms of policy like freedom of expression or intellectual property right dimensions. And the group that took out this proposal actually wanted to make a difference between these two dimensions of policy because of the narrow definition of the overview of IANA functions is a very technical one and should so be because it gives flexibility whereas the more participants being in the group, the more complicated it becomes.

So technical oversight can be very - can have a very short timeframe whereas more general policy matters will need a longer timeframe, and that is why it is a differentiation between the two kinds of policy. There is also a IANA function review mechanism in this picture, the green one, that - so there is a time aspect when we are talking about overview as well from the short term to the long term.

What is not seen in this picture is that it is actually even more detailed and the possibility to complain about the IANA functions are elaborate to a substantial degree compared to this picture, so this picture only is a simplification. There are several steps for remedial actions and escalation if something goes wrong. So in essence, these steps are elaborate. Thank you.

~~(Jonathan):~~ Jonathan Robinson: Thank you ~~Stefan-Staffan~~ for your help and I think you probably said at the beginning that in case you didn't - you were I think a co-lead of the design team working on the CSC. Were there any other questions or comments that anyone would like to ask? I hope I have given you an overview of the work and there is the proposal I should say, which I have not, is available in both, with and without (annexes) form. To some extent, it is necessary to read the annexes, but we've prepared it without the annexes so it was in a shorter form and directly comparable with the other proposal that had

been prepared again to assist the community at large, the IPG and their synthesis and preparation of the coherent proposal.

I think we were cognizant in this area that we were later in submitting our proposal quite evidently and the other communities. We felt that the time we took was necessary to deal with the complexities and issues that we had to, but we also felt incumbent on us as a group to prepare our proposal in a format that was as readily reconcilable as it could be with the others. So that was our contribution to if you like making up for time or assisting the broader community in getting something coherent in as fast a time scale as reasonable.

I think what we will do now is just for a couple of minutes. We are technically schedule to run for 90 minutes, but that was really a placeholder in case we needed it. I think it might be worth just putting up for a minute or two the public comment form and we can just show you that so that it has been by everyone. And if there aren't further questions after that, we will draw things to a close.

But here you see the format of the template provided to you for use in the public comment and you will see it in the form of a template form to be filled in. And as you work through it, you identify yourself and indicate - there is an option to provide general comments. But as you walk through the document and I believe independent scrolling is available as (unintelligible) in the chat, so you can simply scroll through it at your leisure. But you will see it goes through section by section and matches the proposal so that we hope this will provide you with a helpful tool to - if you have a particular focus on one or more areas of the proposal, it allows you to respond specifically to those areas and allows us to then process those comments in a structured way.

So I think that the is the main point highlighted. It mirrors the structure of the document, which of course itself mirrors the structure of the request for proposals from the ICG, and indeed the other communities' proposals alongside the naming community proposal have also been prepared in a similar format.

So I think that sets us up I hope well for hearing public comments. We haven't at this point planned to have additional Webinars, but it is possible that we will hold one or more additional Webinars midway through the public comment period by a third of the Q&A session. I realize this is a substantial document, and for some people, substantial new information, but I look forward to you know on behalf of the CWG and my co-chair you having the opportunity to go through the work that we have prepared.

I hope we have both reduced the complexity and enhanced the detail as was requested of us at the previous public comments, and in general, that we have been as responsive as we reasonably could be while still taking the input from members of the group and taking the direction.

So thank you very much for your attention on this Webinar today. It is great to have the attendance we have had and we very much look forward to receiving your input, comments, and support by the public comment period.

I think with that ~~(Grace)~~Grace, we will bring the Webinar to an end and we can probably stop the recording. Thanks very much again and thanks to ICANN staff for all of their help in getting us to this point.

END