TERRI AGNEW:	Good morning, good afternoon, and good evening. Welcome to the At-Large Ad-hoc Working Group on IANA Transition and ICANN Accountability call on Tuesday the 11th of August, 2015, at 15:00 UTC.
	On the English channel, we have Tom Lowenhaupt, Cheryl Langdon-Orr, Mohamed El Bashir, Olivier Crepin-Leblond, Barrack Otieno, Jean-Jacques Subrenat, Seun Ojedeji, Alan Greenberg, Gordon Chillcott, Sebastien Bachollet, Eduardo Diaz, Leon Sanchez, Avri Doria, Loris Taylor, Tomohiro Fujisaki, and Tijani Ben Jemaa.
	On the Spanish channel, we have Carlos Vera Quintano and Alberto Soto.
	We have no apologies listed for today's call.
	From staff, we have Heidi Ullrich; and myself, Terri Agnew.
	Our Spanish interpreters today are Sabrina and Veronica.
	I would like to remind all participants to please state your name before speaking not only for transcription purposes, but also for our Spanish interpreters. Thank you very much, and back over to you, Olivier.
OLIVIER CRÉPIN-LEBLOND:	Thank you very much, Terri. Have we missed anyone in the roll call by any chance? I don't hear anyone shouting their name out. So what do we have today? We have a call with update from the ICG, an update also on the intellectual property issues that relate to the cross-community working group on IANA stewardship transition.

I guess the majority of the work today will be on the ICANN accountability – CCWG accountability with Alan and Leon specifically looking at the current public consultation that is in place. Are there any additions or amendments to the agenda? I don't see anyone putting their hand up, so the agenda is adopted.

The second agenda item is the review of our action items. The only action item was for a Doodle for this call. That's done, and therefore we are now on agenda item #3, the review of the IANA Coordination Group progress.

We all know that there is currently an ICG consultation that is on, and in order to provide us an update and with details, and perhaps even an insight on the consultation, we have Mohamed El Bashir on the line. Mohamed, you have the floor.

MOHAMED EL BASHIR: Thank you very much, Olivier. I will be brief. The focus of the ICG in the last week was on the webinar. The two webinars have been conducted and I think they were successful in terms of the number of attendees.

The CRISP. There is nothing in terms of substantial discussions about [inaudible] the process. I think the only issue currently maybe under discretion between the communities [inaudible] the IANA domain name and intellectual property, which is [inaudible] issue between the three proposals.

Since there's nothing much happening on the ICG, tomorrow's call has been cancelled. ICG is always monitoring the media for [inaudible]

about the transition and there is a communication group as well looking at, as I said, [inaudible] work.

But I can say there is no major substantial discussions in the mailing list, but I think the issue can [inaudible] intellectual property of the IANA trademark and domain name.

My knowledge and understanding is that there is currently discussion between the communities and the leadership of the three communities regarding this issue.

On our mailing list [inaudible], there was a discussion about one of the options that [inaudible] by the chartering organizations to be [inaudible] to the CWG.

That's all from my side. Maybe Jean-Jacques could have further [inaudible]. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you, Mohamed. Jean-Jacques Subrenat is next.

JEAN-JACQUES SUBRENAT: Thank you, Olivier. Hello. Two things. One is that the public comment period is open until the 8th of September, and for the time being, at least on the site which is dedicated to that, I haven't seen much going on.

There have been the two webinars on the 6th and 7th of August and that was quite successful, as Mohamed mentioned. I would point out one

thing which is that [inaudible] discussions was about the intellectual property rights or trademark. There was a discussion about our representatives. Was IETF Trust for this kind of purpose? There was a discussion in which one, at least, person suggested that if the IETF Trust were enlarged to beyond IETF, it would be even better.

As was mentioned a few minutes ago, this is still under discussion amongst the three communities most directly affected.

Another aspect I would like to pick up is the communications policy for the ICG. I was asked to draft communications strategy for the ICG, which I did, and it was adopted by the full ICG and we have implemented that.

I mention this because of the two webinars were part of that, but also all the tweeting, all the social media work, around that was determined by that policy which had been agreed upon. And of course the outreach by the chair so far – the chair of the ICG, Alissa Cooper. Under this policy, we are prepared, the co-chairs of course, but also members of the ICG depending on geographic location and language of the request. We are prepared to entertain requests from media to comment or to explain this or that part of the ICG proposal. That's about all I had to add. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this update, Jean-Jacques. Now we open the floor for any questions or comments. Tijani Ben Jemaa, you have the floor.

TIJANI BEN JEMAA: Thank you very much, Olivier. I would like to speak about the content of the ICG proposal. I do feel that it is more or less a sticking or appending things together and making fit one single proposal, while I'm not sure people are even feeling what they are agreeing on.

Because, for example, I know that CRISP wanted ICANN to be the operator of the numbering function, and at the end, they accepted that PTI will be the operator.

But I ask the question about the separability of PTI. Do they accept [if] PTI will be fully separated from ICANN? And the answer was as if they don't care or as if they didn't think about it or as if it is not something important. I don't feel it is a real single proposal – how to say? Harmonious single proposal between the three functions.

So my question is, for Mohamed and Jean-Jacques, do you feel that the effort of compiling the three proposals was a complete effort? Is it the maximum that you can do to make it a single, harmonious proposal? Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you, Tijani. Who wishes to answer this, Mohamed or Jean-Jacques?

MOHAMED EL BASHIR: I would like to answer. Maybe Jean-Jacques also will be willing to add. It's an important question, Tijani. It has been asked to the numbering and protocol parameters community regarding if there is any concerns

from the CWG proposal in terms of the PTI structure currently and the separation.

Both has confirmed that there is no issues from their side. I think the current proposal is the PTI is affiliated with ICANN, and as long that they will have a back-to-back agreement between ICANN and the PTI, they don't see that as an issue.

If there is a new update about 100% separation between the two entities, maybe they need to revise that. But there is a relationship and link between ICANN and PTI currently, so they didn't create any alarm regarding this.

Regarding the proposal compatibility, I think [inaudible] individual assessment and then there was the proposal assessment. And the number of issues that [inaudible] uncompatible between the proposals are limited.

The [inaudible] now is intellectual property and domain names, but this issue of the separation and other communities, acceptance to the relationship was raised and they confirmed that there is nothing from their side [inaudible] the relationship. That's from my side. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks, Mohamed. Jean-Jacques, anything to add? Jean-Jacques Subrenat.

JEAN-JACQUES SUBRENAT: Thank you, Olivier. I'd like to offer a broad view of how the whole thing developed. I think it's worth reminding ourselves that quite early on after the function of the ICG, the operational communities directly affected – meaning the names community, numbers community, and the protocol parameters community – made a strong case in front of us that they had a very strong preference for each of them to propose their vision of what transition would look like and what it would entail in the terms of changes and adaptations.

Now, because of that, there is a direct link with what happened afterwards, which is that each community then reacted to the other proposals only insofar as one particular item could perhaps affect them or be in contradiction with their own positions. That's what Mohamed just mentioned.

For instance, about the trademark issues. Not everyone was interested. One of the communities had a solution to propose and it was accepted to carry that forward into a further discussion insofar as it did not have a direct negative impact on the two other communities.

I think that [inaudible] explanation is quite interesting because it gives you some background into how it evolved into the positions we are seeing today. That was the first thing.

The second thing is that because of this [inaudible], which is as long as we don't make a difficulty for my community – one of the three – then the others are okay. And that's why we see parts of [inaudible] to say, "No, we are very firm on our positions." Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks very much, Jean-Jacques. Now we have Alan Greenberg.

ALAN GREENBERG: Thank you very much. I'd like to go back to what I think Tijani's question was of the confusion on separability and PTI. I don't see any problem at all right now. Both the other communities have said they will contract with ICANN and will allow ICANN to subcontract. Should there ever be a change in the relationship between ICANN and PTI, either changing PTI, moving the IANA function from PTI to somewhere else.

Obviously the other two communities are going to look at it very carefully and decide whether they still want to keep on contracting with ICANN with whoever the new service provider is for ICANN, the new subcontractor. Or at that point, they can choose to separate and get their IANA services from somewhere else.

So they're saying right now they're dealing with ICANN. As long as ICANN is doing a good job through whatever mechanism, they're happy. If ICANN ever chooses a mechanism which they think will not satisfy their needs, they have the option to leave. I think that's the perspective that they're using for why they don't much care about PTI or what happens at that level. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks very much, Alan. Any other comments on this? I don't see anyone else putting their hand up. Comments on any other associated topic? Yes, Jean-Jacques Subrenat, go ahead.

JEAN-JACQUES SUBRENAT: Thank you, Olivier. One topic which came up in both seminars was the question of jurisdiction. Here I would really like to underline that I am speaking as an individual. I happen to be in the ICG, but I am commenting this simply as a private individual.

There was a question about what in the end would happen if there were to be a court case called in the US, etc. It was about contract, non-respective contracts, post transition. I had answered to that comment. I was commenting remotely that, yes, at least seen by myself, if all the escalation mechanisms which are provided for in the transition plan failed, which is not likely, but let's take it like that.

Well, in the very end, if there was no other way out, then we could imagine – at least, theoretically – that there would be a court case. And I said in those circumstances, there would be an issue of, of course, defining the jurisdiction, and because of ICANN but also PTI post-transition IANA, would remain under US jurisdiction through their link with incorporation under California law. In the end and theoretically, there would be prevalence of a US jurisdiction.

Now, I said that and repeated that, although that doesn't seem likely, pushing that question to its ultimate reasoning would get that result. So there is a question of jurisdiction in the long run. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks very much for this, Jean-Jacques. Back to Tijani Ben Jemaa.

TIJANI BEN JEMAA: Yes. Thank you, Olivier. Alan answered very well my question and I wanted someone to tell me that because this is my problem. This is my concern. Are we going to see the [inaudible] functions of IANA, each one operated by a separate structure, if [inaudible] naming function [inaudible] to make the full separation, the structure [inaudible] between the PTI and ICANN.

If, for example, the numbering function wanted ICANN to be the operator of the numbering function, shall they keep their function in the hand of ICANN or shall they find another operator? And in this case, perhaps they will not [inaudible] the same operator than the protocol parameters function, for example, or the naming functions.

So are you [inaudible] that we will still have the stability and security of the IANA functions if they are operated by different structures? Don't forget that the separation will be [inaudible] by the naming function community. So perhaps the Internet is not the same. The [inaudible] is not the same between those three communities.

And perhaps we will end with different functions operated by different structures. I have a real fear of the future in this configuration. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks very much, Tijani. Alan Greenberg?

ALAN GREENBERG: Thank you very much. I don't think the risk is particularly different than it is right now. If ICANN, when there were problems with the IETF had

not addressed the problems, the IETF may well have gone somewhere else and we would have had separation. Similarly, with the numbering.

So PTI adds an extra complexity and adds an extra way that we could mess up, as it were. But I don't really think it changes the overall issue. And yes, just like today, we could end up with three different partitions of IANA performed by three completely different entities. And if we do that well, no one's going to care. If we, the community in general, do it poorly, than we can impact stability and security. But I don't really think it changes. We've just made the situation more complex by adding the PTI variation into it.

If the question is could we have done something better? Well, yes. But you all know the political realities of what we were dealing with. We are where we are, and going forward, we can either do it properly or mess it up. We still have both options. There aren't no guarantees, though. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much. Mohamed, did you want to add?

MOHAMED EL BASHIR: Yes, thank you very much. I would like just to echo what Alan has just said. I know for a fact that when [inaudible] was slow in its progress and actually the proposal [inaudible], there was some members of the numbers and protocol communities who were talking and also lobbying for the two communities to complete the transition, not waiting for the domains community [inaudible].

And there is many people who are opposed to that, because basically the idea of having separated IANA functions operators differently, that is a risk for the stability and the security, which is one of the principles outlined by NTIA.

Previously, that risk did exist where some people were talking about it why the numbers and protocols should wait for CWG, which was unclear about what they want. But members from ICG reviewed that approach because basically that approach will mean we are putting in the risk the stability and security.

So I think from the CWG, the names community, because the proposal [the PTI] initiated from that community. I think it's important that people realize that. We need to ensure that we don't go to the extreme because ICANN should be there and the relationship should be there. We need the stability. So I think that's a safeguard, really – from our community, from the CWG, not to go again extreme because that will mean jeopardizing the current relationship that we are trying to build. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you, Mohamed. Next is Seun Ojedeji.

SEUN OJEDEJI: Hello. Can you hear me, Olivier?

OLIVIER CRÉPIN-LEBLOND: Yes, we can hear you. Proceed.

SEUN OJEDEJI: I was raising my hand just to mention [inaudible]. I think we just [inaudible] that in this process is where we are actually [inaudible] this option of [inaudible] out of the combined IANA [inaudible]. I saw Alan respond in the chat that each of the communities [inaudible] that the NTIA contract is [inaudible] options we discussed and we decided to not [inaudible] the contract.

So in reality, it is only NTIA that can actually move IANA [inaudible] at the moment because [inaudible] clear definitions and clear path [inaudible], especially based on what happened [inaudible].

So my worries about this [inaudible]. I understand that it is a long process to actually get that [inaudible], but I think that [inaudible] it is now possible to [inaudible]. Thank you.

OLIVIER CRÉPIN-LEBLOND: Seun, we missed a few of your sentences. I think we got the gist of your intervention. Let's see with Tijani Ben Jemaa next.

TIJANI BEN JEMAA: Thank you, Olivier. Alan, I am afraid that I don't agree with you, because now we have one singe oversight, one single stewardship, [inaudible] function. It depends on NTIA if they want to separate the operators of the [inaudible] functions. They cannot do it themselves, because they have the NTIA oversight.

The oversight is now – [inaudible] transition this oversight to the community, but the community is not one. They are three now operational communities. I am afraid. I see them as each one wants to have its own stewardship and its own power, its own authority. This is the risk of having [inaudible] of the functions of IANA.

This is my fear. It is not the same as now. Now it cannot happen because NTIA will say no. The NTIA will decide perhaps to separate IANA from ICANN, but [you need] whole IANA, which will go to another entity.

Now, we may see, for example, the numbering function wanting to stay with ICANN and the naming function decides to separate the PTI completely from ICANN. And you have different operators for different functions of IANA. This is, for me, a real fear for the stability and security of Internet. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks, Tijani. Let me just jump in here. Wouldn't such a separation only happen for a very defined set of reasons such as the non-performance of IANA in either one of those three communities?

TIJANI BEN JEMAA: Olivier, you are right, but this is my fear. If you see how escalation is done, who is deciding it, it is only the registry. They may decide that one day that PTI is not performing well the function of the names. In this case, they will decide to separate it. And perhaps the others are happy with PTI. Perhaps they don't want to change. Perhaps the solution

should [inaudible] the naming function will not be acceptable for the others, [what should] happen? Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Tijani. Next is Alan Greenberg.

ALAN GREENBERG: Okay, two points. I don't know what would happen if the IETF exercised its right to cancel the agreement with ICANN. Would the NTIA intervene? Exactly what is the legal status of that? I don't know. There is a Memorandum of Understanding. It can be canceled unilaterally by the IETF. I'm not going to try to predict what would happen if indeed we got to that point.

I agree completely that the new situation has more variables in it and has more potential for disaster if you want to look at it that way. I'm not quite sure what we're discussing here, though. Are we saying because the new situation without the NTIA is more fragile we should not go ahead with the transition? If that's the position ALAC wants to take, then we have to be really clear about it. That's not the position we've taken until now. It's an interesting discussion, but I'm not quite sure what the end point is. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you, Alan. It's worth noting that in the three different presentations of the current process of IANA stewardship transition, the representative of the IETF was absolutely insistent on being able to say

during the presentation that the IETF was perfectly happy about the current performance of ICANN in being the operator of those services.

So they have shown that they have absolutely no plan in changing operator, at least at the moment. And I did find it interesting that they wanted to put that on record.

Seun Ojedeji, you're next.

TIJANI BEN JEMAA: And the CRISP also, Olivier.

OLIVIER CRÉPIN-LEBLOND: Sorry, Tijani, what did you say?

TIJANI BEN JEMAA: Yes. I said that the CRISP also said that they are really happy with ICANN to be operator of the numbering function.

OLIVIER CRÉPIN-LEBLOND: Tijani, do you not think then that there would be – I mean, we're effectively doing, just like the working group has spent 99% of its time looking at things that might never, ever happen. We're actually being worried about something that might never, ever happen.

TIJANI BEN JEMAA: I would like to be as optimistic as you are, but I don't know.

OLIVIER CRÉPIN-LEBLOND: Okay. Thanks for this, Tijani. Seun has put his hand down. I believe that was an old hand. Now we have Sebastien Bachollet.

SEBASTIEN BACHOLLET: Thank you, Olivier. My concern is that we [inaudible] saying it's too late. I don't think it's too late because, yes, it's a complex process, but we don't know where we'd end up and the fact that there will be a review of the review, and every review of the review of the review. It's not too late.

My second point – and I know it's a little bit difficult what I will say. But as a part of [inaudible] I'm very involved with ISOC. I think that the fact that IETF was under the umbrella of ISOC would mean some trouble. Nothing will never happen, but if you look to what's happened with NETmundial initiative, sometimes I was wondering where it's come from and why the discussion and the agreement made between the two organizations didn't get to the end. Also, a good collaboration until now.

I am worried for that reason. It's why I will really support what Tijani said and suggest keep it simple. And to keep it simple is to keep it within ICANN and all within ICANN.

The other reason is that everything outside of ICANN is where we, as end users, will lose. Everything outside of ICANN will be without us. Then everything can [inaudible] keep within ICANN. It's where the real multi-stakeholder will happen and where the end user will have a voice, will have a stand. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you, Sebastien. That's quite a strong point you're making here. I did think that there was the Internet governance forum, etc. ICANN's remit is only to do with names and – primarily just names. That's a strong point you're making. Let's just move on then. Let's have Tijani Ben Jemaa. And please let's try and chase where that chime comes from, so we can take it offline. Tijani, you have the floor.

TIJANI BEN JEMAA: Thank you, Olivier. Alan, I didn't intend to say that ALAC has to refuse a solution because of that. I am just raising the point. I was expecting that with the proposal of the PTI, the other function, we will have three [CSEs] in the PTI. And the decision inside the PTI will be a common decision, so that even if we need to separate PTI, we will separate it with the three functions. And this will be more safe for the stability of Internet.

But unfortunately, I didn't see that. My problem is I don't see a compilation of the solutions. I see adding the solution one to the other. So we have fragments put together [inaudible] solution. This is my problem. Thank you very much.

ALAN GREENBERG: Have we lost Olivier? Olivier has dropped. I'll take over the call for the moment. Mohamed, you have your hand up.

MOHAMED EL BASHIR: Thank you very much, Alan. I'd just like to add two points. One point regarding the risk that Tijani has mentioned. My opinion is that this risk is associated with the PTI and the powers within the PTI. I think that could be mitigated by either addressing those issues within relationship and the bylaws, and [inaudible] governs the relationship between ICANN and the PTI. I think that's important.

The PTI, will it have the power to, or the community, to just decide – let's say delegate a new IANA functions operator without really clear reasons that need to be there without a quorum of community [inaudible] acceptance. That's definitely important.

I don't think – I'm not sure, but I don't think this discussion has started yet, but those are important principles to be [inaudible].

Second is the unity of the functions. That's important [inaudible] need to be there in terms of any new operator needs to be taken over the protocol, the numbers, and the domain names functions. I don't see a risk from the other two communities, but it seems the risk is from our community. I think this is where the safeguards could be there.

My other comments is regarding the point raised by Seun Ojedeji about IETF Trust. Just observing what's happening, we come up with the PTI as a [inaudible] separation between ICANN and the new operator. We went [extreme] – it's not a simple solution, actually.

The other two communities has presented a very simple solution. They trusted ICANN and they say we're happy with ICANN. They didn't go beyond that. But maybe because we have our politics and we are insiders, we are looking at things differently.

But I think [it as well] for the trademark and domain name could be looked at from a separation point of view. Having the trademarks and domain name with IETF Trust could be associated with ISOC. I don't think that will be a risk, as long as there is clear, let's say, guarantees or clear requirements in terms of how to protect that trademark and intellectual property and domain name.

Those will be within the IETF Trust as a safeguard for the community. If there is any change, IETF trust needs to give guarantees as well that it will transfer those, if required by the community.

If we have those, let's say, safeguards outline the requirement, I don't see an issue of IETF Trust being trusted for the IPR and the trademark. ICANN will continue to be there. The communities within ICANN will continue to be there. [inaudible] will continue to be there working in our policy development [related to] the names.

So I don't see a risk, but I also see that – maybe also giving a positive message to the other communities. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you, Mohamed. I'm back on the line. Next is Alan Greenberg.

ALAN GREENBERG: Thank you very much. I think Tijani has identified a real weakness in what we have, that indeed we have three different groups that will be acting as what we in the names community are calling the CSE. That is, we will have entities within each of the three communities evaluating the performance. And perhaps at some point waving a red flag saying,

"We have a problem," and we can't continue as we're working right now.

In a world that was structured differently, the ICG would have said to all three communities, "Get together and come up with a single, unified, cohesive plan to replace the NTIA oversight."

In today's world, if they had done that, I think we would never have had a proposal. So quite reasonably, they asked the three communities to come up with their own proposals, and each of the three communities basically said we will work within our own communities. We will not consult with the other ones actively. There may be a bit of cross-pollination for people who choose to sit in both worlds, but that's all. And we've come up with three different proposals, which end up with three different group which may make a separation call.

If ICANN, through the CSE and IFR, ever choose to make a change in PTI or who is performing the work if it's not PTI, I would pray that they would go talk to the other communities and try to come up with something that's acceptable to them and involve them in the process of finding a new home.

We were only allowed to build the names part of it, so we have built the names part of it. We offered at various times to have the other communities participate, but they said, "Sorry, we're not going to commit to anything right now," and quite reasonably. Hopefully if we ever have to exercise the separation rules, we will talk and we'll do something in a unified way, hopefully. But it is a frailty. It is a weakness. And I don't see any way to get around it at the moment. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you, Alan. You've noticed I put my hand up, so I've slot myself in the queue. I agree with you. I also am quite sad that we have missed the chance to actually have a coordinated stewardship of these functions. In other words, having one committee with the different parts of the world together – the names, numbers, and protocols all being on the same committee and being able to proceed forward with…

Basically, if there is one community that's not happy, immediately they can inform the other community and things can be worked out. I'm quite concerned. On the one hand, it probably happened this way as sort of a stroke of the way that the work was decided to go separately to the three communities. But secondly, it might also be due to some of the political interests that went behind this whole focus on separation in the names community.

There wasn't enough cross-pollination between the different communities and trying to find something that continues to make the Internet work rather than having something where you can sue, you can turn things off, you can control. That's the concern that I do have.

I'm not quite sure how we can translate this into something that would go into any kind of comment for the current consultation that the ICG is doing. I don't know whether anyone has a thought on that or whether there is opposition to what I've just said. Tijani? Tijani Ben Jemaa, you have the floor. Then Mohamed El Bashir will be after you. Tijani, you have the floor.

TIJANI BEN JEMAA: Thank you. My comment was exactly for that. We, as ALAC community, as At-Large community, we have to make the right comments about the ICG proposal. I don't see it as a one single proposal. It's three proposals [inaudible] one to the others. This is not what will make Internet work properly. I think that we have to insist on the fact that, yes, we may accept the PTI, but if we accept it like this, we need to have three CSEs and the decision inside to evaluate the work of the PTI would be a common decision between the three CSEs. Or perhaps one single CSE composed of the three communities to oversee the operation of the functions inside the PTI and the decision inside the CSE has to be a common decision for the three functions.

This is at least one kind of unifying, if you want, the future of IANA functions operation. If not, you will have a [inaudible]. You will have three different PTI functions, three different PTI operations. And perhaps three different in the future entities operating the three functions. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks, Tijani. Next is Mohamed El Bashir.

MOHAMED EL BASHIR: Thank you, Olivier. I think Tijani is raising a very important point here, although I disagree in terms of the three proposals. But I think you're raising a very important issue about the performance, because each community currently in their proposals have a structure for review of the IANA functions performance. So for the numbers, this review committee for the names there is also the escalation process. And for

the protocols, I know they have an MOU – sorry IAB has [inaudible] review in the performance.

This is very important point about at which point we have the three – one community could not veto alone or issue a decision for, let's say, separation. There needs to be coordination between three communities in terms of performance of the IANA and decisions about really breaking up from this [inaudible] need to be consulted with the other two operators. Or at least this decision needs to be done in consultation with the three operational communities.

I think this is a valuable input from At-Large to the process. The public comment period is open now. I think it could be one of the submissions – one of the points in the submission from ALAC to the ICG formally. This plus other issues. But I think it's a valid point in the final proposal needs to be addressed so we can ensure that no single community could have more powers or could [inaudible] such critical decision. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks very much for this, Mohamed El Bashir. I'm really sorry, but we are running out of time on this. I note, Jean-Jacques, you've put your hand up. Since you are our other ICG representative, I'll give you the floor in closing words, but please keep your intervention short because we are running out of time. We have a number of other things to discuss on this call. Thank you.

JEAN-JACQUES SUBRENAT: Thank you, Olivier. This is to support Tijani's point of view, and like Mohamed, to insist on the fact that it is very important. I would very much like to see the ALAC make a comment on that along those lines which have been expressed. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you, Jean-Jacques. Tijani, if I could ask you – and I'm afraid I haven't checked the correct policy page. If you could just write a few words on that Wiki page to express the summary of your points today. Then we can take this up. We have another call later on this week, so we can always continue on this discussion later on this week. But now we have to move on to the next part of our agenda. We're outrageously late already. We should spend 15 on this, but it was a very worthwhile discussion.

Next is the CWG IANA. The main question here is to do with the IANA.org and intellectual property issues that could remain with ICANN or be transferred to the IETF Trust or be transferred to a new trust or some kind of other solution. For this, there is also a big discussion going on. You will have seen the e-mail that I have sent over to the list. Does anybody wish to make any point on this?

I have noticed from Avri earlier in the chat that she wouldn't mind the intellectual property to be transferred over the IETF, provided a number of conditions would be met. Another very touchy issue. Let's open the floor. Let's have Alan Greenberg.

ALAN GREENBERG: Thank you. Ignoring for the moment why the RIRs have put into their report what they did, one can hypothesize, but I won't do that on this call. We're in a situation right now where some parties have said, "We don't trust ICANN to do it properly." ICANN people are saying, "We don't trust the IETF Trust to do it properly."

I personally believe – would I prefer to just leave it in ICANN and have the right agreements? Yes, definitely. To do that, we'll essentially violate the RIR proposal, and that puts us in a position where it might well have to go back to all the RIRs individually and that will add a significant amount of time to the process, or so we're told.

I believe that one can put legal words in place and agreements that ICANN transfers the assets to the IETF under certain conditions, which we'll guarantee it access.

I believe it could've been done in the other direction as well. If we cannot do that, then we have the option that has been suggested by Avri of setting up a new trust, which is separate from it. It will only handle these particular assets and be reportable to all three groups. I can live with that also and I'm sure the lawyers could figure out how to do it quickly. I think we need a solution so this goes forward and doesn't stall the whole process. As someone – I think [Andrea Sullivan] pointed it – it would be ironic if this whole thing fails over the inability to resolve who owns a domain name. There would be something… Well, let's leave out the word ironic.

I think we simply need to start talking with the various people and find out how can we go forward in a way that would be the least tumultuous

and require the least amount of delay. I really don't think this is a major issue. The one group that has the largest at stake is the IETF because there are reportedly uses of the IANA term imbedded in code and they have a vested interest.

On the other hand, that's the group that changes parameters the most, or changes entries in the registries the most, and if there were a dispute, they don't have the option of waiting to go to court. They would have to simply [sum] out, suck it up, and come up with a new domain name and start implementing it immediately.

I really think we need to swallow our pride and come up with a solution that's workable and go forward. If in the end we lose the IANA trademark and the IANA domain name, we can survive by changing them. There's very little that cannot allow that to change moderately quickly with the exception of the [inaudible] code. And that would be difficult, but we may not have a choice. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks, Alan. Next is Tijani Ben Jemaa.

TIJANI BEN JEMAA: Thank you, Olivier. I do agree with Alan that this issue is not so important. I don't understand how the group is taking so long time discussing this issue. The [inaudible] there is a very – I don't know. Giving a very [inaudible] debate about it. Why it is not important? Because, for me, as Alan said, we can change them and the [inaudible] that big.

And why this issue may become important? Because if we separate the three functions, in this case it will be important. I do trust the IETF's Trust. But in case of separation, in case each function is operated by another operator, I don't know what can happen. I don't know. What was common between the three functions is not common anymore. I do think that this issue is not so important. It becomes important if we reach the situation of separation of the three functions. And I think that the most important that we have to discuss and the group has to discuss is this issue of separation. Not the issue of the [asset]. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks very much, Tijani. Any other thoughts or interventions? In which way should the ALAC as a whole point? Seun Ojedeji? Seun, you might be muted at the moment. Have we lost Seun?

TERRI AGNEW: Hi. Yes, his line has disconnected and we're dialing back out.

OLIVIER CRÉPIN-LEBLOND: Okay, right. Thanks for this, Terri. What I was asking effectively is do we have any consensus in our working group as to which way to point? I notice some are happier with ICANN keeping this, but others are saying, "Well, happy with ICANN keeping it," or, "Happier with ICANN keeping it, but not against the IETF Trust keeping it."

Is there any interest in having a new trust created? I do note from our last discussion that there was some opposition to having a new trust.

We thought the creation of some new organization, ContractCo and things, and now I think there's equal concern about a new trust.

Tijani Ben Jemaa and then Alan Greenberg. Tijani, you have the floor.

TIJANI BEN JEMAA: Yes. Thank you, Olivier. I think the [safest] way as to avoid any problems in case of [inaudible] of the function is to have [those set] with ICANN, since at the end, ICANN is not [inaudible]. It's not one function. ICANN will ensure that those assets will be used by the three communities. That's why I prefer that ICANN keep them. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks, Tijani. Alan Greenberg?

ALAN GREENBERG: Thank you very much. I can live with anything that the various parties agree is satisfactory. If ICANN's lawyers come up with words that allow them to transfer it to the IETF Trust with a reasonable amount of security that we will have access to the trademarks and to the domain names, I am happy. I can live with it going to a third trust, if that's the way that we all feel can go forward. I would be delighted if it's going to stay in ICANN, but the RIRs have come out very strongly against that and that's not likely to happen in the timeframe that we're looking at. I'm willing to work on pretty much anything that is workable and I want to get it over with.

In terms of the new trust being a ContractCo, it's a completely different game. Having a trust as the steward of the process is a completely different issue than having a trust which owns the assets. I wouldn't equate the two. I think there are orders of magnitude different from each other. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks very much for this, Alan. I did note earlier that Alberto Soto has put his hand up. I'm not quite sure whether that was an error. I just thought I'd give the floor to Alberto if he was in queue. Alberto Soto?

ALBERTO SOTO: Thank you. I am also okay with having the domain name within ICANN or to it being transferred to the IETF. However, the law firm indicates pros and cons of the three alternatives regarding the IANA domain name.

In fact, this is what I'm not very satisfied with or about because who can guarantee that the IETF will not go bankrupt, for example? What is the risk analysis in this regard so as to say that the IETF or the PTI can better fulfill these functions, these oversight or control functions, that should be performed by ICANN in case ICANN retained the domain name?

Also, I don't know if a later transfer can be made so that we don't devote so much time to this at this point. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Alberto. That's a very fair point that you've made regarding the possible bankruptcy of the IETF Trust. The queue is a little bit messed up at the moment. I don't know if Seun is back online, but I've noticed Avri Doria has put her hand up. I'll go with Avri and then I'll go back to the queue as it currently is on the screen. Avri Doria, you have the floor.

AVRI DORIA: Thanks. Hopefully I can be heard clearly. I've been writing my comments in, but was asked to speak them. First of all, I need to indicate that I see myself as a member of both the IETF and the ICANN community. The last few years more active in ICANN than IETF, but still relatively active in both.

So speaking from that particular perspective, as an IETF member, I have formed a very strong trust in the ability of the IETF Trust to deliver on its charter, to deliver on its promises. I speak also from having watched this trust watching the way it considers all issues and moves ahead with things.

Also speaking from a point of Jari, the chair of the IETF and I believe a member of the CRISP, has also indicated that they are looking at language that would deal with the issues that we're presenting.

While originally in all this I was one that argued unsuccessfully for the PTI actually holding the property, but was [inaudible] that notion quite violently on the list. And like Alan, I see no issue in ICANN continuing to hold it. I see a logic with [their] being stewards of the PTI contract and being stewards also of this [inaudible] being reasonable.

But given the RIRs, given CRISP [inaudible] and the timing pressure, I've accepted that a trust is indeed what we need to do. And [inaudible] the IETF Trust, if they approve – if they can come up with language that we can all feel comfortable with, then that's a good thing, because it exists, it doesn't [inaudible], it's got ISOC behind it. I don't really believe that there's a bankruptcy issue with that. Of course there's a bankruptcy issue with everything, always, but I don't see an incumbent or a [inaudible] issue.

But if that [is to be] done, but I think that we're only left with one alternative and that would be a new trust. I don't think it would be as onerous as people are saying. I understand the lawyers said that there is complexity and a lot to be dealt with, but I believe that we've gotten to the point where need to have a trust take this property, take this name. Beyond that, deciding which one of them can do it with the greatest [inaudible] and with trust. Thanks.

OLIVIER CRÉPIN-LEBLOND: Thanks very much for this, Avri. We're going back the queue as it was, and I'm now closing the queue as well as we are way over time on these topics. We've got Seun, Tijani, Alan and I saw Eduardo Diaz earlier. I'm not sure if Eduardo still wants to be in the queue. Eduardo, if you can indicate in the chat if you wish to be in the queue. Let's go with Seun Ojedeji.

SEUN OJEDEJI: Thank you, Olivier. I think [inaudible] so long, especially [inaudible]. I think we have [inaudible] this issue pressuring. I suggest [inaudible].

OLIVIER CRÉPIN-LEBLOND: Could you speak slightly closer to the mic, please. Your volume comes out a little messy.

SEUN OJEDEJI: The mic is right close to my chin right now. Can you hear me right now?

OLIVIER CRÉPIN-LEBLOND: When you speak like this, it's a lot better.

SEUN OJEDEJI: Okay. So what I was saying that [inaudible] just like she said, I prefer it stays with ICANN. One of the reasons why I think it should stay with ICANN is mainly because post-transition ICANN will actually be acting as an oversight. ICANN will be acting in an oversight role [inaudible] community.

                           In actual – considering that it [inaudible] clear operational communities, [inaudible] accountability mechanism that actually oversees how ICANN responds and treats its obligations. So if there is a [test] in the obligation of ICANN that says that ICANN will do A, B, C with the trademark. And if ICANN refuses to do that, that explains that ICANN accountability mechanisms and powers will be triggered one way or the other.

                           So I think under these mechanisms [are] actually exercised by the three coms. Post-transition, ICANN [seems to] be the best and reliable source to putting the trademark.

However, I recognize that the numbers community [inaudible] just because we [haven't] discussed this with them. We've been saying [the other view] and [inaudible] can change because [inaudible] we think that [inaudible] ICANN [inaudible] within the CWG [inaudible] going all around on this issue, which I don't think helps us in any way.

If there has to be consensus view, I will say that [inaudible] definitely – very well definitely [inaudible]. Again, I'd like to respond to Avri. I think it's a good [inaudible] summary of what needs to [inaudible] to hold the trademark, because I understand it has to be someone that will – a body that will stand for that. So [inaudible] by ICANN [inaudible] by IETF. [inaudible] and so on and so forth.

So [inaudible] on that, otherwise I think [inaudible] very much uncomfortable with [inaudible]. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you, Seun. Next is Alan Greenberg.

ALAN GREENBERG: I'll be very brief. I'll just reiterate. I think we have to move to something we can all live with which will have a reasonable amount of security for all of us and I think this is not the time to try to be idealistic. Sorry. Thanks. That's it.

OLIVIER CRÉPIN-LEBLOND: Thanks, Alan. What do you mean by that, though? What would you be reasonably comfortable with?

ALAN GREENBERG: I've already said I'll be comfortable with any of the solutions where each of the parties say, "Yes, I think we're reasonably secure." I think the IETF is trustworthy, the IETF Trust is trustworthy. ISOC in an earlier life could have well gone bankrupt ten years ago. The world is very different right now. It's not likely to. I don't see a major issue with the IETF Trust solution. I don't see a major issue, other than the work involved, in creating a new trust. Those appear to be the two options on the table that are likely to be acceptable in the timeframe that we have.

OLIVIER CRÉPIN-LEBLOND: Thank you, Alan. I think we have some talk from the background. It could be Tijani's line. Mohamed El Bahir, you're next.

MOHAMED EL BASHIR: Thanks, Olivier.

OLIVIER CRÉPIN-LEBLOND: I think that could be actually a [trans] line, maybe. I don't know. One of the lines.

TIJANI BEN JEMAA: Not mine.

OLIVIER CRÉPIN-LEBLOND: It is not yours, Tijnani. It could be Seun's. Mohamed El Bashir, please speak loudly and [inaudible].

MOHAMED EL BASHIR: Thank you, Olivier. I think really I want to raise an important point. For ICG to be able to submit the final proposal on time, I think we need to avoid the two other communities going back to their bottom-up processes to consult with their communities for a new arrangement put forward by the CWG in terms of this issue. It could delay the whole process.

I don't think there is an issue in terms of IETF trust holding the trademark. All [inaudible] ICANN or CWG [inaudible] names community to put forward the language either now in terms of principles that protect the trademark in the future, or later on [inaudible]. This language could be [inaudible] by the legal.

I don't think this issue need really to delay the effort for the last 14 months. There is a risk that if CWG put forward a proposal that required those two other communities to come back to their communities for review, I think we're [inaudible] the process and we're delaying [inaudible] submitting the final proposal. I think it's time now for the names community really to be practical and put forward [inaudible].

OLIVIER CRÉPIN-LEBLOND: I think we might have lost Mohamed, but I think he's finished and put forward [inaudible] reply for this. Let's finish with Eduardo Diaz.

EDUARDO DIAZ: Thank you. Can you hear me?

OLIVIER CRÉPIN-LEBLOND: Very well indeed, Eduardo. You have the floor.

EDUARDO DIAZ: Okay, I just wanted to say a brief thing about this trademark. I agree with Alan. It depends. I really will feel comfortable having it in ICANN or in a trust or any other place. The thing is that whatever it is, there should be some accountability rules in place, so we know that this trademark will be used as the community wants it to be used.

But if you ask me for [inaudible] preference, I will say just keep it in ICANN. After all, the stewardship of the IANA function is going to be owned by ICANN. The operational [community] is going to be [done] by PTI, but the stewardship is going to be owned by ICANN and the trademark should be put there also. Thank you. That's all.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Eduardo. I think you mean – well, the stewardship of just the naming [site]. I don't believe that the stewardship of the numbers and of the protocols would be in ICANN.

EDUARDO DIAZ: Yes. You're correct. You're correct at that. Thank you for [inaudible].

OLIVIER CRÉPIN-LEBLOND: That's where there is a problem where you have many different – well, multiple [paternities]. That means that you're going to have some kind of a problem when it comes down to who is in charge. I think that this debate is going to go on. We probably will be discussing this later on in the week. I apologize for Alan and Leon for having taken so much time on this, leaving only 15 minutes until the end of the call for the CCWG accountability.

With that said, I have been told that the interpreters could have another ten minutes on the line. So without any further delay, I hand the floor over to Alan whom I believe wanted to go over some comments that he had made in the policy consultation. Alan Greenberg, you have the floor.

ALAN GREENBERG: Thank you very much. I'm actually not adamant that we go over them. I'm quite willing to – and those are personal comments which may end up being ALAC comments or may not, depending on what other people chime in on.

I guess I want to emphasize that we're now eight days into the comment period. We are scheduling a webinar I believe for the week of the 24th. Heidi, are you on the call? Is that the right date? Or Terri, if you know.

HEIDI ULLRICH: I believe that is the right date. I'll confirm that.

ALAN GREENBERG: Okay. We're scheduling the webinar to review the draft statement from ALAC. That means we have to have a draft statement prior to that period. There have been two webinars so far from the ICG and two from the CCWG. There was a decision this morning to have at least one more webinar from the CCWG presenting the material again. If anyone is on this call – and I suspect we should send out an e-mail – who believes they want to comment on the CCWG report and has not attended one of the webinars, I strongly suggest that you attend the next one because it really is a useful way of getting up to speed. The 200-page document does cover everything, but it's dense reading.

I would suggest that anyone who has any particular thoughts, either disagreeing with what I'm posting or adding to it, or something completely unrelated to what I've said, then post it to the Wiki because the Wiki will be the source of the statement that will be drafted and then presented and discussed on the webinar.

I'm presuming there will be at least one other of these calls between now and then I'm guessing next week sometime. Perhaps early next week. And at that point, we're going to have to get started getting closer to coming to agreement on issues that should be in the statement. So it would be useful if people have posted their own positions so that we can see the range of them. It's always a lot easier if people simply raise an objection on a call that we've never heard before.

So I guess this is a plea for everyone to do their homework. Let's start getting to closure on it. The report, from my perspective, to the extent that the ALAC can be unified [inaudible] points where we're disagreeing

what is in the report and present a single, unified position, we are much more likely to be listened to.

If indeed we have different positions at this point, then we will have to present them. But understand that will clearly weaken our position and that's fine.

My personal tact is I am only mentioning things which I feel are really important. I am doing my best not to simply mention issues where I lost the battle during the CCWG discussions and the decision has been made in another direction. Unless I feel it is really something which is crucial, I am trying to avoid those, and I would suggest other people do the same, but of course everyone has to make their own decision on that.

At this point I'll open it up to if anyone has any general comments on our methodology going forward to create the statement. The last CCWG statement that we issued was being changed down to the wire because people were coming up with new issues as we went along and I would really like to avoid that, if possible. It was very stressful and I think ended up with a weaker statement because of it, because we were making very significant changes right down to the last moment. So to the extent we can avoid that, so much the better.

Open up to comments. And if we have a few minutes, I'd be glad to review what I've said so far. I haven't finished the review yet. Sebastien?

SEBASTIEN BACHOLLET: Thank you, Alan. Thank you for starting the discussion and putting on the Wiki your [inaudible]. I was looking to maybe having to additional points to take into account. The one where you have in the report a minority view, that's been a view added in the report for a single item. I saw that you already [refer] for one of them. I think it would be useful to have all the different ones and to see what is the position of At-Large on that. The same for the minority report, where at the end of the document, to see where At-Large stands on those positions.

For the rest, I think the process you outlined is a good one and we need to do it. The real problem we have, I guess it's to read the overall document. From my point of view, to read it again. I think it's important. We need to figure out what is [inaudible] position, and if we can do that the week of the 24th would be great. Thank you for [starting].

ALAN GREENBERG: Thank you very much, Sebastien. I put myself in the queue. I support everything—

LEON SANCHEZ: Alan, may I be put in the queue as well, too? This is Leon.

ALAN GREENBERG: Certainly. I'll put you the queue right after me and right before Tijani. I agree with everything Sebastien said. I haven't gotten to the minority statement at the end yet, but one I commented on is the only one I happened to notice. If there were others before them, then I must've skimmed over them. That was inadvertent. Yes, I agree. Anytime there

is a minority statement made, we should comment on it either that we support it or object to it. In the case of the one I did catch, object to it very strenuously, nevertheless. Yes, I agree.

Regarding the week of the 24th, it would really be good if we have a draft statement at that point, not just decide on what's in the statement at that point, because that would be bringing it down a little bit closer than I would like it to.

We now have Leon.

LEON SANCHEZ: Thank you very much, Alan. Just a clarification on what Sebastien said. The minority views are dissenting opinions on a specific point of the CCWG [inaudible]. The [inaudible] reports are of course dissenting views on the overall work that the CCWG has done. I think it's important to highlight, because it might be confusing – the minority views and the minority report. So while the first one refers to specific points on the report, but agreeing on the overall report, the second one refers to the overall report [inaudible].

Having made that clarification, I would also like to put to consideration having a webinar specifically designed for the At-Large community. I would be more than happy to conduct that webinar because I think that it is important that those that haven't attended the previous webinars or that won't be able to attend the third webinar that we're planning to do on the CCWG have this information at hand so we can provide better comments, and of course a better position, as Alan said, to what the CCWG has come up to.

I think it would be useful that we come with a single position to the CCWG because Alan has highlighted [inaudible] come as a single position, then it is most likely that we will be able to be heard. And if we come divided, well, then we lose a lot of power.

Other points on the CCWG work. We will be publishing the first public comment tool later in August. It has been delayed and it's overdue by [inaudible]. It's not because they haven't done their work or because they went on vacation, but because they are working along with the rapporteurs on getting a very highly detailed public comment tool for the first public comment period. So that [inaudible] comments that were made on the public comment are properly addressed and answered by the different participants and members that have to pull in their answers to the public comment tool.

We are targeting August the 19th for the date for publishing the complete public comment tool for public comment period, one. And we have so far received two comments on the second public comment period. While I think that if we want to also comment on the report, we should be trying to do so as the At-Large community as a whole.

That's it for me. Thank you.

ALAN GREENBERG: Thank you very much, Leon. Two things. On the webinar, I was going to suggest that we just publicize the next public one. I'm certainly happy to have you present a separate one, but the timing would have to be pretty early next week and before the next IANA issues call. But if you'd

like to work with staff and see if we can arrange that, then with my blessing, certainly.

With regard to the minority views, they weren't highlighted very well in the report, the ones that are embedded in it. So we're going to need to go through. If there's an index to them that you happen to have, that would be useful. But I guess we can search for the word minority and hope to find most of them. Next we have Tijani.

TIJANI BEN JEMAA: Thank you, Alan. I agree with the [inaudible] strategy you described. I hoped, as you said, that this time we will not end with this creation of the [inaudible] comment where we had until this last second discussion and discussions and discussions, etc.

I hope that this time we will discuss ideas and we will try to convince each other about the ideas. It is very important that we have the best comment for the end users. It is for the end users. It is not for me, for AFRALO, for anyone. It is for the end users and we need to have the best comment for the end users. It means that we have to express the point of view of the end users regarding this report. I am sure this time perhaps being better than the last time, and perhaps we will hear each other better and we will come up with a single and common position to give to the public comment. Thank you.

ALAN GREENBERG: Thank you, Tijani. Sebastien?

SEBASTIEN BACHOLLET: Thank you, Alan. It's to what Leon said. I agree that it was the co-chairs' objective was the minority report to be against the full report. But in fact, as I was one of the writers of one of the minority reports, I feel that it was easier to contradict a few ideas in the report in one single and to come back in different places of the report. It's not a disagreement of the whole report. It's a disagreement on part of the report and it was easier.

The other fact, as Alan said, the fact that it was in a place where we can all find it's easier. The minority view, you don't know who put the minority view, and we don't know where it is, except with a search engine we can always find something. It's one part of the problem today.

I really think that we'll have been in a better position globally [of the] CCWG to have the answer to the first comment period prior to the publishing of our second report. I know that everybody worked very hard and it's difficult. But in a better life will be to have the answer prior to the next report.

But, so be it. And we will wait for the publication of the answer to be able to have it. Thank you very much.

ALAN GREENBERG: Thank you, Sebastien. There are many things I would like in a better life that I don't get. That's just a story about me. A couple of points. I did say, and everyone is agreeing with me, that it would be better if we have a single position on important issues.

However, many of us fought very hard in the CCWG to make sure an AC/SO has votes that are divisible because it may well be that we have different positions and have to present both of them.

I agree with Tijani. If we can convince everyone that one of us is the right way to go, that's going to be optimal. But we may well end up having different positions, and if so, then I think our statement has to reflect that. The fewer of them, the better.

I only have one other thing I wanted to really raise. We're almost out of time. In my statements, and particularly in the second comments, there's a number of places both in the removal of – rather, in the veto of budgets and in the rejection of bylaws – I worry a fair amount about bylaws and budget issues that are targeted at a specific AC and SO, and the others essentially – and I use a term which we can't use in the final document, but I'm using here – are ganging up on.

That is, the example with Chris Disspain raised is the next ALAC Summit, everyone else gets along and says, "No, you can't do it. We think that's a waste of money." And it disappears. Another example would be a bylaw that says – again, aims at the ALAC because that's what we're looking at. Says, "You can't have a second director." If we go through a process where the next review says we should, the board agrees but it gets vetoed by the community, I worry that communities taking action targeting at a specific AC or SO are an issue. I don't have a clue how to prevent that, but I do have that worry and perhaps people, as they're reading the document, can think about that. Do we have any real recourse or is this simply one of the results of saying the community has powers, and well, the community may be able to veto some powers.

Now, depending on which side you're on, you may cheer or not. You'll recall that the board attempted to make a bylaw change related to the GAC and they backed down because the community widely did not agree with it. So it's already happening without any formal community powers, but it's something that I think people should be thinking about as they're reading the document.

Other than that, I really don't think the next three minutes can be used productively by going over specific comments. I welcome anyone to look at what I've said and comment on it and tell me I'm full of something, that what I'm saying is crazy. Or more important, say something that you think is better.

Sebastien, is that a new hand? Olivier also I see a hand up. I'm not sure who has gone up first. I'll give it to Olivier first.

OLIVIER CRÉPIN-LEBLOND: Thanks for this Alan. You take the example of the ALAC. I think we could also take an example of some SSAC advice being overruled by the community, which would be a pretty damn stupid thing to do. Perhaps we could speak about GAC advice that gets overruled by the community, which might have some repercussions outside of ICANN and that might end up with ICANN being completely disenfranchised.

We do have to make a statement about this. I have similar concerns as you do, but perhaps we should use examples that are not just ALAC examples because I already know they will just be put on the side and said, "Well, these are obviously just self-satisfaction," or I don't know the word or self…

ALAN GREENBERG: Point made. We'll figure out the word.

OLIVIER CRÉPIN-LEBLOND: Point made, yeah. You get what I'm saying. That's one thing that we need to be very strong on. A couple of other things that we need to also point out. Certainly you mentioned the budget issue of course. I also think we do need to be very careful about this whole thing of removing board members. I'm still not convinced. I'm not quite sure how much we're all convinced about this or not. Maybe we need to discuss this as well at some point.

ALAN GREENBERG: I'm convinced. I'll do my best to convince you. I may not succeed. Jean-Jacques has the right word – self-serving. Sebastien?

SEBASTIEN BACHOLLET: Yes, thank you. I think the question you raised, Alan, about the question, for example, of a second board member. We need to look at where these items will be within the bylaws. It's one of the reasons I pushed to have three parts in the bylaw or to explain the document in three parts – one, the fundamental bylaw; the bylaw; and the operating principle of each part of the organization.

                             That's maybe one way to solve this issue, that it will not be in a part where the whole community will agree or disagree on. It's maybe one way to think about – I am not having the solution right now, but just to

give you some [inaudible]. Yeah, let's discuss the other points. We have no time today. Thank you.

ALAN GREENBERG: Thank you, Sebastien. I'll just point out that, remember, these things can go both ways. If someone proposes and convinces the board, there should be a bylaw saying the GNSO should rule out over everyone and call all the shots. There have been people who have suggested that. There was the minority position I objected to saying a single SO should be able to remove the whole board. Should someone want to convince the board that is a good thing, I would want to be able to vote against it.

It's self-serving when you're defending your own territory. When you're attacking someone else's territory, we may consider it goodness. We need to be careful how we think about this.

Any other comments before we adjourn? I'm told the interpreters will be leaving very shortly. I see no more hands. Sebastien is typing, but I'm presuming he's saying goodbye or something like that.

OLIVIER CRÉPIN-LEBLOND: And Olivier is waiting to do the any other business.

ALAN GREENBERG: Then I turn it back over to Olivier to speak very quickly.

OLIVIER CRÉPIN-LEBLOND: Thanks, Alan. I was just going to ask one thing of you, Alan. We have another call later on this week in two days' time. Should we start with the accountability before we start with the other things, so we deal with it as a priority?

ALAN GREENBERG: I would think that would be a reasonable thing. I had forgotten there's another call this week. But yes, certainly, that would be fine with me. Perhaps we'll have some other comments other than mine.

OLIVIER CRÉPIN-LEBLOND: So next steps for everyone. Please visit this Wiki page. Add your comments. Please visit the ICG. Again, our own Wiki page to build the statement for the ICG. We've got 48 hours until our next call and we will follow up on those discussions.

With this, I'd like to thank all of you and thank the interpreters, Sabrina and Veronica, for having helped us.

ALAN GREENBERG: Sebastien did put up his hand quickly.

OLIVIER CRÉPIN-LEBLOND: Oh, I wasn't aware. Thanks very much, Alan. Sebastien Bachollet, you have the floor.

SEBASTIEN BACHOLLET: Yes, sorry. It was just to ask a question. As I have written, minority report, do you want me to import it in the Wiki page or I'll [inaudible] made on that. It's just a question and I have [inaudible] of what is better.

ALAN GREENBERG: Why don't you just point a comment in pointing to the section number. Certainly not import the text. This page is going to be long enough as it is.

OLIVIER CRÉPIN-LEBLOND: Thanks, Alan. And I see a green tick from Sebastien, so message well-received. Thanks to all of you. Thanks to Sabrina and Veronica. And of course to our wonderful staff, Heidi and Terri, who's performed the magic today for everything to happen and run well. And thanks to the operators.

Ladies and gentlemen, this call is now adjourned. Goodbye.

ALAN GREENBERG: And thanks to Olivier.

OLIVIER CRÉPIN-LEBLOND: Thanks to Alan.

UNIDENTIFIED MALE: Thanks, everyone. Bye-bye!

TERRI AGNEW: Once again, the meeting has been adjourned. Thank you very much for joining. Please remember to disconnect all remaining lines, and have a wonderful rest of your day.

[END OF TRANSCRIPTION]