
TERRI AGNEW:

We'll go ahead and begin at this time.

Good morning, good afternoon, and good evening. Welcome to the At-Large Ad-hoc working group on IANA transition and ICANN accountability call, taking place on Tuesday the 18th of August 2015 at 15:30 UTC.

On the English channel we have Alan Greenberg, Gordon Chillcott, Cheryl Langdon-Orr, Olivier Crépin-Leblond, Tijani Ben Jemaa, Yasuichi Kitamura, and Sébastien Bachollet.

On the Spanish channel we have Alberto Soto.

We have apologies from Seun Ojedeji, León Sanchez, Jimmy Schultz, and Fatima Cambronero.

From staff we have Heidi Ullrich, Kim Carlson, and myself Terri Agnew.

Our Spanish interpreters today are Veronica and David.

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. Olivier speaking. Have we missed anyone on the roll call by any chance?

Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.

Doesn't appear so. Okay, the roll call is complete. And today we're going to start with the CCWG accountability, ordering up on all of the work that's been happening in the past week and obviously focusing much on the public consultation that is currently taking place. And then afterwards, we'll send a very, well, much smaller, shorter amount of time on both the IANA coordination group update, which actually is also a public publication that the ALAC is responding to, and any updates on the CWG IANA.

So as far as the stewardship transition is concerned. Are there any additions or amendments to the agenda? I see Alan Greenberg having put his hand up. Alan, you have the floor.

ALAN GREENBERG:

Thank you Olivier. I made an alteration to the agenda already, which you may or may not have noticed. I added the new NTIA blog post, or the proposal identified in the blog post, which is the ICANN Verisign proposal for root zone manager, management changes, under the CWG.

OLIVIER CRÉPIN-LEBLOND:

Thanks very helpful Alan, thank you. Olivier speaking. I hadn't seen that change, and that's a good change. Obviously, there is also the other announcement from NTIA about the renewal for another year, of the contract for another year. So I guess we'll have to discuss both of these today. And without further ado, the agenda being adopted as it is, we can have a look at the action items of our last meeting, that's just to do...

Well, I see Tijani Ben Jemaa has put his hand up. Let's hear from Tijani. You have the floor Tijani.

TIJANI BEN JEMAA: Thank you Olivier. Tijani speaking. I don't think that the [inaudible] management would be under the CWG, as Alan said. It will be between ICANN and VeriSign. Thank you.

OLIVIER CRÉPIN-LEBLOND: Okay. Thanks for this Tijani. I think we'll leave it as any other business in here, because I don't think there is very much time that will be spent on the CWG anyway. So any other business for the time being.

Thanks Tijani. So let's move then. Action items from last week, and that was just to have the Doodles for the two calls this week. We've got a call today and another one later on this week. Let's move straight to number three then, the CCWG accountability. And for this, with León Sanchez unable to join us at the moment, we do have Alan Greenberg who will be able to take us through the consultation and through any of the progress so far. Alan, you have the floor.

ALAN GREENBERG: Thank you. I was just finishing a comment in the chat. All right. There have been no further comments on the Wiki, over what was there last week. And the first item on the agenda, I believe, under this one, is a pointer to those comment. The second item is the draft, first version of the draft comment that I have put together. This basically takes the comments that had originally been posted either by myself or by

Sébastien, and puts them into more proper words for an ALAC comment, with a significant number of places where we need additional discussion.

But I would like to do is go through this essentially paragraph by paragraph, and get either buy off on it, or discussion on how should it change. So if we could post the version one draft comment in the pod, I would appreciate it.

TERRI AGNEW: This is Terri. One moment please.

ALAN GREENBERG: Thank you.

Okay. No, that's not the document we're looking at. We're looking at the...

TERRI AGNEW: Okay. One moment.

ALAN GREENBERG: Okay.

Thank you very much. All right. There obviously will need some flowery language at the beginning, saying we appreciate all of the good work that we can add later. The first substantive paragraph says that the

ALAC is generally very supportive, although we had a preference for less enforceability, we believe this is an acceptable way forward.

I'm going to pause after each paragraph just to see if there is anyone who wants to disagree with it, or propose anything other than, you know, any significant wording changes. Not seeing anything, we'll go ahead. I'll point out, we do have a number of concerns, both philosophical ones and at a detailed level. And we'll take the opportunity to comment on the various minority statements that were presented in the paper.

And then qualify that, if we're not qualifying anything, then this is an ALAC position that is held widely by the group and approved, but there may well be times that we present alternatives, if we have significant differences within the group. Sébastien.

SÉBASTIEN BACHOLLET: Thank you Alan. This is Sébastien. Olivier before me.

ALAN GREENBERG: Sorry. The fact that he's up above I didn't notice him. Okay, Olivier, you're on.

OLIVIER CRÉPIN-LEBLOND: Thanks Alan. It's Olivier speaking. Up in the clouds. Just to mention, the concerns both at a philosophical and a detailed level, I'm not quite sure how you're putting the contrast between philosophical and

detailed, and I would say that it's probably not a good idea to say the ALAC has philosophical concerns. [CROSSTALK]

ALAN GREENBERG: I suspect that is the correct word because we have concerns, for instance, on the ability to reject budgets...

OLIVIER CRÉPIN-LEBLOND: That's pretty substantial, that's not philosophical.

ALAN GREENBERG: Well okay.

OLIVIER CRÉPIN-LEBLOND: You know? It's not philosophy, it's hard core cash.

ALAN GREENBERG: Can you recommend another word to say? All I'm trying to say is that there are a variety of views. Some of them are really substantive, and some are minor things that need adjustment. So if you can suggest something to replace that, I would be happy. It doesn't have to be at this moment.

OLIVIER CRÉPIN-LEBLOND: It's Olivier speaking, and I was going to say exactly the word that Gordon has put in the chat, conceptual. Thank you Gordon.

ALAN GREENBERG: Okay. I'm not sure I'm happy with it, but I'm willing to put it in and see how it looks. Sébastien.

SÉBASTIEN BACHOLLET: Thank you Alan. It's Sébastien. Maybe to discuss at the detail level, could be a way to discuss this issue. I was, I wanted to comment on the fact that you talk about minority view, but we have now also a minority reports, and maybe it could be good to say we will provide also a position on the minority reports, on this document.

ALAN GREENBERG: Yeah, I was using views as a generic, but I'll be specific and use the exact words that are in the report, in the proposal.

SÉBASTIEN BACHOLLET: Alan, you have both, you have a minority views where it's the minority within the report and minority reports when it's at the end of the report. Okay.

ALAN GREENBERG: Noted. I was trying to be glib when I wrote this late at night, but you're right, I should be specific, and say we will comment on both types. So no problem with that. All right. Going into the substance. The first item is in paragraph 154, bullet 2, and this is the recommendation that in the bylaws we define, where currently it says it's led by the private

sector, there is a suggestion that we enumerate various parts of the private sector, and we were grouped in with, under civil society.

And there was a general discussion at the last meeting that we believed we should reference end users specifically, because there are certainly cases where groups within our community, our civil society, but there are groups where there are strong differences. And there was a fair amount spoken last time. I haven't gone to the transcript, but if someone can suggest another sentence or two, which gives further rationale and cases demonstrating why we believe we need to separate the two out, I would appreciate it.

I didn't include the references to splitting business users among providers and users. I think if they want to push that one, they certainly can, but I'm not sure that that's our job. Any comments on this?

So either Sébastien or Tijani, both of whom have been vocal on the references to end users, if you could give me specific words, I would appreciate it. Sébastien, you're up.

SÉBASTIEN BACHOLLET:

I agree with you. We need to struggle for our own house, and I will provide you with some rationale. One of my concerns is that the organization within ICANN, it's not one used in other places of Internet governance, and also it's important to raise this as we are an end user organization. But I will try to provide you with some...

ALAN GREENBERG:

That certainly is a good point, that civil society at this moment anyway, although there are some initiatives to change that, is not a term widely used and understood within ICANN. So that alone I think is a good reason. But thank you, I'll look forward to seeing what you have. Tijani, go ahead.

TIJANI BEN JEMAA:

Thank you very much Alan. Tijani speaking. I want to, perhaps to explain more why it was put private sector led in the first part of bylaws of ICANN. It was because they wanted to say that it was not governmental led, and for the whole world, there is the commercial and business sector which is the private sector for us, but it's not the same for them.

There is the governments, and there is the rest of the world. And this is the way people were spread in the [inaudible] information society. So this is why it was written like this. Our duty to say it is not private sector, it is not business and commercial community. It is all the communities, all the stakeholders, including end users specifically.

I have a real fear that we will have the NNSG have approve that, At-Large is not civil society and it doesn't have anything to do with civil society, they are representative of civil society. And this is something I don't want. That's why... Sébastien, please, when you draft something, try to avoid this kind of message that we may send to people. Thank you.

ALAN GREENBERG:

Thank you Tijani. Regarding using the term, led by the private sector, I think we have already won that battle in that we do have words that elaborate on it, now our challenge is to get them right. And Tijani, please in a comment or something yourself, to make sure that that's not lost. The issue so NCSG potentially claiming the territory, the exclusive territory, is an issue that's come up before. And although we may not want to point deliberate fingers in our statement, we may want to allude to it.

So I think it's an important issue. The next one is appeals mechanism. Now I had a strong comment on that, saying I had a real problem with the binding nature. I've reviewed the words very carefully again, and the wording with one exception, and I've already identified that on the CCWG list, oh no I haven't yet, but I will, is the RFP does not make decisions, it overturns. It essentially says, the ICANN Board or staff were in violation of the bylaws or articles of incorporation, and have to take action to remedy that.

The one exception is the IRP is also given the ability to override conflicting external panel decisions, and in fact they're then silent as to how that gets done. But in terms of the IRP with regard to the bylaws, they don't actually make decisions, and we were saying in our discussion the other day, that it's fine for the IRP to overturn, but it should not make a replacement decision, and as I read it, I'm not sure there are recommending that at this point.

So the question is, from other people who have read this section well, do we really have a problem with it or not? I'm no longer convinced that we do. I wish León was on the call because he probably

understands it more than I do. This is not one of the sections I focused on to a great extent as we went forward. Anyone else have any thoughts on this?

Tijani. And if Sébastien has any thoughts, I would appreciate it also. So Tijani go ahead.

TIJANI BEN JEMAA:

Thank you Alan. And this recommendation and the report of the CWG, they don't say clearly that the IRP doesn't take decisions. But they say that the role of the Board is not replaced by the IRP. That means the decision should be taken by the Board, but it is not clear, and is, you're right. We have to put more clarification in the wording, and if we can make it more clear, it would be better, because I have the same fear that you have Alan. Thank you.

ALAN GREENBERG:

My problem is I'm not sure I have a fear anymore. The wording, let me see if I can find it in the report.

TIJANI BEN JEMAA:

It said that it would not replace the Board...

ALAN GREENBERG:

Yeah, no, no. It does say that, but it also says... Trying to find out...

I can't find the exact words, but the wording was something, it can decide if the Board or staff have not followed the bylaws, and that

appropriate action has to be taken. That's not the exact wording of it, but it's close. I'll let Sébastien talk, and maybe I can find the words as he is going on.

SÉBASTIEN BACHOLLET:

Thank you Alan. I guess it's in paragraph 268, and it's bullet number 5, possible outcome of the IRP. And IRP will result in a declaration that, and action failure, failure to act or comply or didn't comply with ICANN article of incorporation and/or bylaws, as they stand permitted by law. IRP decisions should be binding on ICANN.

And then, the question is how it switches here, because in fact, now we don't just judge what is, if it's following the bylaws or the processes, but also on the content. And the question of the binding is, you can say that you didn't follow the bylaws, but if for the decision, if the panel decides to put a proposal, or say ICANN you need to follow this, for example, just to take a bad example, I know, but they decide that for the dot Africa, it's not the number one but the number two who must be given the application, and then it's not ICANN anymore who will decide.

I don't know if my example is a good one, but it is this type of binding who can be difficult as ICANN as a whole and for the Board to follow. Thank you.

ALAN GREENBERG:

Okay. So basically you're saying we should reinforce that the IRP can decide that we have not followed the bylaws, but cannot recommend

explicit action, that is the Board who has to do that in response to the decision.

SÉBASTIEN BACHOLLET: Yes Alan, I agree with you.

ALAN GREENBERG: I will try to craft something like that.

SÉBASTIEN BACHOLLET: But of course, it would be good to have León giving his thought on that. It's, of course, one party that he knows very well and it will be...

ALAN GREENBERG: I will consult with León before I present whatever I draft, if not before drafting. All right. Next section is on section number six, and it's paragraph 319 to 334, and this is on the waiting models. The wording I now have is the ALAC can support the five times five plus two times two model, with the understanding that should the ICANN bylaws, and there is a spelling mistake there, be altered to no longer have SSAC members and chair appointed by the ICANN Board, the SSAC should be granted a full, a weight of five [inaudible] with the importance and, of security and stability in ICANN's mission.

Further I add, the ALAC will support the five, the seven times five model. Under no conditions will we support the model where the ALAC and GAC are given lesser status than the SOs. Comments? Olivier.

OLIVIER CRÉPIN-LEBLOND: Thank you Alan. It's Olivier speaking. You just to be careful how you use the ALAC can support and the ALAC will support. We need to establish nomenclature for this whether we use one or the other, because there is a difference.

ALAN GREENBERG: I'm happen to use will there, in the first section.

OLIVIER CRÉPIN-LEBLOND: Okay, thanks.

ALAN GREENBERG: Does that address this? Sébastien.

SÉBASTIEN BACHOLLET: Yeah. I wanted to say the same thing. I was wondering why we can't be more it's supporting or we are supporting, and we can also support the second one. For the moment, I guess the main one is five by five and two by two, then we will support this one.

ALAN GREENBERG: How about just ALAC supports?

SÉBASTIEN BACHOLLET: That's an English tweak, but yes, no problem.

ALAN GREENBERG:

And for the second one, in the previous version I had wording to the extent that the ALAC would support the seven times five model, if there is a general interest in the community. I dropped that last part, sounding wishy-washy, but maybe we need some additional words there. So I'll try to reword the seven times five sentence. Tijani.

TIJANI BEN JEMAA:

Yes, exactly Alan. I think that we, our interest as ALAC is seven times five, but we can live with five plus two, times two. I have read an article, [inaudible] where, where they compare the power of the three SOs, and all the values, and it is... We need to minimize this power. We need to have more, how to say, more democracy in the decision making. Thank you.

ALAN GREENBERG:

Thank you Tijani. I'll give the floor to Cheryl in a moment, but my only concern, and I do have a concern, is that I'm not sure giving five votes to the RSSAC is democracy. They are a very targeted group of essentially, in many cases, one person for each root server, or perhaps one person representing a group. And I'm not sure I would call that giving them five votes is democracy.

So I do have some concerns with the RSSAC, and although I don't personally don't think Board approval of the SSAC is really an issue, I can understand where people are coming from with that one. Cheryl.

CHERYL LANGDON-ORR: Hi Alan. Thanks. Cheryl for the record. I actually, I'm not [inaudible] to your point, but I do not have the same issue with RSSAC given a balance in equitable vote power, on the rare occasions where there is going to be a vote. However, I actually wondered whether we might take some of the language in this paragraph being wrote at the moment, not so much [inaudible] a bit more generic, and where we specified that the SSAC could be granted a weight of, [inaudible] say that of a [freeze] could be granted a weight of.

So as not to be specific to the SSAC, and also to be open ended for what could very well be possibility of other advisory committees being formed, created, or desired in the future. So [inaudible] counter to what you were saying your concerns about the RSSAC, but it does cover my lack of [inaudible] about the RSSAC [inaudible]...

ALAN GREENBERG: Yeah, I wouldn't want to remove the phrase about the importance of security and stability in the mission though. I think that's [CROSSTALK] ...have to identify the SSAC separately from that perspective.

CHERYL LANGDON-ORR: Such as, you know? Not limited to. Very limited to this just one existing AC, and I just think, clever use of language there might be not so much open ended, but I think I would be happier with a more generic [inaudible] there.

ALAN GREENBERG: I'll see what I can do.

CHERYL LANGDON-ORR: Thank you.

ALAN GREENBERG: Is there anyone who feels sort of strongly that the RSSAC should be given the five votes, given right now they are limited and currently appointed by the Board. I'm not sure I want to push that really hard, because I'd prefer to push on what we're more likely to get than pushing something which is something that is almost surely going to be rejected en mass by the group. Tijani.

TIJANI BEN JEMAA: Yes, thank you Alan. It is not because I want the RSSAC to have the five votes, it is because I'm sure that the GAC will not be in the decision loop. They have a lot of problems and they will not be, in my point of view, they will not agree together, they will not have consensus in their group to [inaudible] or to not have the more or less advice to the Board, to have a vote in our community.

So, my fear is that it will be three SOs plus ALAC who have five votes, and perhaps the two others have two votes. So in this case, we will have very, very powerful registry position. And this, the public interest will not really be defended in this case. Thank you.

ALAN GREENBERG: Okay. I'll reword it and we'll see if it comes closer to matching what people feel. Next item is under community powers, section one,

reconsideration or rejection of the budget. I have separately in a mail to the group asked the question of, is rejection the same as a veto? And pointed out the conflict in some particular paragraphs. So I didn't think that's something the ALAC needs to address.

But depending on the answer, we may in fact need to roll that back in. That was in the comments on the Wiki. The ALAC... What I have now. The ALAC has concerns about the ability of the community to reject budget items related to a single SO or AC. Given the apparent view of some community members that particular groups should have lesser status than others, it could follow that these groups would, should be denied financial support.

The Board is given the responsibility of balancing the various needs and priorities of the constituent, it should be constituent parts of ICANN, and should be given the discretion to do so. I find this somewhat weak to be honest, and I guess I'm looking for input as to whether we eliminate it all together, or how do we strengthen it?

It is self-serving because, if nothing else, Chris [Dispain] has identified the ALAC funding of [summit], as a potential place where this could happen. Input? No one? Okay. We leave it, it stands for the next version.

Sébastien says he was back. I was just talking about section 7.1 and saying that I thought that this was somewhat weak, and do we eliminate it or do we strengthen it, given that it could potentially be viewed as self-serving. Still no hand. Then I will, we'll come back to it later if necessary.

Section 7.3, removal of individual directors. This is the statement I think we all agree on last time that there needs to be explicit statement that, removing a director does not result in liable, or slander, or defamation cases. Paragraphs 407 and 409, the process should be adjusted to allow multiple removal, multiple directors without replicating certain steps. I think that's just a clarification.

And there is some substantial comments that Sébastien made on section 7.4 that we deferred discussion on, and I would like to do those now, if possible. Sébastien, if you don't mind, I'll read it and read off the items. Terri, could we have the other document back in the pod for a moment?

Thank you. If you can scroll down, it's, I believe, a little bit about two thirds, three quarters of the way down. And there is a section called 7.4, recalling the entire Board. And the comments read as follows. Paragraph 409 section 2A, the Chair of the forum must not be associated with the petition AC and SO, and Sébastien is suggesting that we add the NomCom.

I really don't find this particularly necessary, because although we're recalling a person who was named by a NomCom, is indeed a previous NomCom, and there is not necessarily any real connection between that NomCom and the current one. So I find the restriction a little bit too strong, but I don't feel very strong about that.

Are there anyone who either feels it should be retained? Or feels strongly it should be deleted? Nobody much cares. Tijani and Alberto, go ahead. Tijani first.

TIJANI BEN JEMAA: Yes Alan, thank you. I think we do not have to keep it. We're not in, we will not be [inaudible] to find, to find one NomCom for that. For me, the best is to include NomCom as we did last time. Thank you. Yeah, but I'm worried about the term, the chair of the forum cannot be associated with the NomCom. That's sort of, a NomCom is a wide ranging.

TIJANI BEN JEMAA: Yeah, yeah. No, not associate, cannot be a member of the last NomCom.

ALAN GREENBERG: Of the NomCom that named the person? Is that what you're implying?

TIJANI BEN JEMAA: Yeah.

ALAN GREENBERG: Okay. That I could support. I'm not sure how I could word it, but that I can certainly support. All right. Alberto, you're next.

ALBERTO SOTO: This is Alberto Soto speaking. The NomCom mission is to appoint, perhaps it should not be there because its function is not to judge, and to separate the members. That's all. Thank you.

ALAN GREENBERG: Thank you very much. I think the prohibition in the Chair was that whoever is chairing the community forum, should be viewed as impartial and not have had a relationship to the appointment of the same director. So I, yeah, so I think that's not an unreasonable restriction. Olivier, go ahead.

OLIVIER CRÉPIN-LEBLOND: Thanks Alan. It's Olivier speaking. And I just wondered one small thing. Regarding the removal of the entire Board, was it really the feeling of the CCWG that the Board needed to be pretty much escorted out of the building, and this interim Board be appointed in the meantime, this caretaker Board to be appointed in the meantime, because we couldn't trust the Board that was there to carry on business until a new Board gets approved?

ALAN GREENBERG: There was certainly the belief that once the act had been carried out, that the effectively the old Board was escorted out of the building, yes. There was a strong feeling, because one of the suggestions that was on the table, was the old Board would continue working, until the new Board, but with perhaps limited power, and that was felt to be quite unworkable.

But I'll note that this process to remove the Board was going to take weeks. And clearly, the old Board is still in full control while they are under threat. That doesn't mean it's going to be successful removal,

but certainly they have full control at the time, the process is going on. And I don't think there is anything you can do about that.

OLIVIER CRÉPIN-LEBLOND: Alan, it's Olivier speaking. If I could just add, I just find that the process of having now, not only the weeks that it takes to remove the Board, in which case the Board can pretty much torch the building before they leave the building, and suddenly we're like, hey bingo, they're actually out of the building, excellent. Let's put some caretaker Board in the meantime.

It seems to be very complicated, and I just wonder does this have the chance to actually make things longer? You know, instead of having some nimble way of having a new Board appointed. Just an open question. Thank you.

ALAN GREENBERG: This was the best we could come up with, to be quite candid. So, you know, if you have some radical idea of how to do it otherwise. I will note that relatively few organizations, this is what the advice, not the advice, but the wisdom of the lawyers, was relatively few organizations have a remove the whole Board provision.

And those that do, in many cases, they have no alternative. That is, they don't include in the rules, how the Board is to be replaced, which sounds like, you know, saying that we're going to get rid of the captain and the steering wheel of the ship, and we'll worry later about building a new steering wheel and hiring a captain.

But that is indeed what other corporations have done. So we're trying to be more prudent, but it's not perfect. Cheryl, you're on.

CHERYL LANGDON-ORR:

Thank you. Cheryl for the record. Just thinking on this, and I'm comfortable with where we are on the provision of interim members [inaudible] etc. I think that's, you used the term caretaker [inaudible] to suggest that they are, in fact, an interim replacement, not necessarily a full remand [inaudible], but they are to be [inaudible] of continuing operations, once the full Board is removed, but in a number of political situations, where there is concern that fire brand might be used even if the outcome is not such [inaudible] by other than democratic processes.

You do have [inaudible] on, for example, caretaking criteria being applied to existing governance bodies. So for example, in Australia, there is a point at which, in a normal scheme of events, once there is a no confidence vote, or a call for election occurs, there are limitations on the powers, so the [inaudible] through [inaudible] be suggested. But rather minimum maintenance can go out in terms of governance and actions, situations need to protect some [inaudible], and I think that could be request for and [built into the system?].

With these terms like caretaker, governance control. That would be applied before Board removal, between the point of it being raised as a request for consideration, and actually [inaudible], and that doesn't affect the [inaudible]...

ALAN GREENBERG: Thank you Cheryl. I'll point out that any director who sees the rest of the directors going off to torch the building, or the sole member, can go to a court and get an injunction. So all the normal laws which restrict what an entity can do, can still be invoked here. So it's not as quite as a free reign as one might imagine. Olivier.

OLIVIER CRÉPIN-LEBLOND: Thanks very much Alan. It's Olivier speaking. Can you hear me?

ALAN GREENBERG: Yes, there is an echo though. Go ahead, we'll live with it.

OLIVIER CRÉPIN-LEBLOND: Okay. Thanks. No, it was just to come back to Cheryl's point. And I just want to sort of get a clearer picture here. Do we then agree to a full interim Board to be created? Or do we prefer to have a caretaker Board that will carry on business until a new full set of Board members gets appointed.

CHERYL LANGDON-ORR: Can I respond to that Alan?

ALAN GREENBERG: Quickly please, but we're completely off the topic of what we're supposed to be talking about.

CHERYL LANGDON-ORR: My suggestion was not full caretaker Board to be created, an interim Board will be proposed along with a removal action, but that there is caretaker control exercise on what you would effectively be the high [inaudible] outgoing Board. It's not exactly the remove them from the building model, but rather, rooms they can play in and what they can do in it.

ALAN GREENBERG: Thank you. Certainly we can propose that some restrictions be placed on a Board while the process is ongoing. As soon as the process is done, that Board is gone, certainly from a legal point of view. The question is, do we want to make restrictions what it can do while the process is going on? And this kind of thing was discussed, not from that point of view, but more from the interim Board point of view.

Instead we don't really know what is happening at ICANN at the time. This is a time of crisis. This may not be the time you want to restrict what the Board could do. But if someone has a suggestion, please put it in. I notice Avri has made some comments in the chat about articles of incorporation. Avri, could I ask you to put a note in the Wiki so that we don't lose that one?

All right. The next item is, on paragraph 411 and Sébastien noted that it suggests that the nominating committee have reserved candidates in place for the Board. And his comment is that it would be difficult to handle. I would know whether it is difficult or not, it doesn't mean we can recommend it, and in general, my understanding is the NomCom typically does have at least one candidate in reserve.

Now there is no guarantee that candidate is still available. But they've identified someone who they believe is an acceptable candidate, and that could certainly be done, or two candidates like that instead of just one or more even. But I think it's a reasonable request that the nominating committee do this, whether they can actually satisfy it or not, I don't think is something we need to worry about.

I'm presuming that people representing the NomCom, and Cheryl is certainly one of them, if they thought this was a really dangerous, or completely impossible request that we would have heard that already. Olivier.

OLIVIER CRÉPIN-LEBLOND:

Thank you Alan. It's Olivier speaking. And having served on the NomCom quite some time ago, it is indeed the case that there is a second candidate, but of course that candidate is not told they are the reserved candidate. So when it comes down to letting them know, it would pretty much be the same thing as all of the other SOs and ACs. And I believe that is the plan, isn't it?

To not let the number two, the backup know about this position, or is there a plan to let them know that they will be the backup position?

ALAN GREENBERG:

I think that's a NomCom issue. I don't think we need to look into it.

OLIVIER CRÉPIN-LEBLOND: I'm thinking the other SOs and ACs. Are we basically saying so, Alan is going to be on the Board and Evan is going to be the backup position?

ALAN GREENBERG: No, no, no. This reserve candidate was for the NomCom, I believe, only.

OLIVIER CRÉPIN-LEBLOND: Okay, all right. But I'm talking regarding the other candidates.

ALAN GREENBERG: At one point, a suggestion was made that whenever a candidate is named, a backup be named also. And that was ultimately rejected by the community. How the AC or SO decides on their one or two interim members is purely up to them at the time.

OLIVIER CRÉPIN-LEBLOND: Good, thank you.

ALAN GREENBERG: Okay. The next item is in section 415, and there is a reference to a responsible person, and I don't quite know where that is. Upon receipt of the valid petition within the timeframe that would be defined, paragraph seven, probably seven days, the responsible person will... Okay, so the question is who is the responsible person? I think earlier it's identified as the Secretary of the Board of Governors, but I'm not sure.

But I think that's, Sébastien, if I'm correct, that says we have a statement there which is not quite clear, and it needs to be clarified. I don't think that needs an ALAC statement, but we should pose the question on the mailing list, and I'll do that if I'm interpreting that correctly. Sébastien, yeah and I see a tick mark. Okay. I see two tick marks from Sébastien.

It's amazing on my thing. And I'll make saying send an email on that. And also regarding, there apparently is an option on what the period is, 422 is not clear, I'll look at that later and again, I'll put that in the same comment. And Sébastien, I'll check with you before I send it to make sure I'm identifying what you identified.

423, minimum diversity. Ah. Okay. This 423 says, due to the short term, the interim Board is not subject to diversity requirements that apply to the ICANN Board. The normal diversity requirements are, you must have at least one person from each region, and no more than four or five, I think.

CHERYL LANGDON-ORR: Five.

ALAN GREENBERG: Five. Given how these people are going to be named, that is the majority of the interim Board will likely be named by the ACs SOs, and because the NomCom is not likely to have eight people in its back pocket, that it can stick on immediately. So we don't have the ability of the NomCom, or what's more, at the time the search for these people

was done by the previous NomCom, the diversity needs might be different.

So if at the time the NomCom was trying to fill Board positions, there was already a maximum number of people from North America, they would not even consider North Americans. Yet that might be the category that's needed in the interim Board. So given that most of them are named by the ACs and SOs, and the NomCom is going to have a very limited pool to use, to pull out of its pocket at the very short term, I'm not sure how we can make diversity requirements on this interim Board.

So I understand the desire, but I don't see the mechanism by which it could be done. Olivier.

OLIVIER CRÉPIN-LEBLOND: Thanks very much Alan. Olivier speaking. And I agree with you that it is, that it would be very difficult to have diversity requirements, but I would be very concerned if, with all of the media that would shine on ICANN if the community was to fill the Board, an interim Board would be made up of entirely North Americans.

That would signify ICANN's death, and I think that we would need to, perhaps, I don't have an answer this. But perhaps we can have a maximum number of people from any single region, maybe relax that number rather than get rid of that number all together.

ALAN GREENBERG:

Olivier, can I ask you the mechanism by which we do that? The Board could be composed as few as four people. One from each AC and SO that has the power, and the NomCom has nobody to contribute at the given time. What do we do? Do we say whichever AC SO gets there first, you get your choice? But when the fourth one comes along, we may say, no we won't accept your choice?

I don't understand the mechanism we can use to do this.

OLIVIER CRÉPIN-LEBLOND:

It's Olivier speaking. For a very small Board such as four people, that indeed is a very, very hard tough sell. And, as I said, I don't have a golden bullet for this one, unfortunately. But still thinking.

ALAN GREENBERG:

It's hard to put rules in place if we can't even imagine a viable one. Sébastien.

SÉBASTIEN BACHOLLET:

Yes, Alan. If you read my comments, it says that instead of writing is not subject to the diversity requirement, at least the minimum diversity requirement must apply, and my suggestion, if there are two persons to be selected by a SO, this SO at least needs to have one coming from another region than the first one, or the second one must be from another region.

That means that there is no, the difference between my proposal and what is written is that, there is no diversity requirement at all. And I

think that if ccNSO, GNSO, decide to put two person, they need to be at least from two regions, the people from two different regions. And that's the only point. I am not talking about the fact that we will, it will be better if the three organizations through the people just coming from the big island, or big continent or whatever.

It's the simple and possible workable solution I am suggesting. Thank you.

ALAN GREENBERG:

Okay. Thank you. Sébastien, when I read the words, I was always looking at it saying there must be diversity requirements on the overall composition of the Board. What you're saying right now, from my perspective, is very different, and I find that completely acceptable.

That is, if any group is naming more than one person, they must be from different regions. I find that completely acceptable.

SÉBASTIEN BACHOLLET:

It's Sébastien again. Just to be clear with everybody here. I was just trying, starting, I did agree with the fact that we have removal, and we're recalling like it is suggested in the report. But I tried to get with some suggestion to, and the answer, report, whatever, even if I disagree with the concept of the idea here, just to be sure that we have a better report again.

ALAN GREENBERG:

Thank you Sébastien. I think that's what we're all doing. None of us are getting exactly what we wanted, but we have to try to make sure what we don't end up with is dangerous, and that it's the best that it possibly can be. So I wasn't really reading it as anything else, but what you're now proposing, I read, the first thing is different, and that may be my own insight, but you do have those words there, I didn't read them fully.

So I apologize and I will put that in. Tijani.

TIJANI BEN JEMAA:

Thank you Alan. Tijani speaking. I agree with Sébastien, and I would add that now we have the community assembly that can consult all of the community together. And when each SO and AC will come with their candidate, we can consult between all together, all the communities together, and try to find the best, not balanced, but the best distribution, regional distribution of the candidates. Thank you.

ALAN GREENBERG:

To be honest, I think that's going past what the community forum is there to do. You know, I think the ACs and SOs are going to give them full discretion to select their interim member. So I don't think we can do more than that. But I like what Sébastien is suggesting, and I'm sorry I didn't read that actual sentence before. I missed it.

TIJANI BEN JEMAA:

Alan, I didn't say that the assembly would decide. I said that it is a forum of discussion. So the SOs and ACs, with their candidate, they can

come and discuss between themselves, and see how to balance the best, the composition of the next Board. That's all.

ALAN GREENBERG:

Tijani, I understand what you're saying, but I believe the process is you don't name the director, the interim director, until you actually effectively cast your vote. So I think we're presupposing that. And the NomCom now no longer has to present their candidates at all until the vote is successful, because they want to maintain the confidentiality of their candidates if the vote is not successful.

But I agree with the sentiment. I'll try to put some words in that cover that. 425, the directors selected to the interim Board and later those for the replacement Board, will step into terms that are vacated by the recalled directors. Each AC and SO shall determine which of the terms the interim and replacement directors fill. In this way, there shall be no disruptions to stagger terms of the director.

I don't see why and how. Sébastien, could you elaborate? I'm not sure I see a problem there. They're simply saying that if there is one director's position that is currently up in a year, and another in two years, that the AC or SO designate that Sébastien is filling position A or position B.

Sébastien go ahead.

Are you still with us?

SÉBASTIEN BACHOLLET: Yeah, sorry. I was muted. Yes Alan. I agree. The question is here, it's not, if it's good or not good. It must be done for the Board, for the next Board. The interim Board, there is no issue. We don't care. It's an interim Board. The people will be seating A, or B, or C. We don't care because it's an interim Board. And I see more complexity and hidden complexity, [inaudible] work not needed either. And my suggestion is to the director selected for the replacement Board, will step into, and we don't talk about interim Board in this part of the...

ALAN GREENBERG: Okay. I see. Your reference really is to the interim Board, and that one doesn't make any difference. I support that.

All right. I think we are now finished with that section. And back to the original game. Can we go back to the original document Terri?

And we're in the middle of page two. And paragraph 429 30, removal of the AC SO, of the entire Board by a single SO. The logic in the minority view is that, and I should reference that it is a minority view. Is that it would be unacceptable for a particular SO, specifically the GNSO or ccNSO community, to find the Board totally unacceptable, and not be able to categorically remove them.

That it could not function with a Board it did not support. And I perhaps obviously, reject that. That it has to be the community removing the entire Board, not a particular SO. I don't think I'm going to get anyone not supporting my position here. But I'm looking. No? Okay.

Section eight, diversity. Correctly so, my comments in the previous, in the Wiki, were aimed largely at the input into the diversity recommendations, as opposed to the recommendations themselves. I do feel that the report has to make it really clear that the input was just that, and not things that are necessarily being considered in detail. So I would suggest that we need a clarification on input.

But Sébastien reasonably asked that we look at the recommendation, at the recommendations explicitly, and what I've done is replicated here the six recommendations, and I've put my comments. The first one is they include diversity as an important element in creating any new structure, such as the IRP. I believe that we need to consider including diversity.

I'm not quite sure, for instance, how one wants to incorporate diversity in the selecting of the three panelists for any given panel. And depending on the subject matter, there is likely only to be a subset of panelists that are eligible, and I'm not sure that diversity should be a requirement as opposed to, again, a consideration, as we go forward. Tijani.

And I'll point out, I don't think the RFP is a particularly good example. Go ahead.

TIJANI BEN JEMAA:

Thank you. Tijani speaking. Do you mean, Alan, that we will not find the [inaudible] of one of the three members of the panel? And in all the regions in the world? Do you think that you will not find well-qualified

people, even technical qualified people in Africa? Or in Latin America? Or in Asia Pacific? I don't think so.

So the requirement of diversity is, I think, a key point. And for sure, if there are three, for sure there will be three regions only. But we have to avoid having two from the three from the same region. It is, I would like to avoid having all of the panelists from North America, for example. Those are things, we are not the only ones interested in ICANN. People who don't like us are interested in ICANN. And those people are trying to find where they say this is always a North American organization.

So we need to make things very clean and very, very, how do you say, nobody can attack us. Thank you.

ALAN GREENBERG:

Thank you Tijani. What I was referring to the IRP, and as I said, I think it's a bad example, there are going to be seven standing panelists. And I certainly believe it is a reasonable requirement that thereby be reasonable diversity across those panelists, for any given IRP, any given specific example, which will be on a certain subject matter, perhaps, there may well be only a subset of the IRP panelists who are really eligible.

And whether it is going to be possible or practical, I don't know. I'm out of my depth in selecting panelists for a review panel. I'm just saying, I'm not sure that we can require it, but we certainly should consider it. Sébastien, does that come close to what you're suggesting? Or do you believe it needs to be stronger than consider?

SÉBASTIEN BACHOLLET: Sébastien Bachollet. It maybe our difference of our English understanding, but when I write include diversity, it's not to say every topic of diversity must be included in seven persons. But it's meant to be included. And even as a requirement that there are people with common law knowledge and with every type of law knowledge, it's one who could be very useful within the IRP. And I really don't think, I have the impression that here we are not really, we have no big difference.

Maybe that you think considering including its very different then including, but I don't see differences.

ALAN GREENBERG: I guess, I think we're reading differently when you say IRP. You're talking about, I think, the seven who are the standing panel, whereas I was looking at the three who will be on any given IRP. And in fact, if this is a dispute between a North American company and ICANN, then including a common law expert in that particular panel, does not necessarily make a lot of sense, presuming that it's not being held in New Orleans.

So I was, but I think I agree that include diversity as an element and consider including is not really very different. So I'll try to word something that covers us. And Tijani, is that a new hand?

TIJANI BEN JEMAA: Yes, it's a new hand. Alan, the three panelists are chosen by the two parties, and the two panelists will choose the third one. So there is no

diversity rules for them. They come from a diverse panel of seven people. So the diversity will not apply to the diversity for the three panelists because they are chosen by parties. Thank you.

ALAN GREENBERG:

Okay. Point taken. Thank you. Second item is, evaluate a proposed evolution of the ATRT into the accountability transparency and diversity review. I personally find that far too prescriptive. I think it is reasonable to say ICANN needs a diversity review on a regular basis, and the ATRT could be a vehicle for doing that. I don't think it should be as prescriptive as that, because I personally have some problems having served on an ATRT, thinking that that might be added to its laundry list of things to do.

So Sébastien, is that acceptable? Go ahead.

Sébastien, you may be muted or maybe you dropped off.

SÉBASTIEN BACHOLLET:

I was muted, I'm sorry. It's Sébastien Bachollet. I think here we agree it's to evaluate, and if the people who will evaluate disagree, I hope that they will suggest something else. It was because it was a proposal by, in the comments that we success in the recommendation that the work stream two, or whatever group, will evaluate and say yes no. if you are party will say no.

If I am part I will maybe say yes, but we will discuss and if it's not the ATRT, I hope we will come with another proposal. But it's an evaluation and it's not a prescription.

ALAN GREENBERG: Okay. I guess I feel strongly that even suggesting it be ATRT is really a bad move, that suggesting ATRT as a possible vehicle, I can live with, but proposing as the ATDRT, I believe, is really a bad move. [CROSSTALK]

SÉBASTIEN BACHOLLET: I will just say one thing. I guess it was a proposal by one of the co-chair. But I don't care who will take care of that, in fact, from my personal point of view. When it is important, it must be done. But you can write what you want about that. The end result is more important than the way we are going to go there. Thank you.

ALAN GREENBERG: My only point is, the ATRT right now is heavily overburdened, and we've got the load reduced a little with the changing wording that we're proposing in, when it's moved into the bylaws. Adding this in, I think, will tip the scale into something which is completely untenable. Cheryl.

CHERYL LANGDON-ORR: Cheryl for the record. Yes, I agree with you Alan. I think we could just work with a review team, not necessarily leaving it up to the proposed ATRT. And review team is a term about now anyway.

ALAN GREENBERG: Yeah, thank you. Number three, I think we have semi-closure. Perform part of work stream two, a more detailed analysis, a full inventor of

mechanisms, and it ends with as an initial review of current documents, it is clear that it does not address the full concerns raised by the larger community and diversity.

That last part is a rationale for why we're doing it. And I don't think belongs in the request, although it could be as a preamble. But to be honest, I'm not sure that warrants a comment from ALAC, but I would suggest it be reworded in the document. Comments?

So we will include the recommendation, but not the last part of it. And number, how are we doing on time Olivier? We're an hour and a quarter in, so we better speed up.

OLIVIER CRÉPIN-LEBLOND: Rather late at the moment.

ALAN GREENBERG: We'll try speed up. Let's finish this section, and we will defer the rest to the next meeting. Number four is, I'm suggesting it belongs under two, and I presume there is no objection to merging them together. Carry out a detailed working plan, I don't think there is anything, I'm not sure the wording is right, but the sentiment is there, and strengthen the commitments in order to create a diverse pool of ICANN participants. I think that's number one.

It's a really important issue. Sébastien, go ahead.

SÉBASTIEN BACHOLLET: Yeah. I don't disagree with you about four. The question is not too much the fact that there is something about review, it's for example, is it including in the task of the ombudsman. It's somebody else, is it somewhere else? It's a different topic than the review itself. Thank you.

No more people talking? I am out.

OLIVIER CRÉPIN-LEBLOND: You're still here.

CHERYL LANGDON-ORR: Alan might be muted.

SÉBASTIEN BACHOLLET: Yeah, it's why I'm coming back. Alan, we are missing you. Yes, you dropped Alan. At least we can't hear you.

OLIVIER CRÉPIN-LEBLOND: Thanks very much Alan. Olivier speaking. And I note, over to me for the next section. Okay. I'm not sure whether Alan is saying in the next section into his next section of the call. I think that he just wanted to touch on this and then move on to have a look at the work of the ICG and the other statement that we have to put together.

CHERYL LANGDON-ORR: ...your section, I think that's the only way forward.

OLIVIER CRÉPIN-LEBLOND: I think that will be, yes. Okay. Well, we'll stop right here on our comment for the CCWG, and we'll move over to agenda item number four, and that's the IANA coordination group. And we also have a statement that is currently being drafted with the input from the working group. Primarily at the moment, the only two input that we have is, or discussion on the choice between IANA dot org and any IPRs remaining with ICANN, or going to the ITF trust, or going to a new trust created for this purpose.

You will have noticed that the letter that Steve Crocker, the chair of the Board, has sent over to the various component communities. And let them know that the ICANN Board was agreeable with transferring those IPRs to all of this intellectual property, including the IANA dot org domain to a purpose filled entity.

Although that wasn't, it wasn't quite sure whether this would be the IETF trust, with some changes, or whether it would be a brand new trust of some sort. That would be created. I guess I open the floor for any feedback regarding that. Alan Greenberg, you have the floor.

ALAN GREENBERG: I think that between Milton and Greg, there have been sufficient words on the mailing list on the details of how to do this. We seem to have all parties agreeing with each other, let's let the principles and their lawyers get together and see if they can hammer something out. Ty.

OLIVIER CRÉPIN-LEBLOND: Okay. Thanks very much Alan. It's Olivier speaking. Now do you believe that we do need to actually do show the support of the ALAC for this, just leaving it very open? Alan?

ALAN GREENBERG: I think we've already indicated our support. If you would like a two line message that I can send on behalf of the ALAC, then I can certainly do that. I think we've already said, at least certainly I have, and I think we have, that we want this to work, we want to protect the names community, and make sure they have continued use of these resources, and we don't care much how this gets done.

If you'd like, if this group would like me to send that on behalf of this working group, I would certainly be happy to do that. I'm tired of reading long messages though.

OLIVIER CRÉPIN-LEBLOND: We could have a long paragraph about this. Let's go to Sébastien Bachollet.

SÉBASTIEN BACHOLLET: Yes. Thank you Olivier. Sébastien speaking. Yeah, just to say that I hope that it's not three items or forced, because I have the impression that we are jumping into this discussion, and I say we not just At-Large but a lot of people, and that's not the heart of the situation of this question, it's the IANA stewardship transition.

And I hope that we will have something to say at the mobile level, and as I have not follow in detail what CWG and ICG are doing, I am not the best place for that, but I really think that it's important for us to not just to spend too much time [than is normal]. Thank you.

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

ALAN GREENBERG: Thank you. I acknowledge that this is an emotional issue. The term IANA was used not to reference to a group, but to reference Jon Postel, the person. If you look at the obituary on the ICANN website, it's an obituary to our IANA. So it would be emotionally wrenching to stop using that term, but other than that, the world will keep on going.

So I really don't think that we need to agonize over it. I believe there is good will to come up with a solution that will meet the CRISP criteria, and say we're the only ones to write one, and is acceptable to the other groups. And I prefer to leave it to the people who feel that their both knowledgeable on it, and have a vested interest in making sure that what we decide on is actually implementable. So, I personally don't want to spend a lot more time on it. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks very much for this Alan. I see a lot of green ticks in the virtual room. So there is much agreement with your points. Let's move to the next points, the second comment. And that's the one that was made by Tijani Ben Jemaa. And unfortunately on the actual page that is shared,

the comments don't appear to show which, seems to be some kind of a bug.

Tijani, who has put down in the chat of the page, his intervention that he made last time. And I'm not sure whether we want to go over it again, to discuss this again, and see if that goes into the statement, the ALAC statement or not. Tijani, did you want to intervene quickly on this? Not sure if everybody remembers Tijani's intervention during our last call.

TERRI AGNEW:

Olivier, this is Terri. Tijani has disconnected and we're trying to reach him.

OLIVIER CRÉPIN-LEBLOND:

Okay. Thanks very much Terri. It's Olivier speaking. Read Tijani's statement in the chat. The ICG proposal is [inaudible] of the three proposals received from the three operational communities, rather than a compilation of three harmonized proposals in a single well-structured one. We can notice that the CRISP numbering functions, as well as the IANA plan working group, protocol parameters function, have clearly expressed their total satisfaction of the performance of ICANN as the operator of the respective IANA functions.

Their submissions reported that they will continue dealing with ICANN in the post transition phase. SLE with ICANN and MOU with ICANN. On the other hand, the CWG naming function proposed to form an affiliate to ICANN called PTI with a legal separation from ICANN, to operate the

IANA naming function with a possible structural, and in brackets, full separation.

We find all those details in the ICG proposal, we can notice that the CSC is for the naming functions only, and so is the IFR. If the CSC is not happy with PTI, they together with the IFR, may ask for its complete separation from ICANN. It means that we may end up with a PTI owned by a company X to operate the three functions, because the naming function people decided it.

In this case [Shelby] RIR and ITF accepted. If they don't, and they very likely don't, shall they look for other companies to operate their respective functions? Or shall they create a new PTI affiliated to ICANN or a part of it, without the naming functions? And Tijani closes with a paragraph saying he is really worried about the Internet stability and resiliency under such a situation.

He believes the ICG did not do its work, but assembled the received proposals. The solution is not sustainable and needs more negotiation with the three communities to come up with a structured singled proposal. The floor is open and I see that Avri Doria has put her hand up, so Avri you have the floor.

AVRI DORIA:

Hi. Thank you, this is Avri speaking. Hopefully I can be heard okay. I actually don't think the negative fallout from that would be quite as bad as Tijani indicates. If the CSC and the IFR decided that names needed to change its service provider, it could indeed take the function of names away, yet ICANN would still have its subsidiary.

It's not necessarily that the subsidiary move. I think the subsidiary would only move in some particular cases. What is more likely is that names would find a different provider for that function, leaving ICANN with protocols and numbers functioning as they were, with names having gone to a new provider.

Now having said that, I don't think that that would happen. I think that that these things would all be taken as consideration. I think the liaisons to the FFR and the IFR are indeed in place, and I still maintain a hope that in time, you know, the other two communities will actually switch to the IANA function that did move.

You know, once they see it as learning code. He's right in that they didn't put together a consolidated proposal, but maintained their three separate but, but, but link proposals. And it would have been good if they had indeed created one coherent proposal, but I don't think the lack of that coherent proposal actually puts us in quite as dire situation as he outlined. Thanks.

OLIVIER CRÉPIN-LEBLOND: Thanks very much Avri for this. I note that Cheryl Langdon-Orr has mentioned that she agrees with you in the chat. I see also a green tick from Cheryl. And is there any other feedback on this? Have we gotten Tijani back on the line?

TERRI AGNEW: No we have not. We're continuing to try.

OLIVIER CRÉPIN-LEBLOND: Oh dear. Thank you. It's a bit of a challenge not having the actual person having drafted this text here to respond, or to even hear the response from Avri. Anyone else has any thoughts on this?

Gordon Chillcott shares Tijani's concerns. Avri, I noticed that you mentioned the possibility at that point for a scenario, I guess, to take place, if the names community decides to take PTI out of the picture and go elsewhere. Is it worth perhaps alerting in our statement, alerting the working groups that this should be one of the scenarios that could be listed out, if there is a split in that position?

So a split between the names, the numbers, and the protocols.

AVRI DORIA: I suppose... Yeah. This is Avri speaking again. I suppose it's possible. And it's not that names would take PTI out of the picture. In fact, as a wholly owned subsidiary of ICANN as it stands, the names community could just say they were no longer willing to use PTI, and wanted to use some other entity. That's indeed what they can do.

And I think that is an obvious scenario, and it's more likely then they would spend the PTI out of ICANN, because that would be a much more difficult thing to do. So I don't know, you know, how much we want to go designing scenarios, but perhaps, you know, once Tijani's back online in another call, or on the list, we can have a more fulsome discussion of it.

I just don't think it needs to land in that horrible scenario. As I say, I continue in the hope that the other two communities will participate in

PTI directly, and not indirectly to ICANN, but I do not see us being able to have a IFR that does not include their concerns, and does not deal with this issue is that was really about to happen. Thanks.

OLIVIER CRÉPIN-LEBLOND: Thanks for this Avri. Alan Greenberg is next.

ALAN GREENBERG: Thank you very much. I said something like this last time. In an ideal world, we would have designed this differently, and we would have all put together one unified proposal. We didn't, we couldn't, and it never would have worked if we had tried. We've each had enough trouble and enough discussion and diversity, excuse the expression, within our groups, that this vote was as difficult as anything we can imagine.

But we've resulted in three different proposals with three different escape mechanisms, and so on and so forth. Hopefully, if there ever is a problem, an operational problem, the groups will not work completely in isolation and simply, you know, throw down their whatever and say, I'm storming off and leaving. You know, I want a divorce. Hopefully we'll talk and try to come to some agreement on something that will allow IANA to stay as a single organization, regardless of whether it is PTI or somewhere else, or something else.

So we've just got to put faith in rationality of our successors down the road, to do something reasonable. We didn't cover it with formal rules, so we're going to have to take it on faith. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you very much Alan. Olivier speaking. And we are reaching the end of our allocated time. We do have the interpreters for an extra 10, if need be. So I think that with Tijani not being on the call, we'll probably have to continue the discussion during the next call this week. In the meantime, I invite you to put your responses on the Wiki. At the moment, it's desperately empty between the comment that Tijani made and the one the one summary that I did make.

So far, it looks like both of these comments would be significantly reduced in size, and therefore the ALAC comment to this ICG public consultation would probably result in four or five lines or links, which makes it not particularly substantial. If we do have any other concerns, please make them on the Wiki and we will follow up during the next call.

And with this, we can move to agenda item number five, and that's with the CWG IANA. I've already mentioned earlier to you that the transition is going to be delayed somehow, we have more time. There was an email sent, a blog post that was written by Larry Strickling, and mentioning that the contract with ICANN was renewed for another year.

So there is now much time for implementation that somehow eases the pressure on everyone's shoulders to have things ready, and carriages ready before the horses. I'm not sure if there is anything else to discuss in this discussion. Alan Greenberg, you have the floor.

ALAN GREENBERG:

Thank you very much. I don't read anything at all into the extension of a year. We were originally talking about extending for six months and then plus a two and a half year extension, or something like that, to flesh out the full three. That would raise the risk that if we slipped slightly, or if Congress takes a bit longer to do something, that we would have to extend the contract for another two and a half years, and then cancel it.

I think the one year, one simply gives enough breathing room so we're not going to have, be in a crisis mode at the very last moment for something we created ourselves. You know, for a crisis we made ourselves. It just gives a little bit more breathing room. I don't view it as anything else other than that.

And I would not treat it as an extension that says we're not working on the same timeline.

OLIVIER CRÉPIN-LEBLOND:

Thanks very much for this Alan. Olivier speaking. And I was going to add also this renewal of another year does appear to then completely de-link the calendar for transition from the US election calendar. And as you know many, well maybe not many, but some people had linked the two together by saying, well the Republicans are trying to push something, or the Democrats are trying to push something quickly before the elections take place.

Nothing takes place, no decisions get made during an election year, and beyond that, who knows what happens if the Republicans are in power.

So this seems to have completely de-linked the two issues. Alan, did you want to respond to this?

ALAN GREENBERG:

Yes I will respond. I think you've just done exactly what I suggested that we not do. That is, we've read something into this extension. I think it was a matter of convenience of instead of trying to agonize over six and a half months, or seven months, the right time, they simply said a year. Done. I still think that if we wonder into the period where the election is in full force, we are in big trouble.

And this does not give us any leeway at all, it just takes the renewal of the contract off the table, and it's something that we don't need to agonize over. In my mind, it does not remove the pressure of getting this done before the elections is in full force. I think that is still true in spades. Thank you.

OLIVIER CRÉPIN-LEBLOND:

Okay. Thanks for this Alan. Next is Sébastien Bachollet.

SÉBASTIEN BACHOLLET:

Yes, thank you. Sébastien Bachollet speaking. It's, I think it's an important move to make sure that we have time to do what we need to do. And the same time, we need to do in an area, I would say. Because one area is very short, we know that. And if we want to be at a good timing, we need to have already implement a lot of work stream for the CWG at least, and for the other, I don't know exactly.

And we need to have some precise idea what we need to do for, and it's not to give us small time, but it's, it is more eager, I would say, and just do six months. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks very much for this Sébastien. All right. Let's move on then. The next topic is to do with the ICANN verifying root zone authorization replacement proposal. I guess that we've moved into AOB for this. And I had the floor to Alan Greenberg on this, and the actual text is on your screen now.

ALAN GREENBERG: Okay. The AOB I wanted was timing of the ALAC vote, which is different from this. Regarding the VeriSign ICANN proposal, I have read it now twice. To be quite honest, I'm a little bit confused about some of the details. It's talking about the secondary, the replication of the IANA functions mechanism. I think it's talking about VeriSign running that, but it never explicitly says that.

But I don't have a lot of concern. But it is going to require some understanding, and I think it's beyond what we can do today, so I would suggest that we look at it on the Thursday meeting, and we're allowing a little bit more time, and hopefully by then, some of us will be able to understand what it is say. Because I think, perhaps deliberately, it is being a little bit cryptic.

OLIVIER CRÉPIN-LEBLOND: Thank you Alan. Olivier speaking. Could you please forward this text to the IANA issues mailing list? So we can all read through it, and those people who are also not on the call will be able to read through it and start the discussion there, and we'll have this in our next agenda.

ALAN GREENBERG: I think the message, the blog post, was forwarded, and it has a pointer to it. I can certainly forward the document itself, however.

OLIVIER CRÉPIN-LEBLOND: Okay. Thanks. Okay, and then the second any other business is back to Alan Greenberg.

ALAN GREENBERG: Okay. Thank you very much. The real question is we're about to send out a message to the world saying we have the first version of the draft comment there, start making comments. The question is, what's the deadline? Last time, we were changing the document right up to the deadline and didn't, after the fact vote.

This time we have a webinar about a week before the deadline. My recommendation is that we do the same thing essentially. That is, we try to get this finished early. But that we left the community keep on talking well past the webinar, because there are some people who will only catch it at that point.

And that we try to make the statement as robust as we can, and do the ALAC vote after the fact with the belief that after that much

conversation it will be ratified. So that's what I'm recommending. If there is any strong objection to that, then I guess someone should speak up.

OLIVIER CRÉPIN-LEBLOND: Thank you very much Alan. Olivier speaking. And you mentioned we have the webinar, we have the webinar, is that an ALAC webinar or are you mentioning the CCWG accountability webinar?

ALAN GREENBERG: There is a new CCWG webinar. León has volunteered to give an At-Large specific one, and there will be a webinar to discuss the statement. So we have three different webinars we are talking about at this point.

OLIVIER CRÉPIN-LEBLOND: Okay, excellent. Good to know. I think we probably have to coordinate our timing with the webinars. It's unlikely to yield any response before the webinars are actually taking place.

Okay. Well, it's eight minutes past the top of the hour. And I think we've made some good progress today. So thank you, all of you on this. Please do check the ICG public comment period again. I currently feel that we've got very little on that. Do read the contract or the proposal, VeriSign ICANN proposal and response to the NTIA request. And we will meet later on this week, I believe it is Friday. Let's hear from Terri about our next call.

TERRI AGNEW: You are correct. It will be Friday the 21st of August at 13:00 UTC.

CHERYL LANGDON-ORR: [Inaudible] completely different. What a shock at the time. I love spending my Saturday mornings with you all.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this Terri, and thank you for this comment Cheryl. I knew this was coming. [CROSSTALK]

CHERYL LANGDON-ORR: ...ever met before midnight or after 4 AM. That is not sharing the time. However, I'll keep saying it and you'll keep doing it.

OLIVIER CRÉPIN-LEBLOND: I think what we're going to have to do is to be quit stringent. And I must take the blame on this one Cheryl because I was asked, do you want to have it on this day when we miss X, Y, Z and A, B, C, there were quite a few people missing, or do we have a maybe from Cheryl at this time [CROSSTALK]...

CHERYL LANGDON-ORR: Olivier, how long have we been meeting? How many months? This is not a one shot issue.

OLIVIER CRÉPIN-LEBLOND: It's a one off on this occasion. Let's take each one in turn. You're just reading something into this, but anyway. Let me give you some time off, and let's stop the call early today, or at least not too late. Thanks for [CROSSTALK] Cheryl specifically. Have a good night, have a good morning, have a good afternoon everyone. This call is now adjourned.

[END OF TRANSCRIPTION]