

WOLF LUDWIG:

Okay. As it's five minutes passed, almost six minutes is over, and I don't know whether some more members will join. Welcome to the few of you, and as we discussed and decided at our last monthly call in April, it was this special briefing call that chased it, because three of our members that are closely involved in the working groups, and the discussions, and therefore we send a Doodle to find a suitable date for this special call.

And we finally found out that today, Monday, 18<sup>th</sup> May maybe the most suitable option. So let me welcome you to this call. I think it doesn't need a long introduction. We have so far, two presenters here. We have Olivier, we have Sébastien. And perhaps Jean-Jacques Subrenat will join during the call later, so he will be the third presenter.

I do not want to spend too much of the time for our presentation, and I would like to ask Olivier to start with his part. Olivier, you have the floor.

OLIVIER CRÉPIN-LEBLOND:

Thank you very much Wolf. I'm Olivier Crépin-Leblond. And I'm the Chair of the IANA issues working group that somehow is channeling all of the input from At-Large into the, primarily the cross community working group on stewardship transition, on IANA stewardship transition. But also, I get, by association, working with colleagues León Sanchez and Alan Greenberg, who are themselves helping out, or working on the cross community working group on accountability.

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I kind of work with them. And we're basically treating both as these working groups, cross community working groups in parallel with each other. Just one word about nomenclature. We refer to the CWG as the cross community working group. When we say CWG, it's the stewardship transition of the IANA function. When we say CCWG, that means also the cross community working group, would you believe it, but that's on ICANN accountability.

And you might hear me refer to CWG or CCWG and you'll know which one of the two working groups we are looking at. So, I have a set of slides here which are, there are 10 slides. We're not going to go through all of them. The slide deck is downloadable, I believe, from the agenda page.

And the reason for this is because it would take way too much time to go through all of this presentation, and for Sébastien Bachoulett to go through the accountability presentation as well. So what I'll do is to just concentrate on a number of slides, a small subset of slides, and then hopefully we can generate some dialogue and discussion here, because the primary reason for this call is to not only have you learn about this process, but also bring in your input.

It's really important. This is the time now, because we are right in the middle, in fact, reaching the end very soon, of the public commenting, public consultation for the CWG stewardship. As far as the CCWG accountability, there will be a little bit more time to build a statement in the forthcoming few weeks. So first, well, what's the process by which we reach the position we have today?

And I thought I would quickly touch in on this. The NTIA, the national communication infrastructure administration, has announced that they were going to relinquish their stewardship of the IANA function about a year ago. And actually probably just over a year ago. And the reason for this, or the stewardship is effectively just to make sure that as one says it in the US, the trains run on time.

Just a case of making sure that the work of IANA is taking place according to the rules that have been set for the IANA operations. IANA, actually, has three types of operation. They have, they deal with three different processes. The first one is about protocols. So this computers all talking to each other on the net, need to actually use the same protocols. And that's primarily worked on in the Internet Engineering Taskforce.

The second set of work is the coordination of the IP addresses. That's the numbers, which every single computer on the Internet require in order to function. But of course, as you know, it's very difficult for humans to remember numbers, so we therefore also have names, and the dynamic naming system which translates the names into functions. And that's the third thing.

There needs to be a root, a principle of database, in which all of the top level domains, whether they are generic top level domains, such as dot com, dot net, dot org, but also country code top level domains, like dot CH, dot UK, dot FR, dot DE. All of these need to be coordinated, and they need to be updated in a world wide database, that's the root database.

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And so the IANA actually performs these three functions, understanding that these are three functions that deal with different communities. The numbers, for example, work would be regional Internet registries. You're looking at one registry per region. The names, of course, are dealt with, primarily policy wise by ICANN. And the protocols by the Internet Engineering Taskforce.

There needed to be a coordination of the three proposals from those three communities. And that's how the ICG, the IANA coordination group, was created. And on this diagram, you'll see the ICG that is here, and hopefully if Jean-Jacques Subrenat makes it to the call, he will be able to speak to you about this.

The ICG then sends a request to the three different communities. And each community created a working group, or set of working groups for some. And each working group decided to start work and to produce a part of the report that would be integrated back afterwards, by the ICG, and will produce an overall proposal with the component parts of each one of the communities.

We, as in ICANN, are particularly interested in the CWG stewardship, because we deal with the names part of the proposal. And there is a linkage in ICANN between the CWG stewardship, and this is where we have CWG and CCWG, a parallel process that is a cross community working group on enhancing ICANN accountability. Because some of the work of the CWG requires recommendations to be implemented that will come from the CCWG, and this is where you find the linkage between the CWG and the CCWG.

The way that the proposal will be sent to NTIA, it will go via the ICANN Board. The ICANN Board will not make any amendments to this. It is just as there as a channel, since NTIA has asked ICANN to be the overall shepherd, I guess is the word, for the whole process, to produce a proposal. The determining factor, though, is that the NTIA needs to receive, the national telecommunication instructor administrator, needs to be receive that proposal, and have something that can already go into implementation by the end of September this year.

So we're looking at very, very tight deadlines. So the goal and scope of the CCWG, while you can see. The goal was to produce a consolidated transition proposal for the elements of the IANA function relating to the domain name system, and the scope of it is really down to various parts. The NTIA statement of work has several component parts, and they're all numbered. And so we're looking at part number two to nine, and part number 11.

But I guess we don't have that in front of us, so that doesn't mean that much to us. Let's go to the next slide and see where we were and where we are going. There were a lot of members and participants that have worked, ever since mid-July. This started first creating a charter, and then they met in Frankfurt and in fact, had a number of, quite a few conference calls, and came out with a first proposal which you might have heard of, that was released around end of November last year.

There was a public comment that was open, public consultation that was open during the month of December, and there was quite a lot of push back for several of the parts of the proposal at the time, and

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therefore the working group had to basically somehow start again, and start cutting part of the work into small subset groups, that worked all the way until ICANN 52. That's the meeting that we all had, well that the group had, in Singapore.

It was then also quite noticeable that work was running rather slowly, and therefore design teams, small design teams dealing with bite sized chunks of work, were created. And you'll see a list later on, we won't go it into any depth into them. But the design teams basically looked at all of the parts of the proposal that needed to be changed, and also parts of the proposal that were missing, to have a full answer, full proposal, for the NTIA.

So that's where we went. There was, at some point, we met in Istanbul, and it was quite clear that some significant parts of the proposal included questions of a legal nature. And we're dealing here with primarily company and corporate law, both in United States and elsewhere, and so a legal team was set up with legal advice partner, I guess you could call them, that came in and that provided a lot of answers to the questions that we all had.

Questions like, if we create another company, what sort of structure should we make that company have? If we have an unincorporated group, where does the liability go as far as the group is concerned? Are people individually liable? Lots and lots of questions that we're asking. You can see the group was particularly eloquent with so many emails sent.

So the proposal development, well we're going to go through this very quickly, just looking at the design team work. We worked with the legal input and we produced now a second proposal, which is quite different, I would say, from the first proposal. It took a lot of input from the first proposal, and amended it because of the comments that were placed in the first public comment.

We also had a lot more people being involved in building the second proposal. And what I do have to say though is that although it might well be that this is not absolutely perfect as far as At-Large is concerned, this is the best that we have been able to get so far. That there might be a few points which we need to absolutely push. And one of the things is the multistakeholder component of all of the processes that take place.

As I said, there is a linkage between the CWG stewardship and the CCWG accountability. We're not going to go deeply into that. What's important is that the two are somehow linked together, because some of the processes in the CWG stewardship, rely on a more accountable ICANN. For example, the ICANN budget. There are several proposals, several parts in there, in the proposal, where the CWG stewardship supports a budget veto tool, where the community would have the option to reject an ICANN budget and send it back for consideration, and further consideration and revision, if there was an absolute problem with it.

And this is really all to make ICANN more accountable to the community. In fact, there are several community requirement

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mechanisms which have been added. One of them is the ability to review ICANN Board decisions. The moment the review process is such that a review process would only look at the process by which the Board has reached a decision, but it doesn't actually look at the decision itself, so it's impossible to appeal the decision of the Board.

And if the CWG stewardship is going to trust the ICANN Board to do the right thing, it needs to be able to go through something, to have the ability to ask for reconsideration. There is an ability to approve or reject a Board decision. As far as the IANA function review is concerned itself, not the rest of ICANN, and I think Sébastien will probably be able to speak to you a little bit more about this.

There is also a set of review and redress mechanisms. Everything in ICANN works with the review process, where every certain number of years, an attendant company, or organization, or consultant, looks at the component part of the organization, and basically tries to see where there is something that could be improved. And it also asks community members, conducts interviews, etc.

So we had to design a review process for this proposal. And then there is also an appeal mechanism. I did mention to you the appeal mechanism, but it's part of the community empowerment mechanism, but there is also an appeal mechanism, as far as country codes, top level domains are concerned. This one is left to the country code top level domains to decide for themselves, because country codes, top level domains, deal with sovereign issues, and sometimes it's political when



there is a private organization, or an individual currently running the country code, and a government might wish to run it instead, etc.

Something that we're leaving to the ccNSO to deal with. These were the different design teams that worked on the different component parts. Not going to go through all of these. But at the time when this was done, this was the 14<sup>th</sup> of April, quite a distance from the time of completion, rest assured that now the majority, the great majority of these design teams have completed their work.

This is the core discussion points that I'd like to focus on today. Today, the way that the NTIA stewardship runs, as far as IANA function is concerned, well the IANA functions operator is actually ICANN. And the NTIA has a contract with ICANN for the IANA function, and you can see the little flip in the corner of ICANN. IANA is part of ICANN, it's a small department of about nine people. So, and we're looking at ICANN having several hundreds of employees.

But here, nine people perform very simple functions of updating databases according to the rules and according to requests which were made. The contract is one thing that NTIA has, and the oversight is the second thing. And of course, if the NTIA doesn't like or doesn't approve the process that IANA is able to enforce, redress, and so on, thanks to the contract that it has with ICANN.

Now, with NTIA leaving and giving up this power of oversight and also, of course, contract with ICANN as far as the IANA contract is concerned, we had to think of something to replace this. Do you replace it with

another organization that takes the place of NTIA? That was, in fact, the first proposal. And there were real problems with that, because of the fact that if you have another organization that takes the place of NTIA, and then deals with the stewardship, then how do you make that other organization accountable?

It's very difficult. You would have to build a whole level of accountability mechanisms, especially who would control that other organization. And if that organization was a standalone organization, then what happens if it got sued? Would it then collapse under, as far as financially, and then at that point, does that mean that IANA operate without a contract and without stewardship whatsoever.

It definitely was an option that was put to the side. The process, or the whole system that was proposed now, is actually one where ICANN remains the operator, and in fact, what happens is that there is a post-transition IANA, PTI, that is created, that becomes a wholly owned subsidiary of ICANN. It has its own Board, and you can see here, there is the ICANN Board as well.

That allows, because it's a subsidiary, it allows for a contract to happen between ICANN and post-transition IANA, but at the same time, because post-transition IANA is a subsidiary of ICANN, it is afforded with some of the... Well, first thing is afforded maybe with some of the accountability processes that ICANN has. And secondly, it also has somehow financial and legal depiction from being sued, because effectively, ICANN is the sole shareholder, if you want, of post-transition IANA.

There is on the slide, let's talk about the IANA functions review, the review process. So there is an IANA functions review team, IFR, and you can see it here. That's not a standalone committee. It's one that is actually created when the function needs to be reviewed. Originally, it would convene after two years of post-transition IANA operation, and afterwards the suggestion is that it would convene every five years.

It can also be called upon if there is a problem with the operations of IANA. Instead of having the NTIA monitoring day to day operations and making sure that things are done correctly, a customer standing committee, which I'm pointing to now, CSC, someone played around with this. Okay. This is not helping.

Okay, I don't know who is playing with the slides, but we're back at CWG stewardship. Sorry about this, but not helping at all. Let's go back. I'm sorry about that. I gather the screen is scrolling for all of you. Right. Let's try and go back here. Let's try and put it a 100%, if we can. Can you see well? Is it okay, the view?

WOLF LUDWIG: Yes, it looks okay.

OLIVIER CRÉPIN-LEBLOND: It looks okay, okay. So let's try it again. I'm hoping that no one scrolls this time. So the CSC, the customer standing committee, is supposed to be composed primarily of registries and registrars. So these are the

direct customers of IANA. There are the ones who send the updates to the post-transition IANA, for the database to be updated.

That committee will only look at the operational aspects of IANA. So every month, IANA is writing a report on how the operations went, how quickly updates were done, you know, I don't know. When an update is, update request is received, it's acted upon within 10 minutes, and the update is performed within an hour.

I'm just plugging ideas here as far as numbers are concerned. But it basically gives you actual subject, what am I saying? Service level, service levels. As far as NTIA was concerned, because there was a contract, there was a service level agreement that was in place with IANA. Here there would be some service level expectations, which are pretty much similar to the service level agreement, that they would be expectations, and if the operation of IANA falls outside those, then there is a whole escalation process to try and resolve the issue.

And the resolving of the issue would effectively be that, first a CSC would be discussing things with the post-transition IANA staff to try and see what went wrong, why did the update not get done in time. Try to resolve this. And it would escalate all the way up to, at the end, a process by which it's really, post-transition IANA does not perform any more, and things are an absolute mess, then they could be an actual separation of post-transition IANA, and the function would be taking away from NTIA, and therefore the legal separation, if we want the contract, would be cut.

The IANA functions review team would be then, this is the current state of the proposal, would then be proposing that we would have requests for proposals, for other organizations to run the IANA function. And we'd then go through a process of selecting the new operator for this. It's important to note that this really comes as a last resort. And I think many have called it the nuclear option. It really is, we're talking here about another escalation that has several levels, and unfortunately, we don't have an example, a diagram for this, but it would, at some point, go through the GNSO and the ccNSO.

At the moment, the generic names supporting organization and the country code name supporting organization. And then it would go also to the ICANN community. That part is still a little but unclear, because we're still working on the escalation process, and I'll mention to you in a moment why this is particularly important.

So that's the way it works. You can see here, customers are, what we see on this, customers, these are really the country code top level domain registries, the generic name domain registries, and also, there are some registries that are not part of the ccNSO, that are completely independent. The whole process is shepherded by these accountability mechanisms from the CCWG accountability.

So the ICANN Board, for example, if instructed by the community, to stop its contract with post-transition IANA and to finish that contract, would have to actually do what the community asks it to do. That's one of the points of the, one of the mechanisms of the CCWG accountability.

So we'll come back to this. I'm sure there might be questions on that. I'll quickly go through the last slide on this.

The last slide is where we are now and what we're doing next. The public comment is nearly finishing. We have two more days until the 20<sup>th</sup> of May, to build a statement by the ALAC, to comment on those processes, and on the proposal. And then it will go through a quick review of this in the working group. There might be some amendments made.

And then after that, in early June, on the 8<sup>th</sup> of June, the names proposal will be delivered to ICANN supporting organizations and advisory committee, and the ALAC is included in this, and we will then have to vote on this. We have a total of 17 days to make up our mind. We as in our community, has a total of 17 days to make up our mind on whether we want to vote and say, "Yes, we ratify this report." Or, "No, we don't."

Bearing in mind, it would be a very serious thing if the ALAC did not ratify the proposal. And it's interesting because there is no actual, there doesn't appear to be any arrow in here, if we actually end up to say, "No, we're not ratifying it." I have no idea what happens then. I don't think anyone else does. This is why the working group will be, the cross community working group will be very attentive to the points made by the ALAC during the current public comment.

After that, the names proposal will be delivered to the ICG, the ICG will have a few weeks, perhaps a month or so, to then put the proposals

together, and that will then go via the ICANN Board to the NTIA. But that's where we are now, and I think that's the last, yeah, that's the last slide that I have. I'll come back onto the internal accountability model and answer any questions on this.

What I wanted to add right now is the current... Sorry for the background. The current, really hot points, at the point, are as follows. First, the CSC. As I told you, it's primarily made up of registrar and registry. It would conduct its work in a very open fashion. So all of the meetings, and so on, would be all open, and obviously take input from other communities.

But that CSC is controlled by the registries. The IFR is still unknown as far as its composition is concerned. Some, and I just read it today, the discussions are still taking place at the moment as we speak. Some, registries, the contracted parties, are pushing that there should be a strong component of direct customers, as far as the IANA functions review is concerned. Remember that it's the IANA functions review that could issue the trigger for a separation, although it is still unclear at the moment whether this would need to be ratified by all of the ICANN supporting organizations and advisory committees.

But the decision to push forward for a separation, or to say the work of post-transition of IANA at the moment is substandard, that would rest in the IANA functions review. And so there are concerns in our community that if this is primarily controlled by registries, that provides a very strong lever for other processes in ICANN, because one could say,

“Well, we’re going to take that function away from you, if you don’t do something else that we want you to do.”

It becomes a very political position. The view of the members of the working group from the At-Large community is that there should be a multistakeholder component on this, and that the functions, whilst having direct customers as being registries, if one proceeds down the road of actually separating IANA, the IANA function, the post-transition IANA, and allocating the functions to a new organization, that will actually affect everyone. It will affect everyone around the world, and so we’re saying that this should be a multistakeholder, there should be a very strong multistakeholder component on this.

There are also discussions as to the makeup of the post-transition IANA Board, because you can see here, the Board could be the Board of ICANN, or it could be a Board made up, and it would be a very small Board, made up of employees of ICANN. Maybe the CEO, maybe the few people who are involved with the IANA operations. That’s a big question mark on that.

And that Board could therefore just have no power whatsoever, no specific power, but just to be the Board of IANA. And just having the power for daily operations, basically, hiring and firing of staff, this sort of thing. But definitely not no political powers as such. Or we could make the post transition IANA Board, an actual multistakeholder Board. So that would be a much larger Board. As I said, it could be the ICANN Board, that’s a multistakeholder board, or it could be a committee that



would be created, and that would act as the board of post-transition IANA.

Another solution would be to have also something that's not shown on there, but an actual other committee, like a working group, or a standing committee of different members of ICANN supporting organizations and advisory committees, that would be effectively giving the final green light over the whole process, as a whole. So you can see, there is still quite a few open doors at the moment, and we're only a couple of days away from the end of this public comment.

And the idea of the cross community working group, the CWG stewardship, was that because we haven't reached consensus on these points, we would hope that the community would help us come up with some really significant reasons for going in one direction or another.

And that's the presentation for CWG stewardship.

WOLF LUDWIG:

Okay. Thanks a lot Olivier. Are there any immediate questions from the participant side? Questions of clarification? If this is not the case, I would like to give the floor to Sébastien, who is the next in our roll. And Sébastien is a member of the CCWG, on enhancing ICANN's accountability. Sébastien, you have the floor please.

SÉBASTIEN BACHOLLET: Thank you very much Wolf. Sébastien Bachollet speaking. As I told you, I have a very terrible Internet connection, and I don't know what's happening in the AC room. But I hope my presentation of the CCWG accountability will be shown in the Adobe Connect room. That I will be able to speak and somebody will run the show, and I will just speak.

I, but at the same time, I would like... My goal for this discussion [inaudible]... And a lot of things that I would have said, was already said by Olivier, and I will not repeat him. If you go to page [inaudible] side bar we made [inaudible]...

On page two, what is important, it's the goal, the goal of this CCWG and accountability, it's to deliver a proposal that would announce ICANN accountability, we are all stakeholders. And for me, it's a very important sentence to say, accountability towards all stakeholders.

There are two streams, work stream one is to be ready or engaged before the IANA transition. And the second is to be decided before, but to discuss and implement, and just implemented but also detailed, [multiple?] discussion on the other subjects, would be work stream two. Because we can't do everything in the timeframe, before September this year.

If you go to page four, you have four building blocks. One is to [on board?] our community. Olivier talked about that. You have helped to [inaudible] ICANN Board more, more [inaudible] of the community. You have the principle form of the mission. That means, why don't the

bylaw, more important, and I will come back on that in a few more minutes.

And a real [inaudible] mechanisms that could be triggered by organizations, internal or outside, [inaudible]. And it's not just on the, a process but also on the content. That could [inaudible] there is fundamental bylaws, work done to [inaudible] those who will be not [inaudible] for change by the Board alone. It will need the [implement] of the community.

And part of this bylaw, [inaudible] integrates points from the affirmation of commitments. And that will become the fundamental bylaws, and you have the rest of the bylaws they would be, I would say, like today as how we can be [inaudible] or changed.

Okay. I will go [inaudible] of the community. You have already [inaudible], and I really wished to have gone [inaudible] as Olivier, myself, and Jean-Jacques [inaudible]. I ask the panel, I will not go into detail, I already told you what it must be. Decisions that are binding allows for [inaudible] and [inaudible] compliance, more accessible, a lower cost, and the idea is to have a standing panel of seven people who are ready to act and not [inaudible] today if they are to build a new panel, then you have in the [review] process.

Then let's leave, sorry. [Inaudible] whatever was talking about, was on page 15. And I would like to, you to go on page 20 when I spoke to you about the affirmation of commitment with you. They needed to be

included into bylaws, and done even if we have no more agreement with the US Department of Commerce.

It will be become an ICANN, let's say, as the actual review, it will [inaudible] reviews. And then another work was to done to have [inaudible] of that, and [inaudible]... That's on page 21. And Olivier talked to you about the difference between CWG stewardship and CCWG accountability. I will stop here, not [inaudible]... I really would like to have enough time to ask questions, and [inaudible] from you about [inaudible]. Thank you very much, and if you have question... Back to you Wolf.

WOLF LUDWIG:

Okay. Thanks a lot Sébastien. Unfortunately, your line was very bad. So it was very difficult to follow you. But thanks for your elaboration and slides. And if there are immediate questions, comments, from participant side... I see one hand raised by Olivier and half a hand by Jean-Jacques. Olivier, you have the floor.

OLIVIER CRÉPIN-LEBLOND:

Thank you very much Wolf. It's Olivier Crépin-Leblond speaking. I was just going to ask Sébastien on two things. One, it seemed the thing of a golden bylaw being created. If you could just explain, what are these golden bylaws? And secondly, well, the stress test, I think you have spoken about, but it is important to know that the stress tests are specifically for the IANA stewardship transition proposal, because the

NTIA has asked that any solution that is proposed is subjected to a report that does the stress test.

And the stress test, I guess, is just the scenario saying, “Well, how will our new processes cope with such and such a situation?” For example, with ICANN going bankrupt; or with, you know, IANA, the IANA function being corrupted to the core, or things like that. On the golden bylaws, could you just expand on this please?

SÉBASTIEN BACHOLLET: Yes. First I would like to thank you Olivier... It’s Sébastien Bachollet. Is it better, the sound now?

WOLF LUDWIG: Yeah.

SÉBASTIEN BACHOLLET: I’m sorry. Okay. I hear the golden bylaw was really referring to the same thing on what we have called, what I talked to you about the bylaw will be fundamental. Fundamental bylaws and golden bylaws are the same. It was depending on the moment we talked about that was, we change the name. And I just take this opportunity to tell you, during the time I was Board member, I asked repeatedly during the four years, to have a separation between what is called now fundamental bylaws, what is important for all of the organization, and things that are just dealing with each one of the organization.

And that could be an operative bylaw and not in fundamental bylaws. It's something where we are going now, and I think it's very good because we will have really a street between what is important for the whole organization, and what it's just dealing [inaudible], that dealing with each of the SO ACs and how we are working and how it is organized.

About the stress test, I agree with you Olivier. It's really to show that what we are proposing, or what we will be proposing, both in the CWG and the CCWG, really feasible, workable, and implementable, and that's why we need those stress tests. Thank you.

WOLF LUDWIG: Okay. Thanks Sébastien for this elaboration and additional explanation. I just want to remind you that we have around 10 to 15 minutes left, and if there are no immediate questions, I would like to ask Jean-Jacques to [inaudible] contribution. Jean-Jacques, you have the floor please.

OLIVIER CRÉPIN-LEBLOND: Wolf, it's Olivier. Just to, I'm sorry to contradict you. I think we actually have more. This is a 90 minute call. So...

WOLF LUDWIG: Okay.

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OLIVIER CRÉPIN-LEBLOND: More than even half an hour. So that's great.

WOLF LUDWIG: Okay. I've overlooked this. If we have 90 minutes, then I think we have enough time, and Jean-Jacques, take your time.

JEAN-JACQUES SUBRENAT: Thank you Wolf. This is Jean-Jacques. So should I talk to the movie festival in the south of France? I could still make it in time.

I noticed that there are as members of staff and presenters, such as Olivier, Sébastien, myself, as there are people listening in on this chat. So that's one additional reason why I do not wish to make a through presentation. I will just to give a few points, which I think, are perhaps sometimes forgotten or maybe not as present in people's minds. And perhaps a few impressions.

So, I'll touch upon three things. The first, what the ICG is and how it works. And then I'll give a bit of background. And then finally, I will talk about expectations. So the first thing is about the ICG. I won't go into details because you have seen this several times, either through EURALO or through other channels.

So just three little things about the ICG. One is the remit. I would like to underline the fact that the remit is not for the ICG to invent, as it were, some sort of plan permitting transition from the oversight of the US government to another system procedure. Our task, actually ours because I'm a member of the ICG, meaning 30 people around the world,

our remit is actually to gather the views of the interested parties, and mainly, by the way, of the contracted parties which have contractual relations with the IANA body.

Right here I can open a parenthesis and say that at the beginning, there was quite a bit of ambiguity about who could contribute to the plan, and the initial position of those whose business, in the logical sense, whose business it is to work on the domain name system, meaning vendors, etc. was to say that they were the only people competent enough, and engaged enough, to have the right to submit any sort of advice or plan for the ICG.

We were a minority of members of the ICG to contest that, and it was finally agreed that there would be the contributions by the elements, you know, domain name people, numbers, etc. on the one hand. And on the other hand, they could be input from them. And that's where, with Olivier [inaudible] very much that this was a great opportunity, a singular opportunity for the At-Large community and for ALAC, to actually contribute input in a way that would be taking into account.

So, so much for the remit of the ICG. About the timeline. Initially it was thought that everything could fit very neatly into one year, roughly, the year 2015. Now there seems to be some uncertainty about that for two reasons. First one is that the operational communities, for instance, in this case the names community, has taken longer than initially provided for, to present its contribution.



The other reason, which runs counter to the first one, is that we are being reminded now, discretely, that it would be good if everything was terminated this year, and so very soon in a year, or a bit more than a year, there would be some other hefty changes in the domestic politics of the United States of America. And, as a consequence, there is a push on the part of some quarters, to have the whole thing finalized before a radical change, perhaps a majority, in the House and also the [inaudible].

So much for timeline. Now for process, you all know the process. Let me, allow me to just underline one little thing which I think is important. Early on there was a huge discussion about what the role of the ICANN Board, and indeed of the [inaudible] management, would be vis a vis the ICG proposal. And a certain number of us insisted very strongly on the fact that, of course as requested by the NTIA, the ICG would transmit its proposal to the NTIA through the ICANN Board.

But we wanted to make absolutely clear that the ICANN Board would not be permitted to modify in any way, or to change in any way, our proposal. It would simply forward our proposal, as is, to NTIA. If the ICANN Board had any comments or disagreement on that, then there would be two things to be done. On the first hand, prior to the transition, avenues of consultation should be opened and used in order to avoid any major difference of point of view, or to avoid misunderstanding.

And the second item is that if the ICANN Board really had a disagreement about the proposal, then it would continue to transmit

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our proposal, as is, but in its letter of transmission could then make known its own views and disagreement. I'm sorry I was a bit long in this last point, but I think it's very important because as a member of the ICG, I felt and [inaudible] this was the only way of ensuring that the ICG, as an independent body, independent from ICANN, would in fact propose a plan which was not necessarily condoned or reflecting the views of ICANN.

Now my second item of presentation was about background. Now I am expressing purely personal views, and not the views in any way of the ICG as a body. It has been said that the timing was really about the coming elections of the United States, etc. But I would venture to add an element, which is why did the NTIA declaration come out in April as it did, rather than April 2014, rather than at some other time? It could have been done five years ago, or it could have come five years from now.

And my view, which I have expressed in public also, is that among many other elements, one being of course, the perspective of the elections in the US, I have already mentioned that, but another the revelations by Edward Snowden, which created a reality, a strategic reality throughout the world, which could no longer be ignored. And as a matter of [inaudible] states authorities considered that it was the right moment to come out with that proposal.

I remark, by the way, that that also had, it seems, some influence of the getting together of the NetMundial initiative in Sao Paulo about a year ago. So that is background for what I see, but this is purely [inaudible]

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as one element of explanation in the background. My final element of presentation is about expectations. I would say that the whole exercise which the ICG has to undertake is truly important, and in fact, it represents a great potential for the future of the Internet and of ICANN.

Just recently, I think yesterday, Fadi Chehadé, the CEO of ICANN, posted a video which he made and which was about seven minutes long, and I recommend that you watch that. The way that he underlines the potential, and certainly the importance of this transition plan, which we are all prepared for now. And the last item I want to deal with under expectations is, once again, the timeline.

My own views of things is that we may go maybe one or two months late, but that overall the timeline which was announced earlier this year, will probably be respected, plus or minus a month or two. So it depends still on the input of the various communities, but it seems to be going in that direction. I'm prepared to answer your comments and questions. Thanks very much for your attention.

WOLF LUDWIG:

Okay. Thanks a lot Jean-Jacques for your presentation and for your explanation. Are there any questions from the participants, or comments? Comments are also welcome. I see that Christopher, have some comments in the chat. But you can also have the floor Christopher.

Can you hear me? Are you muted? I hear nothing from Christopher.

Yes, he is coming back to the Adobe Connect. Christopher, can you hear us now?

Are you muted? Hello?

I see no sign, and nothing in his [method] of responding in the chat. I don't know whether he has a problem with joining, because I got repeated indications. He is in the Adobe Connect, but... In between that, anybody of the presenters has a comment on Jean-Jacques, a question on Jean-Jacques?

Then let me ask a question. I have repeatedly heard by talking to people from different constituencies from the GAC, from ALAC, etc. that there is a very strong concern about the very narrow timeline. And I think to, I think being confronted with such a complexity of issues with such extensive documents, etc. I think a lot of people in the community who do not have the chance to do this in a professional context, maybe completely over demanded by the issues.

And therefore, my question would be, most probably only the usual suspects who have been already involved in the whole process over months may be able to comment and to contribute, while a lot of people are over demanded and may stay aside. This would be my question to the presenters. And I see that Mikhail also placed his hand, and I would like to give the floor to Mikhail as well.

Hello Mikhail, can you hear us?

Mikhail?

Perhaps you need to un-mute your microphone.

Hello?

JEAN-JACQUES SUBRENAT: In the mean time Wolf, would it be useful if I responded to your question?

WOLF LUDWIG: Yes, I would say until we made that Mikhail may be back and speak please start to respond to my question, yes.

JEAN-JACQUES SUBRENAT: Yes, thank you Wolf. This is Jean-Jacques. So your question was about the timeline. I cannot answer on behalf of the CWG or the CCWG, but as far as the ICG is concerned, I think one thing is very clear and has a direct effect on our attitude towards the timeline. We are dependent, entirely, upon the community input for our product. So we cannot accelerate, and certainly we don't want to slow down the process, because we cannot and we do not wish to construct or invent a plan on our own.

So we are completely dependent on the community input. And for that reason, my take regarding your timeline as of today, at least, is what I said a few minutes ago, which is it will take one or two months. I think that the overall timeline will be respected. Does that answer your question Wolf?

WOLF LUDWIG: It answers the question, but it doesn't really replace my concerns. At least from what I have heard and from the feedback I got from a lot of people and the community.

JEAN-JACQUES SUBRENAT: I understand, but you see the ICG position is that we cannot [CROSSTALK]... elaborate or construct a plan from the elements which are provided.

WOLF LUDWIG: Yes. Sébastien has raised his hand. Sébastien, you have the floor. And then Mikhail again, and Christopher, yes now they are coming, but Sébastien first.

SÉBASTIEN BACHOLLET: Give the floor to Mikhail and to Christopher. It's more important that we hear from...

WOLF LUDWIG: Okay, okay, fine. Okay, Mikhail, can you hear us now and can you speak? Please, you have the floor Mikhail.

I see he has changed his microphone, but we still cannot hear anything.

Can you hear us at least?

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Yes, he can hear us, but we cannot hear you. Maybe you write your question here. Or I can suggest to you Mikhail, if we cannot hear you, you may write your question in the chat or okay, he said he may change the computer. And until we wait for Mikhail, so I give the floor to Christopher.

CHRISTOPHER WILKINSON: Hello, good evening everybody, and thank you very much for the presentations and the information. My, I apologize for the problem of getting through to you, but as the staff know, there is a chronic problem with Adobe Connect and the settings block the microphone. This has happened over and over again, occasionally it has been corrected, but it's the case today.

Actually, I put my question into the chat. Jean-Jacques, I think I said as much in London during the open forum, but the ICG has a massive job in front of it, because we have proposals coming forward which I wouldn't say that they're just not compatible, but that there has been so little consultation and coordination between the CRISP group, and the IETF group, and the CWG group, that all the rationalization of these three proposals is on the ICG table, particularly since, and to some extent or another, as Olivier was explaining, each of these proposals involves a potential for separation, and it's separation from the IANA function from ICANN materializes, it is, in fact, seriously probable that in that scenario that you finish up with three or four IANAs.

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Because the kind of IANA, on a separate basis, that the CWG lobbyists are proposing is quite different from, what I understand, the RIRs of the IETF would like to do. So I foresee a certain incompatibility between the declared neutrality, almost passivity, of the ICG putting these proposals together and sending them off to the NTIA via the ICANN Board, on the one hand.

And on the other hand, the practical difficulty of rationalizing these proposals. As an individual member of ICG, I guess you can't foresee exactly how this is going to work out, but I'd be interested in your advice and your opinion. Thank you.

WOLF LUDWIG:

Okay. Thanks Christopher for this question and comments. I don't know whether Mikhail can now forward his question. As far as I have realized, he is now on a new computer, and I hope this works better. Mikhail?

Still can't hear him.

So let me suggest, Mikhail, can you please...? Yeah?

MIKHAIL MEDRISH:

Hello?

WOLF LUDWIG:

Yes, hello. I can hear you but very faint. Very fade away.

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MIKHAIL MEDRISH: I will try to move the slider. Is it better?

WOLF LUDWIG: It's much better. Go ahead.

MIKHAIL MEDRISH: Okay. Thank you so much. I have two questions. First of all, I have read in proposal, CWG proposal, such words, the NTIA has said that there will be a parallel but separate transition process yet to be defined, [inaudible] NTIA from root zone manager, maintainer, I mean VeriSign. I tried to find out the NTIA words where NTIA has said such words, and didn't find it.

Can you tell me where it is written, what document, maybe a new document from NTIA, who can say something about it?

WOLF LUDWIG: Okay. I guess your question is noted. And I have Jean-Jacques....

MIKHAIL MEDRISH: I have a second one.

WOLF LUDWIG: Okay, go ahead.

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MIKHAIL MEDRISH:                   Okay. I will try to launch the second question. The second question is about future IANA company, PTI, post-transition IANA. What jurisdiction will be? Under what registration, what country registration would feature the post-transition IANA will be working?

WOLF LUDWIG:                        Okay. I guess Olivier, Sébastien, and Jean-Jacques have noted your two questions. And I've seen in the chat that the Jean-Jacques wanted to directly respond to Christopher, so I give the floor first to Jean-Jacques, then to Sébastien, and afterwards to Olivier. Jean-Jacques, you have the floor.

JEAN-JACQUES SUBRENAT:        Thank you Wolf. This is Jean-Jacques speaking. Yes, Christopher, thank you for your comments. I'll answer on both points. The rationalization that the ICG could or could not achieve between the various elements, and the other point was your misgivings or your concerns for separation or not. On separate ability, I only have a personal point of view, there is no ICG position as far as I'm aware, simply because we have not finished receiving all of the input.

As for the rationalization, or use the term rationalization for which we can track coordination both calendar wise and content wise, between the various inputs. Your partially right, but at the same time, as you know, the ICG is made up of members who come from various

communities, including some of those you mentioned. So there is a very intense to and fro between the ICG members from those communities, and the communities of origin.

That's the first remark. It's not simply the ICG laying back and doing nothing. There is a lot of stuff going on but it is unofficial, it is making sure on the part of each of these members that his or her community is well informed, that there are no misunderstandings, and that the information flows both ways.

The second remark about rationalization is that, as I said, as I indicated earlier, that the ICG does not have the task, it has not been tasked with managing actually the input from those various communities. Of course we do it within the limits of our remit, which is to send messages to the various communities saying, "Look, we would appreciate you answering this or that question, or making sure of this or that."

But what we have done is two things. On the one hand, after receiving the letter from the administrator of the NTIA, which was sent by the way, not only to the ICG but to various actors, we did get in touch of course with the various proponents to hold their attention upon the time elements of all of this. And the other thing is that, on our own initiative, and our clear of the ICG, send a message to the chair of the Board of ICANN, to say that it is our understanding, and our requirement, in fact, that any discussion about process, or content, or methodology should be done in the open, in a transparent way.

This came up because there was a feeling that some parts of some communities were treating some timeline elements or content elements in an unofficial way on certain feeds, on certain chat feeds, etc. But not out in the open. And that this report was not in conformity with the requirement of accountability. So the chair of the Board of ICANN responded immediately to the [inaudible] that he had taken [inaudible] that he was communicating content of our remarks to the full Board immediately, and that he would get back to us as soon as possible.

So, that's about what I can say in response to your question or your remarks Christopher about rationalization between the various elements by ICG. I hope that answers your question. Thank you.

WOLF LUDWIG:

Okay. Thanks a lot Jean-Jacques. Next on my list to answer is Sébastien.

SÉBASTIEN BACHOLLET:

Thank you Wolf. I think we get interesting question, I'm not sure we're all the same point of view about the timing. We, it's too short for the work we have to do, but in the same time, we have to take into account broader picture, and just to remind you that granted [inaudible] in US, will whatever happen in the results of the US election next year, then as they are part of the equation, we need to take that into account.

Except that if we don't think it's a good idea to have the IANA stewardship transition to a multistakeholder project. And if we talk about multistakeholder, we have to really be careful that we are the only voice of end user within this organization or this proposal, and we are faced with very strong power from both the registry and the registrar, and maybe others. And then we need to have a strong voice. And I am not sure that thing, because the deal could be in this way, and if we don't accept the [inaudible] deal, we will not be able to have the transition.

It's good enough. It's not yet time to transition to give, sorry, not to transition. But it's not just time to put our flag in our pocket. It's time to really struggle for what we think is really good for end user. We will have time, after that, not during this, sorry, this comment period, but later on when we will have to put the voice of ALAC in front of the others when [inaudible], to say what we want.

And if we want to preserve the multistakeholder model, the only way it's to preserve ICANN and I know that the ICANN Board, the ICANN in general is not what we dreamed to have. For example, we are not an equal multistakeholder organization. We don't have two seats. But if we accept the seat, SC like it is proposed, a possible PTI Board with just providers, and the review team with just providers, we are losing because I just want to remind you that, all those people say they are paying for ICANN, but as you know, and we say it repeatedly, that we are paying as end user for ICANN.

And then they need to give us some more consideration than today. Now the last point, not last, but one of the points was that question about the place of incorporation. Here, also, we have to take into account the Congress in US, the Department of Commerce, personally I don't think it's the time to put everything on the basket. If not, we're unable to move things.

For the moment, this will stay in US. Okay, let's leave it in US. And next time, we will be able to [inaudible] is that the transition will not happen, and we will be able to change things. Last point now of the question, what about VeriSign contract? I don't know where it is written, but from my knowledge, it's something we need to be discussing. But do we need to change with running the database today?

It's like the prediction place. I don't think it's very, we are not ready to do that. It could be next that discussion also. I will stop here. I have plenty of other things to say, but I think it's important to have all the voice heard. And thank you very much again, thank you.

WOLF LUDWIG:

Okay. Thanks a lot. I think you raised a number of important points and aspects, Sébastien, for the broader picture, also about the potential role of the Congress, etc. And as you all know, this is not happening in fishbowl set up or in a narrow context, but there are a lot of political aspects which have to be taken into consideration.

Olivier's hand is raised, and I would like to give Olivier the floor before we sum up.

OLIVIER CRÉPIN-LEBLOND: Thank you very much Sébastien. Olivier Crépin-Leblond speaking. And one of the problems is coming last is that everything you wanted to say has been said. I was just going to summarize a couple of things on the jurisdiction. The working group actually did discuss jurisdiction issues, and wondering whether one should be locating the function or post-transition IANA, or whatever was going to be dealt in Europe. Not necessarily in Switzerland, but maybe also elsewhere.

But that idea was very quickly dismissed, as Sébastien mentioned. This is a very significant step for the United States to step forward and relinquish this stewardship, which really has actually a highly symbolic symbol to it. And a significant part of Congress still believe that the Internet is a US network, and it's just allowing other countries to use it. Without going deep into US politics, next year is an election year. There is likely to be a lot of noise made around the stewardship, on both sides of the political spectrum in the United States.

And it was made quite clear that obviously any proposal is going to have to go through Congress at some point. So suggesting an IANA that operates, or is located outside the United States today, might not be the wisest thing if we want that process to move forward. However, what might be good to say is that there could be a recommendation for the jurisdiction to be looked at in the future after X number of years.

On the topic of the actual contractor, VeriSign, currently performing the function, the company that renders the database itself. It was, the

question was asked of Larry Strickland, the Undersecretary for Congress NTIA, and the answer that was provided for this was a separate process that was going to be launched very imminently. A number of people have asked a question, why hasn't it been launched yet?

And unfortunately I don't have an answer for you. It might well be that the NTIA is waiting for the end of the current process, and then opening the book on VeriSign itself. One thing that is important to note is that the current contract, with the NTIA, stipulates that the contractor, the company running the database, needs to be US based. It's not clear whether this will be in the future as well.

There were some discussions in the CCWG that this should be included in the proposal that was pushed back. So that will definitely make a change on, as far as the contract is concerned. As I said, this process will start later. No doubt there will be a lot of discussion around that as well, especially in other forums outside of ICANN as well. Thank you.

WOLF LUDWIG:

Okay. Thanks Olivier for this additional comments. I think we almost reached our 90 minutes. And I see Christopher saying, "I shall follow up with Jean-Jacques by email." And I think it was a very good thing to have this special briefing call tonight, and even with only very few participants. Regarding any next steps, I can point you to the text that the IANA transition also plays an important role at the next EuroDIG at the beginning of June in Sophia.



And there will be a plenary on the second day, plenary four, who will deal with the issue as well, and we may get a lot of comments and inputs as well. And another next step, as far as I can see, is of course, the next ICANN meeting two weeks later in Buenos Aires. And I think the whole issue will be a key agenda item of the Buenos Aires meeting.

If there are no questions, no further questions and comments. Anymore? I would first of all like to thank the presenters: Olivier, Sébastien, and Jean-Jacques. And I guess this discussion will go on, and I would also like to thank the participants for joining us tonight and for your questions and inputs. Enjoy the rest of the evening and hope to have you on our next EURALO call, which will be postponed from tomorrow to the last Tuesday in May, because I cannot make it.

I have the Swiss IGF all day tomorrow, where Olivier will participate as well, but it's much appreciated and hope to have you on our next monthly call, end of May. Thanks a lot and good night. Bye-bye.

**[END OF TRANSCRIPTION]**