
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, taking place on Thursday the 27th of August 2015 at 13:00 UTC.

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

Currently at this time we have no one on the Spanish channel.

We have apologies from Fatima Cambronerero.

From staff we have Heidi Ullrich 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 to allow our Spanish interpreters to identify you.

Thank you very much and back over to you Olivier.

OLIVIER CRÉPIN-LEBLOND: Thank you very much Terri. Olivier Crépin-Leblond speaking. And did miss anyone in the roll call?

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.

Hearing no voices, so the roll call is complete. Our agenda today is going to be dealing with the finalization, or a bit more progress on the ALAC statement in the consultation run by the cross community working group on accountability, and also the ALAC statement in response to the consultation by the IANA coordination group consultation. If we do have time, and hopefully we'll have some time for that, we will also be looking at the discussion of the bylaw, possible bylaw changes that would be needed resulting from the work of the cross community working group on IANA stewardship transition.

Are there any other additional items which anybody on the call would like to add to today's agenda?

Hearing no one, the agenda is therefore adopted. There are no action items. So agenda item number two can be swiftly moved on, and therefore we're now reaching agenda item number three, and that's the together of the ALAC statement on the, for the consultation of CCWG accountability second draft report.

For this, we have, I believe, Alan Greenberg, who will be leading the show. So Alan, you have the floor.

ALAN GREENBERG:

Thank you very much. And note to Terri, the mission document I'm talking about, mission commitments, I think it's the third one, the third bullet in the agenda under this item. All right.

Yes Terri?

TERRI AGNEW: I said, "Thank you Alan."

ALAN GREENBERG: Oh, okay. All right. There are not a lot of changes in this version. I'll skip over the very first one, just as the introduction, I just put a sentence in there, it needs to be enhanced. But that we can do, we have plenty of time to do that.

What I have as a tentative one last time, that is the change to core value 12, and that's one we said to leave in square brackets. I've enhanced it a little bit, and I think it's more important before after rereading the number of times, the issue is core value number four, number three rather, I had the number four incorrectly before.

And the, this essentially says that ICANN will adhere to policies developed by the appropriate groups in ICANN, and experts outside. And it removed, among other things... Well, it did two things. It removed the phrase, to the extent feasible and appropriate, and it also added reference to external groups.

Leaving the words, we will depend on these groups for setting policy. And I just cannot understand, especially with regard to external groups, but even internal ones, the Board right now, and in the future, has the discretion of refusing policy advice. It may not be able to make new policy, but it certainly has the discretion of not accepting policy advice, if it believes it is not in the interest of the Internet.

And I don't see how we can have a core value that says effectively, the Board unilaterally accepts advice without making judgement calls. So I

guess, when we left it the other day... Is Cheryl on this call, or is she not?

Terri?

TERRI AGNEW: Yes, Cheryl is on.

ALAN GREENBERG: Okay. When we left this one, the only person, a vague comment was Cheryl, who said she would think about it and asked me to keep it as bracketed text, which I have. But I think the concept that we have a core value says we will unilaterally accept, without making judgement calls, policy advice from both internal and external groups of experts, I think is inappropriate.

And I guess I'm looking for... Am I alone person on this? Or is there support? We have a small group today compared to yesterday. I guess we're wearing people down.

CHERYL LANGDON-ORR: Are you surprised about that Alan?

ALAN GREENBERG: I'm certainly worn down.

CHERYL LANGDON-ORR: I'm still less fearful of this than you are, but I'll go with the flow on it.

ALAN GREENBERG: Then let's leave it in for the moment, and we'll see how it goes. But look at the... The wording is confusing, to be honest. It is merging two concepts, and specifically... Let me try to find the right wording here.

SÉBASTIEN BACHOLLET: Alan, when it's possible, you can give me the floor. It's Sébastien, but I...

ALAN GREENBERG: I'll give you the floor while I'm finding the wording I'm looking for, Sébastien.

SÉBASTIEN BACHOLLET: Yeah, yeah, yeah, no problem. Thank you. I just wanted to support your proposal. My reasoning is the following. There is no organization where, the only place where we have a cross community people, community stakeholder, people, [inaudible]....

ALAN GREENBERG: We're losing Sébastien I'm afraid.

TERRI AGNEW: And this is Terri. He is travelling in a car.

ALAN GREENBERG:

Yeah. Sébastien, we seem to have lost you. I don't know if you can still hear me or not. I suspect what you were going to say is the Board is the only place where we have a true cross community group that is charged with making value judgements like this. And that's what I was trying to get through in the message.

That Sébastien left? Yeah. Okay.

The wording that's there right now, and I find it very difficult to parse, is delegating coordination functions to, or recognizing the policy role of, other responsible entities that reflect the interest of the effected parties, and the roles of both ICANN internal and external, internal bodies and external expert bodies.

Now, somewhere in the bylaws there is a statement that core values may conflict with each, and therefore judgments may have to be made about which core values are important. But simply saying that we are delegating these responsibilities to either internal ones, implies they have decision making as opposed to recommendation, recommending policy, and relying on external ones I think makes it even more difficult.

There are lots of experts around the world, and to what extent we are delegating to them, I have a problem with. So Cheryl said she can live with this for the moment, unless someone else wants to speak, then I will leave it in. We have Avri, Avri you say you don't see it saying that at all. And I guess I would like, if you can speak, I wouldn't mind hearing your position, because maybe I'm missing something, and we do have Tijani speaking. Go ahead Tijani.

TIJANI BEN JEMAA: Thank you Alan. [Inaudible]... notice this because yes it's [inaudible] and have to access any proposal for policy. I think it is a problem. I don't see people who are developing policies of the sole decider on [policy]. So I think the Board has to have these things, and which will accept this wording. Thank you.

ALAN GREENBERG: Thank you Tijani. Sorry, I'm out of my room for a moment. Are there any other hands up?

SÉBASTIEN BACHOLLET: Alan, I am back on the call. Sébastien.

ALAN GREENBERG: Sébastien, can we have you and then Avri.

SÉBASTIEN BACHOLLET: Yes, thank you. Very short. The Board is the only place where the organization can balance point of view of different SO, and particularly also the advice of the advisory council. And then the Board must be able to do some policy, and we can't, not at all accept anything coming from one group or for outside advisor. Thank you.

ALAN GREENBERG: Thank you Sébastien. Avri.

AVRI DORIA:

Hi. Yeah, this is Avri speaking. One of the reason I don't, I guess, see it as problematic as you do is first of all, I think recognizing the role of others, and other groups, is not a strong statement. It doesn't mean we're going to turn change a couple of policies over them. It means that we're going to recognize their role, and not sort of claim all roles to ICANN.

The other part is remembering that this is a core value, it's a value that is sort of saying, you know, we will do delegations. It's not saying that we will do every possible delegation whenever one is asked. It just says, as a value delegating and recognizing when it is appropriate for another group to do something, is something we believe in. So I guess I don't see the problem, and I see the other words as just, as not, it's just confusing things and not adding all length.

ALAN GREENBERG:

Thank you Avri. If all it was saying was recognizing, I would have no problem. It's leading off with the word delegating. Delegating means returning responsibility for something over to someone. And that's where I come in strong on that. So if the word, if the word delegating was gone, I wouldn't be having this discussion.

But it's the transferring responsibility that I have a problem with. All right. We'll leave it in for this moment. I'll leave it in brackets so we can come back and discuss it again. And go on to another item, and maybe even come back today if we have time.

The next item of substance, if there was one, and there wasn't one. Those are the only items. The rest of the changes are typos and a

number of minor corrections, but nothing of any great substance from the last version.

So in that case, I have finished that item. The next item is one that I must admit is one that I am not as prepared for, but maybe somebody else is. And if someone else is, then I wouldn't mind letting them lead, and that is looking at the core, the mission commitments and core value changes.

You may recall, in the draft proposal that was issued by the CCWG on the section of mission commitments core values, they presented the changes from the previous draft, and the final ones, but did not go back to the original text and show what was changing from the current situation today.

That made it a lot more difficult to identify some things, because in some cases, there were things added in, in the previous version that were then taken out again. And in some cases, there were changes made to text that hadn't changed in previous ones. So they've now come out with a document that has two main columns, the current bylaws and the draft, the ones presented in the second draft.

A new version of this is being worked on, that in addition, as a third column, given the rationale or the substance of what the change is, which would make this discussion a lot easier, but we don't have that version yet. And the question is, just to go through this and identify what the changes are, and do we have any real problem with them?

There are no changes on page number one. Page number two, there is a very large number of items added, pretty much the whole page. And

essentially, it is defining the mission of ICANN, and restricting it or tying ICANN to that mission, which is one of the things that has troubled Sébastien, I know, that although this may well be the correct mission today, how easy it's going to be changed if when there is a need for change.

So that's part number one. And Tijani, is that a... I'm going to honor hands as they come up if I notice. And I see Tijani's hand is up, so please go ahead.

TIJANI BEN JEMAA:

Thank you Alan. It is about the previous issue. [CROSSTALK] Yes. So I have sent you 13 [inaudible] after the call on the final, final version of the ALAC statement. And I have added some other comments from AFRALO, even if the AFRALO statement is not yet final, because it is still in the approval of the AFRALO members.

But if you want, you can go through. If you [inaudible] you have them down, you have them, you're not the only one that has it. All these numbers have it. And you can discuss it online if you want. But if you want to discuss it now, I am able.

ALAN GREENBERG:

Thank you very much, Tijani. Let's continue going through this document, and if you can make sure that Terri has a PDF version, or can make a PDF version that she can display, and then I'll ask you to quickly take us through the points, just so we can be exposed to them, before we finish this call.

TIJANI BEN JEMAA: Okay.

ALAN GREENBERG: All right. So back to the core values and mission and such. So that's changed, number one. I'm not sure I really feel comfortable 100% with what's there, but I don't think we can really strongly argue against it either.

The next change is in the lead in, this intro to this section on commitments and core values. And again, it's something saying that we're going to restrict ourselves to the world that we now as today. There is a significant change in item number one, or at least added a preamble in performing to commitments, in performing its mission, ICANN must operate in a manner consistent with its bylaws and the Internet community as a whole, carrying out activities and conforming relevant principles of international law, international conventions, and applicable local law, through an open and transparent process that enables, processes that enable competition and open entry into the Internet market.

And this is extracted from the articles of incorporation. So I don't think we can really argue with the existence of that.

There are a number of changes in commitments. There is, when we go into core values, we've identified two of the major ones. I don't think there is anything else that I have [inaudible] to, that are significant. There is a, it's not clear the... The only place that I have a problem, I

believe, is in a reference to, and I'm not quite sure where it is, but the only reference that we have to consumer trust, in this document, is in relation to, I think it's in this section, but I'm not 100% sure, says in enlarging and growing or enlarging the gTLD marketplace, we have to worry about consumer trust.

And I believe that is incorrect. I believe that ICANN has a responsibility to look at consumer trust issues, regardless of whether we happen to be in an expansion role or not. And I am going to be recommended a change that the ALAC put in, in that context. The AOC talks about consumer trust, certainly in relation to the expansion of the gTLD space, but also talks about it in a more generic way.

And I believe that that is an important aspect. It seems to have been omitted at this point. Olivier, go ahead.

OLIVIER CRÉPIN-LEBLOND: Thank you very much Alan. Olivier Crépin-Leblond speaking. And I had a number of notes that I had sent to the list, regarding the different points that are on the screen at the moment. I don't know whether, I mean, there wasn't any other response from Sébastien, who had responded to a number of them.

And I just wondered whether we should, shall I go through those questions and we discuss these here, or how do we proceed?

ALAN GREENBERG: You're the overall master of ceremonies, if you think we have the time quickly, I don't know if we want to really discuss, but maybe just alert us

to it. And I must admit, I missed that. It wasn't in the Wiki, and I missed the email that had that.

[CROSSTALK]

OLIVIER CRÉPIN-LEBLOND: We'll have to mute Silvia.

ALAN GREENBERG: I don't think that was Silvia.

OLIVIER CRÉPIN-LEBLOND: Really? Because it came out of Silvia's mic, I think. Anyway.

ALAN GREENBERG: Maybe it was. Okay.

OLIVIER CRÉPIN-LEBLOND: Yes, Alan. It's Olivier speaking. Sorry for this. So effectively, yes, I had responded to the email. You emailed that document over to the mailing list. I responded to that email and Sébastien responded to that email as well. I wasn't quite sure whether that needed to be put in the Wiki.

ALAN GREENBERG: Can you highlight, quickly, what the issues are? So that we can, if anyone...

OLIVIER CRÉPIN-LEBLOND: So briefly, section 1.3, the blue text added below, in the column below section 1.3, ICANN shall have no part to act other than in accordance with and is reasonably appropriate to achieve its mission, without in any way limiting the foregoing absolute prohibition, ICANN shall not engage or use its powers to attempt to the regulation of services that use the Internet's unique identifiers, or the content that those services carry or provide.

I raised a point that this could be interpreted that ICANN is not a regulator. Sébastien responded by saying that his reading was that ICANN will not regulate content and services developed on top of the DNS. If that's indeed the case, I don't have any objection to that. I just wanted to make sure there is no ambiguity to it.

ALAN GREENBERG: Okay. There has been a discussion in the business community, and particularly the ITC about whether that prohibits ICANN from making rules about, you know, things like trademark use. And you know, some may view that the RP may not be legal under those terms. So there certainly is a sensitivity into that.

Well, if anyone feels we should make a statement on it, then again, if you can draft just a bullet point saying that, at this reading, I don't feel strongly about it other than, if the business, if the IPC is satisfied, then I

think that's the aspect that I would worry about most, since we're looking mainly at content. But there are those who believe that selecting the identifiers themselves are content.

And that potentially is a problem.

OLIVIER CRÉPIN-LEBLOND: Thanks Alan. Olivier speaking. So I'll continue. I mean, on this point, I certainly do have concerns about, we're talking about bylaw changes if we start putting things like this in the bylaws, do we risk cementing the fact that ICANN will never be a regulator? And this is a big problem for me, because we're told ICANN as a regulator, actually, we're told, physically told by Fadi Chehadé, ICANN is regulator. And others are saying ICANN is a regulator. And then we're told, it can only regulate its contracts.

In a very, very scope...

ALAN GREENBERG: Olivier, let's be clear. ICANN is not a regulator regardless of what Fadi says. Regulators have powers under national law to actually take action. We don't have such powers. We are a [CROSSTALK] regulator, we exercise some controls that regulators exercise.

OLIVIER CRÉPIN-LEBLOND: I believe you speak on behalf of ICANN. No, I'm kidding you. We know what that is. Okay. Secondly, section 2.2, preserve and enhance the neutral and judgment free operation of the DNS. My concern there was

why would these words be added? Certainly, the judgment free operation of the DNS.

Is ICANN going to stop countries or users to block specific TLDs? You know, I mean, at the moment, we've had a focus on stability and resiliency, is ICANN going to put in its bylaws that it will also look at mutual and judgment free operation of the DNS, and actually defend that?

ALAN GREENBERG: Okay, go ahead.

OLIVIER CRÉPIN-LEBLOND: That's another one. So the next one is section 2.5, employ open and transparent bottom up multistakeholder policy development processes, led by the private sector, including business stakeholders, civil society, the technical community, and academia, that one can seek input from the public for those benefits, ICANN shall in event act, etc. etc.

The concern I have is to say led by the private sector. That really bothers me. I know that ICANN is a private sector organization. That it is not, in my belief, a private sector led organization. It's a multistakeholder organization. I would be really bothered if it was the private sector that would make the final decisions here.

ALAN GREENBERG: Olivier, that's, if I may, we already have a statement about that, in reference to Civil Society. The led by the private sector is already there.

It's not in that section that it's already there, and it meant private sector as opposed to government. There are multiple definitions of the private sector, which we hashed out a million times.

And I don't think we're going to change... I don't think those words will change, but we need to make sure they are inclusive.

OLIVIER CRÉPIN-LEBLOND: Okay. Well, that's one point. The other point, of course, is the one which was already made, I think, by Sébastien and others, is that, or maybe it was Tijani, that end users were not in the list of stakeholders. I'm very concerned about this.

ALAN GREENBERG: That's already in our statement.

OLIVIER CRÉPIN-LEBLOND: Yeah, great. Thank you. Do you want to take other questions? I see Tijani has put his hand up.

ALAN GREENBERG: I'm not sure if that's a hand for your things or for his comments. Tijani?

TIJANI BEN JEMAA: No, it is about what Olivier just said, about private sector led. There is, how to say, there is a meaning to keep it and to even [inaudible] to be like this in the bylaws, because if we want to say, or if it the position of

the governmental led, you can say none of them run them, and that's all. We may remove private sector led at all, if multistakeholder, that's all.

But I said during the CCWG discussions, discussions everywhere, that there are people who really want it to be there. And I don't think it is very innocent to be so insist on this. That's all.

ALAN GREENBERG: All right, okay. We'll make another comment on that again. Thank you.

TIJANI BEN JEMAA: Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks for this Alan. Next is section 2.6, where there is a paragraph that has been deleted. And that's in the left column, I believe. ICANN shall not apply its standards, policies, procedures, or practices inequitably or single out any particular party for [desperate?] treatment, unless justified by substantial and reasonable call, such as the promotion of effective competition.

I have a problem with removing this because if we need up with a situation with a monopoly, a duopoly, or a cartel by the domain name industry, ICANN will have no ability to do anything about it.

And Sébastien agreed with that.

ALAN GREENBERG: Okay. I wish someone had identified some of these earlier, but...

OLIVIER CRÉPIN-LEBLOND: Well, I replied immediately after you sent this to the email. So...

ALAN GREENBERG: No, I mean earlier like [inaudible]... I'm going to need some help in drafting some of these, because I'm running out of time on these. Okay, go ahead.

OLIVIER CRÉPIN-LEBLOND: In the core values number seven that was just missing end users, so that's a pretty straightforward thing. And finally, in number eight, striving to achieve a reasonable balance between the different interests of different stakeholders. And I would argue that there is no such thing as the interests of different stakeholders in ICANN. There is the public interest, bottom line, and that's it.

I would be very concerned if we are more concerned about commercial interests, or balancing commercial interests against the public interests, because this is a very special organization. It's not one that is there to make sure that the interest of different stakeholders are balanced. That makes it very political. Thank you.

ALAN GREENBERG: Well, that is the challenge, is to balance. From my perspective, the public interest is jointly represented by a number of different groups

that are stakeholders. We are certainly a stakeholder that have an interest in the public interest. I guess I don't object to that particular statement. Any other feelings?

Sébastien? Cheryl?

Tijani, you're ticking, but I don't know if you're agreeing with Olivier or with me.

TIJANI BEN JEMAA: I agree with Olivier.

ALAN GREENBERG: Okay. So you have a concern with this statement. Anybody else?

OLIVIER CRÉPIN-LEBLOND: Alan, it's Olivier... Go ahead Sébastien.

SÉBASTIEN BACHOLLET: Sorry, it's very difficult to go out from my mute situation. Yeah, I think what it's saying, about Olivier's statement, is that we can have a balance of the different stakeholder point of view, but on top all of that is the public interest. It's not something, public interest versus commercial interest. It must be public interest on top, and if the...

ALAN GREENBERG: Cheryl, did I hear something from you?

CHERYL LANGDON-ORR: No.

ALAN GREENBERG: Okay. Do you have any opinion on this?

CHERYL LANGDON-ORR: I think the public [inaudible]...

ALAN GREENBERG: Okay. Done. Olivier, back to you.

SÉBASTIEN BACHOLLET: Before you go to Olivier, Alan, it's Sébastien, sorry. It was difficult to give you those feedbacks before. The first time we've got a document where we have the bylaw change, and it came very late. It just came yesterday, that is maybe part of the difficult we have. Thank you.

ALAN GREENBERG: Well, some of them were in fact made in the earlier versions, but yes. There have been a significant number of changes made here. Go ahead. Olivier, back to you.

OLIVIER CRÉPIN-LEBLOND: Thanks very much Alan. Olivier speaking. And I think that's all the comments I had to make. I note that Avri Doria mentions in the chat,

she says, “The public interest is found through the multistakeholder process of balancing.” And I’m not very much convinced. To give you an example, when I’m told that restricting or asking for, restricting the type of registrations under a specific TLD, would kill that TLD’s business, and therefore we’re not going to ask for something like this, I really wonder about it, when that, when the use of this TLD might actually be harmful to the public, when we’re it be used for malevolent purposes, it was put in the wrong hand.

Anyway. We’re now going to launch into a discussion about the picks. So I guess it’s back to you Alan on this. And I hope that you have been able to make, make up what you want to put on there.

ALAN GREENBERG:

I will do my best. I’m not quite sure how I proceed at this point, given that we have so little time left. But I’ll do something.

OLIVIER CRÉPIN-LEBLOND:

I did have one question for you Alan. It’s Olivier speaking. It is, with regards to the AOC, you mentioned, or Sébastien mentioned, that the AOC document was forthcoming as well. I think that’s particularly important for us to look at, because there is a significant portion of consumer trust and consumer protection in there.

And we definitely, if we are going to see something sent over to the bylaws, then we really want consumer trust and consumer protection to be part of the bylaws, otherwise we have an organization that’s doing this...

ALAN GREENBERG: Olivier, I've already noted that the term consumer trust is, I believe, lacking. The review, however, is being transferred. So I'm not quite sure what you're referring to.

OLIVIER CRÉPIN-LEBLOND: Yes, thank you Alan. It's Olivier speaking. You say consumer trust, but [inaudible] 9.1, I think, has got a lot more that defines in there. I'm also interested in perhaps porting some metrics in this. Not metrics just for the new gTLD program, but metrics for the whole, you know, how things run. And at the moment, we have metrics for this, but this is obviously something that bothers a number of people at ICANN, a number of organizations, and they would be glad to see the metrics go all together.

[Inaudible] is the only thing that has he metrics ingrained in there. Thank you.

ALAN GREENBERG: All right. If you can find something in the AOC that is not being transferred that you consider important, please identify it. And do it clearly so it isn't missed. Thank you.

OLIVIER CRÉPIN-LEBLOND: It's Olivier speaking. I don't know where the document that is proposed, with the transfer of the AOC, because none of the AOC stuff is in this current document.

ALAN GREENBERG: In which document? We're talking about the overall CCWG...

OLIVIER CRÉPIN-LEBLOND: The one we have on screen at the moment.

ALAN GREENBERG: No, no. That's the extraction of the core values part.

OLIVIER CRÉPIN-LEBLOND: Okay.

ALAN GREENBERG: The transfer of the AOC reviews is in a separate section of the report.

OLIVIER CRÉPIN-LEBLOND: All right. I have to have a look at this.

CHERYL LANGDON-ORR: Yeah, Cheryl here. [Inaudible]...

SÉBASTIEN BACHOLLET: Generally in section nine.

CHERYL LANGDON-ORR: Yes. It was the intent to bring them across without losing the original intent from the existing AOC, so if there has been a delineation, particularly of the review aspects, that is certainly unintentional and should be addressed. But I don't believe it has happened, but I'll double check for it.

ALAN GREENBERG: Yeah. I don't believe it has happened with the review. The reference to consumer values, and there is a related phrase, which I'm not going to try to say this early in the morning for me, was inserted into the core values, in core value three, I believe, and then was omitted, was removed in this phase.

So it doesn't show up in the table we were looking at. It does show up as a removal in the table, in the draft two, and that I believe is a problem. Because it didn't get moved somewhere else, it just got removed. [CROSSTALK] ...right now, under, not, anywhere other than the reviews. The only place it shows up is a reference to part two, consumer trust in the expansion of the name space.

But not in the name space in general.

CHERYL LANGDON-ORR: Cheryl here. [CROSSTALK] in which case, Alan, let's point that omission out so we assume it is a transmission of information error between versions, and [inaudible].

ALAN GREENBERG: Yeah. It's one of the notes I have to do next. I had a little matter of writing a presentation for a webinar later on today, which took up a fair amount of my time yesterday, and it's not quite finished yet.

Okay. I think we're over now to the comments from Tijani. And we are now 45 minutes into the session. Olivier, how much time do you think we can give to this?

OLIVIER CRÉPIN-LEBLOND: Alan, thank you. It's Olivier speaking. As much as it needs, I guess. We've dealt with the matters that Sébastien had put forward, and we just have to review the statement for the IANA coordination group next, which would probably take about half an hour or so. So I think we've got plenty of time.

ALAN GREENBERG: Okay. So Tijani, you have the floor. Try to limit it to, I guess, we're saying 10 to 15 minutes.

TIJANI BEN JEMAA: Thank you very much Alan. So, the document I sent was, the first part was my comment on the last version of the ALAC statement on the CCWG [inaudible]. The last part is some additional comments from AFRALO. So I will start paragraph 154, bullet two. I have some changes to avoid that the NCSG [inaudible] to be the [inaudible] of the civil society community.

So I will read what I changed. The ALAC strongly supports the [narrative?] position that end users should be explicitly [inaudible], although many users, many users [inaudible] are [inaudible] by the organization that is not true for the other. This is the change.

ALAN GREENBERG: I have no problem with that. And Sébastien was supposed to give us some extra words, which he says he will, to give examples of cases where parts of our community are not civil society.

TIJANI BEN JEMAA: Very good. Very good. So I go to the section number seven three, removal of [inaudible] director. Alan, you said that there would be no legal right related to legal standard or definition. A director that has been removed, and has been [inaudible] subject of the commission. Why doesn't he doesn't have the right to recover [inaudible], if he is [inaudible] the commission, I don't see why you are [inaudible] him from having this right.

ALAN GREENBERG: I can answer that easily. Under California law, someone does not have any recourse, if they're identified, if they are removed. We are explicitly adding a phase which is not there, and that is to identify what we believe are the problems. A director may claim that this, in fact, is now prohibiting them from getting another job.

And they're going to sue ICANN and the individuals who made the statements. For the money for the rest of their life. And that essentially

is going to say, we will never remove a director, because no one is going to risk that.

TIJANI BEN JEMAA: I understand. But my point is not this. If when you give the reason for removal of director, you make some defamation for him. He has the right to defend himself.

ALAN GREENBERG: And my position is that if we give, if they do not waive that right, then we are in a position where we will never, ever use that power because the risk is too high to the individuals who are involved.

TIJANI BEN JEMAA: Understand very well, but my issue is not in the process of removing or not removing the director, he will be removed. The process will continue. He will be replaced, but if he had been, as a person, subject of information, it can go to the civil court and make what is essentially to recover his identity. You understand?

ALAN GREENBERG: I understand what you're saying, and I'm saying something different. I guess I would like someone else to weigh in. [CROSSTALK]

TIJANI BEN JEMAA: It is not about complaining about his removal, it is about...

ALAN GREENBERG: No, no. Tijani, we understand.

TIJANI BEN JEMAA: Okay.

ALAN GREENBERG: Does anyone else have the concern I have? Does anyone else agree with Tijani?

CHERYL LANGDON-ORR: It's Cheryl here. It's one of the reasons why, without cause removal, is the important foundation in many memorandums and articles of the association of corporations and associations, because it effectively says you can remove someone from a directorship or leadership, or indeed, membership position, without having to say, and this is why.

However, you've all gone down the pathway the [inaudible] to identify the reason, well, here you are now. To identify the reason, you are at real risk of recourse. And unfortunately, that does mean Alan that you probably end up in a catch-22. So I see the problems, absolutely, but I said right through this process, you should permit without cause removal.

But people thought otherwise, so tough shit really.

ALAN GREENBERG: Cheryl, I'll point out that even if the removal is without cause, if you have discussions in a semi-public forum, about why you're doing it, even though it's a formal removal is without cause, there are still, you still have opportunities...

CHERYL LANGDON-ORR: There are risks, they are more manageable in this situation. They aren't just sitting on the side lines going no, no, no, at this point in time. [CROSSTALK] power that's unusable.

ALAN GREENBERG: From my point of view, if you don't have this waiver, and you have the requirement to publically state what the reasons are, you have a situation where the power cannot be used.

CHERYL LANGDON-ORR: Alan, I agree with you, and that's why I'm sitting on the sidelines going nah, nah, nah.

ALAN GREENBERG: And that's why I'm saying it.

TIJANI BEN JEMAA: I think that you can say that, for example, this director did perform well, or this director didn't act in the public interest, etc. without the information. The information is very well-defined. It is something very harmful. I think it is a matter of language more than a language of acts.

ALAN GREENBERG: Tijani, if you take action and the director then claims that because of what you said, that is, you said, they didn't exercise good judgement in the public interest. And they have a job which causes, where they have to be aware of the public interest, they can say, I got fired because of this, because you publically said I had no knowledge of what the public interest is.

Or I made a bad financial decision on behalf of the corporation, and I am now unemployable because of that. A good defense lawyer will kill you.

TIJANI BEN JEMAA: Alan, is it defamation? Is it a case of defamation?

ALAN GREENBERG: If the person claims they have been harmed, it's defamation.

TIJANI BEN JEMAA: Okay, so I don't understand...

CHERYL LANGDON-ORR: Tijani, Cheryl here. Unfortunately it ends up in aspects of actual perceived or potential harm to reputation. And what I really love the, there is, and this is me tongue in cheek, Tijani, is that of course, whether it's true or not, that such claims can be made. So I mean, you can actually be measurably guilty of something wrong, and still claim that

it's cause for loss of future income and reputation, even though you are demonstrably guilty of that.

So it's really, it's a huge risk. What is probably, in my totally, and it is, and I am standing on the floor going nah, nah, nah about it, we've probably put in a power which is, just call it window dressing, is the most complimentary thing. Now as I happen to not particularly agree with the power, I don't really mind. [Inaudible] that's there in the public record.

ALAN GREENBERG:

Yeah. If you go into public life, you explicitly waive the right to have people not saying bad things about you, but these people are not running for political office, in a particular country. So they need to waive that right, implicitly, otherwise we do have a power that can't be used.

And I don't want to see these powers used, but if we have to, you know, the only reason we're putting them in is that. So I think we have an obligation of saying it.

TIJANI BEN JEMAA:

Okay. Allan, if I have the choice between having the discussion happen, and having the SO or AC say why they want to remove the director, and forgot about this remark, I would forget about it. I would prefer to have the forum, people speaking in, and think out more clear. This is necessary to not having the problem, yes, put it, thank you. I don't mind, okay?

ALAN GREENBERG: Okay. Thank you very much. Next point.

TIJANI BEN JEMAA: Next point...

ALAN GREENBERG: Sorry. You've got some hands up. You have hands up from John Laprise and Olivier. John has put his hand down.

TIJANI BEN JEMAA: Okay, John please.

JOHN LAPRISE: Okay. I just wanted to say, sorry John Laprise for the record. That definitions of defamation vary widely globally, and so that introduces a real chilling speech effect for someone who would raise their voice in this matter.

ALAN GREENBERG: So you're supporting the words we have now.

JOHN LAPRISE: Yes.

TIJANI BEN JEMAA: Yeah.

ALAN GREENBERG: Thank you.

CHERYL LANGDON-ORR: Chery here. Tijani, well said John.

ALAN GREENBERG: Thank you. Olivier?

OLIVIER CRÉPIN-LEBLOND: Thank you very much Alan. Olivier Crépin-Leblond speaking. And I have, having done business in this space, I have no concerns. I mean the liable, slander, defamation, all of that stuff, because we keep on hearing it all of the time. That said, I do have a concern about the waiving the right to appeal. It's funny that in one way, the community is asking for decisions of the Board to be appealable, decisions that go with IANA to be appealable, with independent review panels and so on.

And on the removal of an individual director, they want to remove that right of appeal from a director. Shouldn't it be fair for that director to have the right to appeal to an independent review panel?

ALAN GREENBERG: No, no, Olivier, we don't need that because the community is making the judgment, and the community never makes a mistake.

[CROSSTALK]

...that is the presumption in virtually everything we are doing.

CHERYL LANGDON-ORR: Yeah, right. And that's Cheryl for the record.

OLIVIER CRÉPIN-LEBLOND: Olivier speaking. No comment. That's all, thank you.

ALAN GREENBERG: Thank you Olivier. Back to you Tijani. Sorry, we have to introduce a little bit of levity in this.

TIJANI BEN JEMAA: Yes. So I go to paragraph 407, 409. The process should be adjusted, I don't really understand [inaudible], the process should be adjusted to a [inaudible] for parallel removal of multiple directors without having to convene the ICANN forum, the ICANN community forum, multiple times. What do you mean by that?

ALAN GREENBERG: Okay. The way it is wording, if we were removing five directors, we would have to convene five community forums to discuss each of them.

TIJANI BEN JEMAA:

Yes, I understand now, okay. Thank you. So let's go to the next paragraph, which is 467. Subsection number 2. The last part of this says, however, the recommendation, it's two perspectives. It's not diversity. I [inaudible]. The ALAC strongly agree that the diversity review should be included in the overall ICANN review program, and perhaps even a formal conference of the AOC reviews.

However, this is my problem, however, this recommendation is too perspective. Although the ATRT is a possible place to perform diversity review, some ATRT members believe that would place an [inaudible] load on the ATRT, removing focus from its original purpose. This is very important. [Inaudible] focus on its [inaudible] and [inaudible].

So my problem here is that this language may undermine the importance of the diversity, especially because you say it will be removed, if we remove the focus from the original purpose of the ATRT. That means this is something, it is not very important and we should perhaps look at it elsewhere. I think that we, as end users, we are the most people who are always asking for diversity.

And I think that we have to be the most stronger defender of the diversity. So perhaps we don't have to say that.

ALAN GREENBERG:

Okay. I feel very strongly about this one. The paragraph leads in saying the ALAC agrees, strongly agrees that diversity review should be included in the overall review program.

That's the lead in. The part that I am objecting to, and I object very strongly, is that it be a fixed part of the ATRT review, as opposed to being a separate review or integrated into some other process. I believe that adds a burden to the ATRT, which they may not be in a good position to do, and if they are required to do it anyway, may draw away from other important aspects of that review.

Lumping it in the ATRT, I believe, is the wrong thing to do. I left it in as an option because Sébastien felt strongly it should be left in as option. My preference would have been take it out of the ATRT, and make it a separate review.

TIJANI BEN JEMAA: For me, changing the ATRT to include diversity in its findings, is a very strong message that we need to keep, not to remove.

ALAN GREENBERG: And I'll say to you, that adding enough into the ATRT so it doesn't, so it cannot be an effective group and do effective work, does not serve our purposes at all. Any of our purposes. Cheryl?

CHERYL LANGDON-ORR: Thank you. I, as I think I said in other meetings, Cheryl Langdon-Orr for the record by the way. I agree strongly with Alan on this one. I think the matter of maintaining watch over, reporting on, and review of, ICANN aspiration to be more diverse across the board, to look effectively at diversity, is absolutely important and needs to be given probably a number of processes to ensure that it happens effectively,

one of which should be an independent review of a data report card, or something more significant from time to time.

I do not agree with tying it to a particular existing review team, and that comes, I suppose Tijani, from the very biased position of having served on one and having watched the other like a hawk.

ALAN GREENBERG:

I'll add something. There was one change made to the ATRT when, as we're moving to the bylaws. That gives the ATRT the discretion of ignoring parts of its responsibilities should it choose. I don't think we want to give it the discretion to ignore diversity if it's busy with something else in this phase.

And for that reason alone, I don't think you want to put it in that review, where it is an option to say, no, let's not do it. We're focusing on the GAC today.

CHERYL LANGDON-ORR:

Cheryl here. And that's so important because diversity does need this highest level of attention.

SÉBASTIEN BACHOLLET:

It's Sébastien speaking. If I can.

ALAN GREENBERG:

Yes, go ahead.

SÉBASTIEN BACHOLLET: Okay. I understand point of view, and it's also a concern that in fact, more important review today for the overall organization is the ATRT. It's why some people, including myself, were thinking it was a good place. I get your input Alan and Cheryl, but maybe we need to write it a little bit differently.

Frankly, I don't have [inaudible], I don't know how it's written. But I think taking into account the fact that yes, the risk that there are too much to do in the ATRT, then therefore we suggest that maybe it must be a single or an independent, I don't know how you call, review, specific. Sorry.

A specific review for this purpose, could be one way, but not to say that because there are already important topic in the ATRT, yes, and this one is also important. And I guess you can tweak the language, if I have time when I will have my computer tonight, I will try to write something, but I'm sure that you can take that into account.

ALAN GREENBERG: Sébastien, let me ask you a question. I left in the possibility that the ATRT could be a home for it, in deference to your strong feeling the other day. If we remove that reference, and it should not be in the ATRT, but it must be and it's somewhere else, in a highly, in a very high profile way, it's a much stronger statement.

But that requires to simply say, remove it from the ATRT and do it somewhere else. If you're agreeable with that, I can make a much stronger, clearer statement.

SÉBASTIEN BACHOLLET: Yeah. I don't have a big objection on what you suggest here. My concern is much, now it's much more broader question, is how many review we will have at the ICANN, and which one, and how we will be able to complete each of those reviews.

But I get your point, and yeah. Try and we will, once we the next steps...

ALAN GREENBERG: Putting it in the ATRT is a good way of letting it be ignored. [CROSSTALK] I can be more blunt than that.

SÉBASTIEN BACHOLLET: That's a good argument. Just think, our argument was to say it's important, and the only very important one, sorry, for the others, it's the ATRT, it's why we target any, and it was the obvious one with it, because in the other, there is no reason. But just, yeah, I can agree with you. Let's try to find the right wording in the next few hours.

ALAN GREENBERG: I will do a revised version, thank you. Tijani, next, we're sort of running out of time.

TIJANI BEN JEMAA: Thank you. Yes, the next is...

AVRI DORIA: I've also been in the queue for a while.

ALAN GREENBERG: Avri, quickly.

AVRI DORIA: Thank you. Yeah, I have been trying to very much disagree with you Alan, on this going into the ATRT. I think what Cheryl is correct. It is one of the fundamentals in terms of accountability. And therefore to say that the accountability team should not have a responsibility for reviewing is, I believe an error. Now whether the accountability and transparency team has too much work, or perhaps only a third members really worked, perhaps eight months isn't enough to get it done in, perhaps there are other features of the ATRT, like doing to [inaudible] on the content of other reviews, as opposed to just the responsiveness, etc.

I actually think the ATRT can do the work. You know, it has to organize its work. This one is critical. In terms of the idea of adding yet another review now for diversity, I think it's kind of difficult to do that now, and it's jumping much too high a different, and then you have to answer, why separate it from [ATRTR]?

Work load is not a good reason. And remembering that the ATRT itself is being empowering to fork off new reviews off, if it thinks that is

necessary after one of its reviews. So I do agree with you that ATRT should not be able to short shift and say, “We are not going to deal with issue X.” They may deal with issue X more briefly, you know, in saying, “At this point, we’ve done a review, and no major issues were brought out in comments, or whatever.”

So you know, it’s back on the table until next year. They don’t have to do deep dive. So I just, I agree with thing, but completely disagree with the position you’re taking on the ATRT having the task. Thanks.

ALAN GREENBERG:

I guess my response is, I have no problem with the ATRT choosing that it is one of the things that it will look at, but having the responsibility to do an actual review, department by department, and project by project, to see whether we’re meeting our targets, I do not believe that should be solely their job.

I’m not quite sure how we resolve this. We seem to have a very divided group.

All right, apparently it’s being left to me to decide. I’ll try something and see what you like next time. We are getting down to the point where I was hoping to avoid, of raising new issues on text that has been there for two weeks. But go ahead Tijani.

TIJANI BEN JEMAA:

Okay. Next paragraph is 467, and not 465 as you write it, so please correct it. 467 subsection three, the ALAC notes that the sentence fragment after the closing [inaudible], should be removed, because it is

not, you say that it is not clear. I don't think it is very clear. You read it, and you understand it very well.

It's takes after an initial review of the current document, it is clear that they do not address the full concerns raised by the larger community on the diversity issue. Why do you say that it is not, that this fragment is not clear?

ALAN GREENBERG: I didn't say it's not clear.

TIJANI BEN JEMAA: What did you say? You say you had to remove it. Why do you want to remove it?

ALAN GREENBERG: Because it's a rationale, it says because recommendations... I don't feel strongly. If there is any feeling that we should delete this, it's gone. And by the way...

[CROSSTALK] I have 467. I don't know where you got the 465 from.

TIJANI BEN JEMAA: I found it in the last report, no problem.

ALAN GREENBERG: That's a different recommendation later on.

TIJANI BEN JEMAA: Okay. So may I go to the last point?

ALAN GREENBERG: Yeah. If there is a feeling that we should remove 467 subsection three reference, I don't really care. I was just trying to give some editorial advice.

TIJANI BEN JEMAA: I [trust] that you'll remove it.

ALAN GREENBERG: It's gone. Go ahead Tijani.

TIJANI BEN JEMAA: Okay. So I continue now...

OLIVIER CRÉPIN-LEBLOND: Sorry, if I could jump in. It's Olivier speaking. If you could please state your name before you speak, because it's been a while now and our interpreters are probably having a hard time for the Spanish channel. And also, I gather that this is the last point then, and we're going to have to deal with also the [inaudible] statement in a moment. Thank you.

ALAN GREENBERG: I don't know, the cursor hasn't moved very far.

TIJANI BEN JEMAA: Okay. The last point is about the disagreement with the [inaudible] statement. [Inaudible] said that there was a problem of course, how to say, of [protest] in our work, and he was claiming especially the [inaudible] of our work, because of a sense decided timeline. I mean, I don't want to agree with his statement, but I don't want to say that we disagree with this statement, because the pace of our work wasn't normal.

And it was, the pace didn't permit everyone to participate and to share with you in this work. That's why I prefer not to say anything and to be silent on this one.

ALAN GREENBERG: We cannot be silent because we can't, we won't be silent on the last one, and therefore I believe we have to say something. We can say, however, that we agree with the fact that the timeline was, whatever, speeded up, but we recognize the need. Are you okay with that?

TIJANI BEN JEMAA: Help me please, I don't understand.

CHERYL LANGDON-ORR: Alan, Cheryl here. Maybe language like, highly compressed timeline.

ALAN GREENBERG: Yeah. We agree that the timeline was highly compressed, but the ALAC supports the need to have done it on that timeframe.

TIJANI BEN JEMAA: The ALAC [inaudible] and didn't say anything. But when you opposed to ever have a statement that means that you don't think that the timeline was really complex.

ALAN GREENBERG: No, no. We're objecting to this conclusion, not the premise, and I'll make that clear.

TIJANI BEN JEMAA: Yes, please make that very clear. Thank you very much. This is my comment on the statement. I have also sent an AFRALO additional comments, and you will read it, and perhaps we'll interact on it. Thank you.

ALAN GREENBERG: Okay. Thank you Tijani.

TIJANI BEN JEMAA: Olivier.

OLIVIER CRÉPIN-LEBLOND: Thank you very much. It's Olivier speaking. Nobody has called out my name, and I wasn't sure this whole session was finished. Indeed, as you

mentioned Tijani, you sent this over to the mailing list, so we'll have more time to perhaps devote to this even on the next call, next week. In the meantime, we have to move on swiftly to the other statement that we're drafting at the moment, and that's the one for the IANA coordination group.

We have two links in the agenda. I'll invite you to have a look at the second link that says to review, fill public comment input template. The ICG has provided a template for review, and there... We did go through it during our last call, and I've reflected the input from the last call. I also received a couple of comments, just a couple of corrections from Laurence Taylor, who has very kindly added, just made a couple of amendments, and nothing else from anyone else.

So perhaps we should be able to share the document. I'm waiting, there we go. Okay. It's on there. And we can move then to number two, compatibility and interoperability. Do the operational community proposals work together in a single proposal? Do they suggest that incompatible arrangements were compatibility appears to be required?

Is the handling of any conflicting overlaps between the functions resolved in a workable manner? There was some text that we removed and replaced. So the blue text is what was there before, and that is remaining there. The red text that's underlined is the new text. The text that's crossed over is the text that's being removed. So the added text is, the ALAC will support any mechanism which preserves the existing rights of the naming community, and has the agreement of the three operational communities.

The floor is open. Are we okay with this? I see a [CROSSTALK]... A green tick from Cheryl, okay.

Anyone else?

No, okay. So I see no objection from anyone. It seems to be fine. Let's go to the next one, number three. Number three has some text in a square bracket that we couldn't agree on before, so that's added. So the text in square brackets, that's all about accountability. Do the operational community proposals together include appropriate and properly supported independent accountability mechanisms for running the IANA functions?

Are there any gaps in overall accountability under the single proposal? The added text is, note that as in its response on Q6 on stability, the ALAC has related concerns on the accountability mechanisms as they coordinate with each other, in each of the operational communities. That's in square brackets at the moment. Are we okay with removing the square brackets and making this part of our response?

It was all based on our discussion during the last call. I see a green tick from Tijani. Any objections by the way? Now is your time to speak so I can take either the brackets off or remove this.

CHERYL LANGDON-ORR:

Cheryl here for the record. I don't object, and I'm happy to have it out of the square brackets, but I am aware that we are a much smaller group, and we may need to revisit if it's an issue, but let's remove the brackets and see if anyone screams.

OLIVIER CRÉPIN-LEBLOND: Okay. Thanks for this Cheryl. Fine, that's a good point. It's Olivier speaking here. It's a good point. Obviously, anything that we look at now, we will be bouncing off to the list and adding on the Wiki, and I'll be actively asking for everyone else to comment on. It's a work in progress.

We have until the 2nd of September to comment on this, so we still have some time. Now number four, workability. Do the results of any tests or evaluations of workability that were included in the operational community proposals conflict with each other or raise possible concerns when considered in combination?

And there we have to read the full sentence which was amended. The ALAC does not believe that there are conflicts resulting from tests or evaluations of workability that were included in the operational community proposals. So here what we are doing is, and I recall the long discussion we had last, during our last call about the conflicts between the different proposals.

This is just conflicts resulting from tests or evaluations of workability.

I don't see any objection to this. Okay. Let's then go to number five. Questions concerned NTIA criteria. Do you believe the proposal supports and enhances the multistakeholder model? If yes, explain why. If no, explain why. And there, there was an objection from having an extended statement on asking for a balance of stakeholders, kept in the future, etc.

Resulting in the fact that we truncated the sentence to, the ALAC believes that the proposal supports the multistakeholder model. And it

doesn't go any further than that. What might not be drafted here might mean more... The shortness of the reply might mean more than something that is more extensive.

I have seen other communities comment on this and expand on this, and say, yes it enhances the multistakeholder model, and there are all sorts of ways in which it enhances the multistakeholder model. I'm not quite sure I'm convinced personally. Any comments on this by the way? Are we all okay with that? Anybody, if you have any objections or are not happy with things, please either shout out or put your hand up.

Then we can move to the next one. The next one has a number of corrections from Laurence Taylor here, which unfortunately show in blue on my blue text. But you will see the little bars on the left. So one is to change the sentence. So the question is, yeah, sorry. Do you believe the proposal maintains security, stability, and resiliency of the DNS?

And what we are saying here is a split in IANA functions being undertaken by more than one IANA functions operator, before it was, would be likely to introduce instability. And the correction here is actually saying, will likely introduce instability, rather than would. Will likely introduce instability, and further down the paragraph, the sentence which is quite long actually.

The ALAC recommends that although no measures were introduced by the IANA coordination group to increase direct operational coordination between the operational communities, this should be promoted at an implementation phase, with the aim to reduce, and added text by

Laurence here is, and/or prevent the likelihood of a split in IANA functions operators.

I don't see anyone putting their hand up, so it looks like these corrections are working. Okay, excellent. Thanks for this Alan. Thanks for this approval. The last one is just a typo, to replace their IANA functions operator, rather than to replace the IANA functions operator. I think that was well intended.

Next we have square brackets here, around cross of the text. And the square brackets were added because there was a question as to whether the definition of consumer was as interpreted there. The question is, do you believe the proposal meets the needs and expectations of the global customers and partners of the IANA services?

The answer was that the ALAC believes that the proposal meets the needs and the expectations of the global customers and partners of the IANA services, and the proposal here is to remove the rest of the text. Are we okay with removing the rest of the text? I must admit that since that I have done some homework in trying to find out how that was, how the customers were referred to in the NTIA text, and indeed, I think Cheryl pointed me to this, indeed yes.

My understanding is incorrect in that, specifically this instance. So I guess we're okay with removing what's in the square brackets, okay. Then number eight. Eight number, there is some added text there. And the question is, do you believe the proposal maintains the openness of the Internet, explain yes, explain no. And the added text here is as follows.

So the ALAC believes that the proposal indeed maintains the openness of the Internet, by keeping the processes by which the IANA functions are performed as close as possible to the current operational status which all parties agree is more than satisfactory. We took away status quo which was a loaded term that might have gotten some people to cry out.

Are we okay with this new text?

Okay. Green tick from Cheryl, thank you. And a green tick from Alan. I note two. And a green tick from León. And from Gordon. Okay, excellent, thank you. Nine is unchanged, and 10, the question for 10 is, do you believe that the implementation of the proposal will continue to uphold the NTIA criteria in the future? Yes or no.

And the response here was changed. The new proposed text is, the ALAC does not foresee any divergence from the NTIA criteria in the future. Short and sweet. Green tick from León. And comments... Green tick from Cheryl, thank you. Green tick from Gordon, from Tijani, right I see, there is some connection.

And now the last question I have for you all is, do we have any additional general comments for the ICG about the proposal? I'll open the floor, but since we do have more time to respond, we can always continue our discussion on the mailing list. The floor is open for comments. Any additional general comments that we could make.

Going once, going twice. Okay, well I think that's the review of this text, and that's the full section, as far as I understand, the full section on the IANA coordination group response. We do have a couple of minutes

left. I note... Was I told that Mohamed El Bashir was on the call a bit earlier? Or no, I missed this.

TERRI AGNEW:

Hi. This is Terri. Mohamed has not joined today's conference.

OLIVIER CRÉPIN-LEBLOND:

Okay. Thank you. Thank you Terri. Right, so that's the part two. And then the next agenda item is CWG IANA. And in this, there isn't really very much to do. There was the VeriSign ICANN root zone transition proposal, which we have discussed in the past, in one of our past calls already. I haven't got much else to report. The list has been pretty quiet, although there has been... Well, quiet in the sense of actually having some meaningful discussions.

The discussions about the CWG position on the IANA IPR I thought was straight forward, and I noticed a massive string of responses and discussions, even though the Board had already released details about this. I wonder, do we wish to discuss any of this by any chance? Right. Now we have another five minutes until the end of the call.

Alan Greenberg.

ALAN GREENBERG:

Thank you. A number of people have demonstrated that there is no end to comments one can keep on making. I suggest we not follow suit.

OLIVIER CRÉPIN-LEBLOND: Thank you very much Alan. Olivier speaking. Excellent. Well, this is all fine. Now there was, in other news, I think we can go into any other business, if we finished with this section. Okay. So in any other business, I just wanted to mention that I have been reading, and I know that others present here have been reading, the discussion taking place on the other operational community mailing list with regards to the overall comments that they are going to make.

And in general, it looks like everyone is supportive. There was some discussion on the IETF mailing list with objections from one specific member. In fact, perhaps supported by a couple of others, objections to support the overall proposal or show support for the overall proposal. But I don't see that there is any willingness, I think, from anyone to stop the whole process short of its conclusion.

And of course, needs to work with the CCWG accountability as well. And so the onerous and the pressure is on the CCWG accountability, I guess now.

Ladies and gentlemen, any other, other business?

TERRI AGNEW: This is Terri. Are we having one or two calls next week?

OLIVIER CRÉPIN-LEBLOND: So this is the last question that we need to have on this. I would be inclined, because we have moved enormous amount, and we've done a lot of work this week and the previous week, I would be inclined to just have one call, because I think that the statement for the CWG input is

pretty much, pretty close to conclusion. There might be a lot more to work on for the accountability, but does it really need two full hours?

Alan Greenberg will be the judge of that. Alan?

ALAN GREENBERG:

I really don't know, but I do know that an awful lot of changes have been requested today. So we may want to schedule a second one, when I don't know. That's going to be my last opportunity for calls, to be honest. The week after, we will do if email if necessary, but there will not likely be an opportunity for a call.

CHERYL LANGDON-ORR:

Cheryl here. I would suggest schedule it and we can always not be [inaudible] if it wasn't needed, or have it less than the full 90 minutes. So two hours, which ever it is. It's probably better to have it in the schedule because other things get in schedules so quick, that's all.

OLIVIER CRÉPIN-LEBLOND:

Thank you very much for this Cheryl. Olivier Crépin-Leblond speaking. And you read my mind. Let's go for two calls. I know that many are asking for one, let's go for two, as in the first one will definitely take place, the second one will be optional depending on whether we will need it or not, but we certainly need to reserve the slot for it.

So let's do it this way. And hopefully, let's try for is it Tuesday and Thursday the best times?

ALAN GREENBERG: The first one, Monday or Tuesday, the second one has to be Thursday.

OLIVIER CRÉPIN-LEBLOND: Okay. Thanks Alan. So let's also look at possible slots on Monday. That would be great. Okay, with this... [CROSSTALK] I thought we were going to end 30 seconds early, but Sébastien Bachollet would like to add something. Sébastien, you have the floor.

SÉBASTIEN BACHOLLET: Yeah, I wanted to, I think that it's important that the Board is willing to meet with the CCWG. I saw that Alan answer, but I guess an answer from the five representatives to the ALAC to this working group, could be a good answer. And Alan could take the lead. Of course, I think we are looking for this meeting, now that, when it will be done, if everybody able to participate, it's another important question.

But I think, really, it's important to have this face to face meeting with the Board, and I don't know when it's possible we organize that, but it must be done really around the date proposed by the Board, maybe at the end of the Board meeting and not at the beginning, but whatever the date choose, we need to have this, this interaction I guess. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks very much for this Sébastien. Olivier Crépin-Leblond speaking.
Alan Greenberg?

ALAN GREENBERG: I didn't put my hand up. But the dates they have suggested are impossible for me. One of them is a Jewish holiday, the other one I already have a speaking engagement committed, but I feel very strongly that a face to face meeting is important, and obviously I would like to participate, if it happens.

OLIVIER CRÉPIN-LEBLOND: Thanks Alan. León Sanchez next.

LEÓN SANCHEZ: Thank you very much Olivier. This is León Sanchez. [Inaudible] are two things that a face to face meeting with the Board on late September would be useful, but only if we have received precise feedback from them on the proposal. Otherwise, it would be a waste of our time and their time.

So while I would definitely encourage to have this face to face meeting, I would condition that face to face meeting to happen, only if we have already received the feedback from the Board on the gaps that they had referred the proposal may have.

CHERYL LANGDON-ORR: Hand up.

OLIVIER CRÉPIN-LEBLOND: Thanks for this León. We have a queue again. Tijani, then Cheryl, and then Alan. Tijani Ben Jemaa.

TIJANI BEN JEMAA: Okay. Thank you Olivier. I do think that a face to face meeting with the Board is very important. I understand what León said, but I am sure they will submit their comments, and they committed to do so. So they would do. And I am really hopeful by the reaction of Kavouss and [inaudible] because [inaudible] etc. etc.

We need results, and we really need not having problems between our proposal and their way of thinking. We may find solutions for problems, if there is problem. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thank you Tijani. Next is Cheryl Langdon-Orr.

Cheryl, you might be muted.

CHERYL LANGDON-ORR: You're right, I was muted. That would be why you didn't hear me. Cheryl for the record. Again, I support what León has said. It is important that we have specifics from the Board, but hopefully we will have that, to help support the fact, assuming that we do have a meaningful agenda, it would be very productive.

I just wanted to point out, if it meant asked be asked at the Board meeting in Los Angeles, in other words to move it to after the block of

dates that we're offered, we might also want to consider that whilst it is all very handy to have it in Los Angeles, at least one person out of the [inaudible] of the CCWG, will not be able to be in a position to travel, but could, if we went to Washington, attend locally.

[Becky] is having surgery and she will not be able to fly at that point in time, but of course, she could do a local meeting. And it would seem to me that, you know, enough of the Board could fly in from Los Angeles to Washington. We have an office in Washington. But I just wanted to put that on the table. If we do end up having a meeting, I think it would be important to have the key personal available in the face to face if possible, and I think, you know, LA to Washington [inaudible] some people think it's a big trip, but in the scheme of things, it would be well worthwhile. Thanks.

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

ALAN GREENBERG: Yeah. My comment is on the line of, if we have something to discuss, I'm presuming that we're going to get some comments from the Board, before the end of the comment period. So the question is, are they going to be using that two day retreat as a major discussion of this? In which case, I'm not sure whether it makes more sense for them to get to meet with us first so they get clarity, or meet with us afterwards to resolve problems. I suspect the later. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks for this Alan. Olivier Crépin-Leblond speaking. And I think we've gone around the question, and we will be able to pursue this on the mailing list.

Thanks to everyone for having attended. We're five minutes beyond our allocated time. Thanks to Veronica and David, our interpreters. And we have a few more days until the next call, so please continue your contribution on the mailing list and on all of the various calls.

Reminding you all, there is, in a few hours from now, a wonderful webinar. And I hope that we would all be able to attend it as well, to support our colleague. Is it Alan who is doing the webinar tonight?

ALAN GREENBERG: Yeah. Alan is doing it, and just for the record, it's the statement as it was before we entered this meeting. There is no way I'm trying to revise it.

OLIVIER CRÉPIN-LEBLOND: Okay. All right Alan. Thanks for this. Ladies and gentlemen, this call is now adjourned. Goodbye.

[END OF TRANSCRIPTION]