

**ICANN**

**Moderator: Brenda Brewer  
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3:30 am CT**

Lise Fuhr: Good morning everyone. Let's get started. I'm sorry for the delay. We had some kind of technical problem with the audio and the microphones.

Well I will chair the first half of this meeting and my co-chair Jonathan Robinson will chair the second half. And I might need to leave early so he'll finish the meeting.

We will discuss two substantial issues today on this meeting. The first is requirements in relation to the CCWG. And furthermore we have the preparation of the actual implementation.

Well we hope to get an update from the accountability chairs which have joined us today. And this is very important to us since our groups are closely tied together both in relation to the proposals and our requirements to the proposal.

And the other to talk about our role if any in the actual preparation and implementation phase.

And we have three issues here. That's the SLE, the IP are and also the budget.

And we actually have a few people to help us out on the issues here today. I have promised a rock star greeting of the accountability chairs because they have been hard working and really.

So thank you for giving me - giving them this greeting I promised.

And the other one is that we have some key ICANN staff to talk about the implementation and the preparation of the implementation.

So these are the opening remarks. I don't know Jonathan to you have anything to add before we get started?

Jonathan Robinson: Well just to introduce I mean Trang is from the Project Team at ICANN working on the implementation and we'll joined by Akram in a few minutes so...

Lise Fuhr: Yes. Well Akram and Xavier will also join us so before we - before I'd really like to thank you chairs of the Accountability Group to take the time coming here. We know you've had an incredibly tough schedule. And it's not over yet. You have a meeting to come today and it's really nice that you will come and give us an update.

So we have Leon, Mathieu and Thomas who will take us through an update of the proposal in general and also touch upon the dependencies. So hand it over to you.

Thomas Rickert: Thanks very much Lise. Thanks very much Jonathan. Thanks to other people for the warm welcome. And isn't it great that after all these months of incredibly hard work we still keep smiling?

And I think good news is that we really see light at the end of the tunnel and we trust it's not the train that's going to run us over.

We'd like to show you some of the core ideas which are relevant to your group right. I (know that).

You know, we've brought with us the slide from the engagement session. I trust that all of you could speak to the slides as much as we can because, you know, that's information that you know inside out.

Nonetheless let's move to the next slide please just to reinforce that we know where we are on this process.

We know that we are what everybody's waiting for, pressure is on, no doubt about that. And we hope that we're going to be able to deliver as quickly as possible.

We're going to discuss a timeline, a revised time and with our group today. So that's going to be made available to you very soon.

But we would like to discuss it with our group first and confirm it before we share it with the wider community. Next slide please.

So just when you are talking to your respective groups there's still some confusion out there that the accountability enhancements that we're discussing would impact other core pieces of what makes ICANN.

And just to refresh our memories we are not changing any aspect of policymaking in ICANN. That remains entirely unaltered.

And I think we need to reinforce that with the community whenever we're asked because there's still some who think that the community as such were fit behind the policymaking and take influence on that. You know that's far from the truth.

They current structure of SOs and ACs will remain exactly as it is today. So you under neither of the proposals and the discussions you will be forced to change your legal status or change what you're doing. You will just remain as you are.

And we're also not going to change the role of the advisory committees. There's another talk about the GAC and the GAC will issue advice for the ICANN board as it does today. SSAC and RSAC has issued their advice as they do today. So that will remain unaltered as well.

So now I suggest that we move straight to the fifth slide please. And that is that we understood from public comment that we need to be very careful not to allow for a reallocation of power or a concentration of power. That was the fear that if we only have a subset of the community being allocated with weighted voting rights that this would sort of change the overall power system inside ICANN.

So we heard that message loud and clearly. Just to be perfectly clear that's not only a concern that's been raised by the board. We had a lot of public comment on that.

So it's not just a reaction to get the board what they ask for just be perfectly clear because there are many that tried to fuel the discrepancy between the board and the community. So that's been said by a lot. And what we take that seriously, we try to fix it.

And there was a - the risk of capture, capture as the main topic. We need to ensure that there's no capture possible by no single interest group in the community.

So we're - we've been working a lot to develop a response to that. So let's move to Slide Number 9.

So we're cognizant of the CWG requirements. What we suggest doing is that we will speak specifically to the budget question. And we're going to speak to the separation issue right.

The other ask that you had we can take off the list. Could - you know, we got a lot of confirmation from public contents on the other aspects because primarily the question of separation that becomes relevant when you talk about the enforcement mechanism and the question of budget where people said okay we can't afford a clash between the board and the community to lean to some sort of parallelization or destabilization of running the IANA functions. So these are the two topics that we would like to highlight with you.

Now let's move to the next slide. And actually I'd like to refresh your memory on what we call the notion of the Triple E approach.

So the community will be empowered under any model on the discussion right? So we will put the five community powers plus the two additional community powers and then separation and then IRP into the bylaws. So the

powers will be there. Take that for granted. There's been overwhelming support for these community powers.

The question is then how can these powers be enforced? And there's been a lot of chatter about enforceability. And some mistake this as enforceability being the starting point of exercising community powers. And that is far from the truth.

I have to say that I'm not entirely satisfied with what we see on the screen at the moment. I mean and Adobe doesn't even pay for that commercial break.

But the notion of Triple E and when you talk to your groups you might wish to take that with you because we think it's quite punchy despite the fact that I innovated it. And I'm not claiming any IPR on that.

The - we have three faces whenever it comes to community decisions. Our group has only talked about mechanisms after the first E has expired which is the engagement. And just to reveal the secret the second E would be escalations. The third E would be enforcement.

So when it comes to budget for example we have a - an engagement already today can be improved probably right? But it's important to understand that we want to make sure that we have processes in place, where the community liaises with the board as closely as possible to ensure that before the board makes a resolution issues are fixed and that there is consensus on what the board resolution should be about.

And only in the case where the board refuses to or maybe has misunderstood the community request and it takes a decision that community parts are at

issue with then we would come to the second phase which is the escalation phase.

And I'm going to truncate this a little bit. But basically what would happen is that there's someone in the community -- can be an individual -- that takes issue with the board decision in the five areas concerned.

So they would go to one that's all SC of their choice I - because we think everybody can find a home everywhere, at least talk to an SOA, see and say well do you share my concerns? And if they do they can call for what we call a pre-call.

So we're not going to have a crisis meeting with the whole community but we would invite the community to come together to the call using Adobe and we will discuss it.

If it gets traction, so in most cases if it is supportive by two SO or ACs then we would go to the next phase and have a community forum which is an informal discussion with the whole community where everybody can speak their minds and chime in on whether concerns are shared or not.

And then if we have three SOs or ACs supporting that there is concern then after this thorough deliberation the individual SO AC would take this back to their respective groups, take all the community input with them, form a decision according to their procedures as they are today.

So in the GNSO the groups, stakeholder groups and constituencies would discuss it then the GNSO council would vote on it. And each of those groups is invited to form a decision it would be put together in a consensus card.

And we're qualifying consensus. We're moving away from the notion of voting to avoid the reallocation of power, to avoid the concentration of power, to avoid weighted voting.

So we're doing a consensus call which is not full consensus. So we're coming up with our own idea of consensus. We know that there are many definitions of consensus. But our definition of consensus would be we asked for consensus and we looked at what the level of support is and not only what the level of objections is.

So you would have no more than one objection and then an objection or a budget veto for example could be carried. And depending on the community power concerned you would need a certain degree of support.

So if we take the big stick spilling the board we would need four organizations to support that and not just to remain silent.

So for that it would be foreign support no more than one objection. And then we would have a community decision which is not done in the new corporate or legal structure which doesn't need any offices but who are basically have a meeting taking minutes the SO and AC chairs could be other people but let's say the leanest impression would be SOs and ACs.

Chairs would communicate the results of their internal deliberations and then would have meeting minutes bearing out the level of consensus. And there you go.

You have your community decision and then either the board says yes we now understood we're going to redo this resolution and fix it or they don't. And if they don't we can take them to an IRP.



And that will be if in the case where the IRP leads to a decision favor for the community. And let's not forget the community can be wrong that the IRP can be in favor of the board right? But even then the escalation wouldn't necessarily be over.

But let's just assume for a second there is an IRP decision favorable for the community. We will then need a board to discover an SSA we're not going to implement that RFA decision.

And only after that failed we will have a discussion with the board. And if they say we're not going to fix it then we get to the Third E, enforcement.

So you see how much down the line we are because the question we're now discussing will ever become relevant. And then it's a question what enforcement vehicle we're going to use that and that it can either be a designator structure which would allow for us to record the board, put new people on the board or under the - under a membership-based model the community could take the board to court fight over it for like two, five years time and get their will.

And let me just quote Roelof Meijer who said in comparison to that, you know, would we really want to spend a fortune on a community power to get our will to keep the board or after all this process would be would we rather spill the board replace, them and move on?

So I think, you know, this is the main outcome. We think we really had a breakthrough on this community decision-making. And I suggest that without any further ado we now move to the two topics on budget and separation which we assume are of highest interest for you. And Mathieu over to you.

Lise Fuhr: Before we do that Chuck has a question.

Thomas Rickert: I'm sorry, I didn't see that.

Lise Fuhr: Yes okay. Chuck go ahead.

Thomas Rickert: Chuck. Where are you?

Chuck Gomes: Can you hear me now?

Thomas Rickert: Yes, we can hear you.

Chuck Gomes: Okay hi Thomas. Thanks for the good presentation so far.

When you're talking about a objections are you measuring those by SO and AC? In other words when you say one objection do you mean an objection by an S - one SO or one AC?

Thomas Rickert: Correct.

Chuck Gomes: Thank you.

Thomas Rickert: Good. So now Mathieu will speak a little bit budget veto your question.

Mathieu Weill: Thank you Thomas.

Lise Fuhr: We actually got another question. Sorry.

Thomas Rickert: Oh, all right.

Lise Fuhr: (Oswaldo)?

(Oswaldo): This is (Oswaldo). I have a question. So when - if we go through all that process what happens to the issue at hand? Does it stay there or does it keep progressing in say in the case of a budget, you know, the issue of the budgets?

I think the - this was answered before but I don't remember. Thank you.

Mathieu Weill: So I'm putting a budget aside but the rest is about bylaw changes or board director removal. And so in the meantime obviously it's not moving. It's stalled. But it's about bylaw change and the board director remains in place obviously, is not suspended in an anyway so that's not affecting the operations.

The budget issue is - was discussed at length because there was this time critical nature of having a budget, being able to honor ICANN's commitments. And that's why it's given raised more detail analysis.

And when I - there's been another work on this Friday and Saturday and we've made good progress bearing in mind that there's a requirement of condition from the CWG on the budget and so that the progress that we're making is actually to introduce a little bit of difference between the various aspects of budgets and strategic plans.

And basically it's agreed that the process that Thomas has described would apply to the five year budget plan, budget and strategy plan which is obviously because it's a five year plan less time critical.

We can afford to do three, even six months need be on a five year strategy plan. And so that's agreed.

We have agreement that the PTI budget would have a separate process and we - a veto right on a process or it's going to be probably a timeline that is in advance of the usual one year plan to enable to cope with the possibility of this process taking place.

And I think that was a core concern for many in the CWG. And we'll - there's a number of protections against regular objections, against multiple veto and so on that are built into the process. I'm not going to the details.

And the last remaining piece of discussion that we had was about the one year operating plan and budget which are time critical in many ways.

And ICANN has made tremendous progress in the last few years about providing this information in time for the community to engage. There are sessions now at every ICANN meeting about it.

Mary is noting I know she's is off in (CRD) sessions within the ccNSO as well and it was improvement. But there was a concern that in case of a veto that the duration of the process might actually put ICANN in a position to have to go beyond its agreed budget to honor of prior commitments. And that was putting basically the operations in jeopardy.

So the agreement has been found is that there would be a specific process for the - for this budget by reconstructing the way this budget is presented and defining a, I think for Xavier Calvez is here ICANN calls it the caretaker budget.

So everything that is totally that's basically already committed to and that would - that it would if canceled put ICANN's commitment at risk.

And a second part of the budget with basically what can be - what is - has more liberty to be - so we use the word discretionary but (Claudio) was not very comfortable with that. And that's basically the process that the CWG went through when looking through the PTI budget. It's the same kind of distinction between basically new initiatives and what's already underway.

And so the idea is that a veto for the ICANN budget, a veto would freeze the new initiatives. But the continuing budget would still be possible to use for ICANN so that the operations are not (unintelligible), there's no contradiction with prior commitments and the ability to actually spend that money, staff can get paid and so on.

So that's the balance that's been found and that is currently getting I mean all supporting our group. And we are have the impression that it's meeting the CWG requirement. Obviously the formal confirmation of that would be extremely helpful.

Maybe we can take questions on the budget now and then move to the expiration if you agree?

Lise Fuhr: I think that's a very good idea and I know Seun's had his hand of for quite a while. Thank you for being patient Seun. Go ahead.

Seun Ojedeji: Yes this is Seun for the record. My question is generally about the process.

Are you considering efficiency of timeline in all the processes because this is very important that whatever decision that is made in line in regards to IANA

needs to be efficiently done? We spend so much time on this current process so are you considering efficiency in the timelines? Can you confirm that the timelines provided would actually be efficient enough? Thank you.

Mathieu Weill: Yes. I'm not sure which process you're referring to. Are you speaking about the escalation process or the budget process?

Seun Ojedeji: Yes, the escalation process.

Mathieu Weill: Okay so the escalation process our estimates are that for the three phases petition community forum decision we're speaking about roughly two months.

Okay and then obviously if you go into an appeal mechanism that's - that can be three to six months. Even - I guess on the community powers it's going to be very focused on due process so that would probably be - I mean it could be in the lower range but that's already very extreme.

And that's actually providing a very strong incentive for settlements which is what we need to have in the escalation process. It needs to be very clear that each step there is an option to settle, find a way forward.

I mean it's after an SO, a couple of SOs for instance would introduce petition again in the budget. I think the most efficient way forward for the board is engage, have an emergency discussion with them and in the budget, take the (constants) on board and we're off.

So I think that's the kind of timeline we're talking about. That's obviously because these durations are significant in terms of budget process that we've adjusted for the one year plan. But I think it's still an appropriate balance. I hope you find it appropriate as well.

Lise Fuhr: Thank you Mathieu. We have to be a little mindful of time. We have ten minutes left and actually we have less than that. But I have (Mary Uduma). Go ahead.

Mary Uduma: Thank you. My name is Mary Uduma and my question is on the PTI budget and vetoing of the PTI budget. Maybe we'll have to get into consideration the model the CWG is putting forward isn't going to be complete suppression that budget of PTI is completely separated from that of ICANN and whether PTI would still be embedded within ICANN processes and budgets.

So if that is the case okay maybe I should just leave it at that. Did we consider that whether it's going to be complete separation so that everything that is related to finances with PTI is separate from ICANN? Is that what we're looking at or we're looking at it's been part of ICANN budget?

Mathieu Weill: So it is a separate budget per your requirement of the CWG. And there is going to be a separate engagement discussion around the PTI budget as well. So if that's what you required and we're just taking that on board as is with no change.

Lise Fuhr: Do you want to follow-up question?

Mary Uduma: Okay so now it goes to the CWG. Okay. And yes, from what we've learned from ICANN and the ICANN process and that the way it is operated it is so difficult to say that this is IANA functions in total as against ICANN function.

So I don't know whether a CWG would have to look at that again to determine whether you will have a complete separation or just a department on that ICANN as part of the PTI. Thanks.

Lise Fuhr: Well thank you Mary. I guess this will also be part of the implementation of the actual implementation. So we will be mindful of that thank you.

And Mathieu you are all...

Mathieu Weill: I'm all set.

Lise Fuhr: All set. Thank you. Thanks.

May we hand over to (Leon)?

Leon Sanchez: Thank you very much Lise, Leon Sanchez. And another part of what we've been doing is of course to ensure that there are means to comply with the separation process requirements on the CWG.

And Annex L of that - of your last report or your last proposal that describes of course the details into which a separation process would need to go through.

And in this respect we have provided the powers for the community to actually review or reject a board decision in which they could say that the outcome of BFIR doesn't merit a separation of the IANA functions tool or new entity.

So we are positive that through the enforcement mechanism that we have a vision we could deliver this powers out to the community. So if we could switch to Slide Number 16 I think. Thank you.



So there you have the enforceability mechanism where we have been discussing the different models which would actually enable the community to enforce or exercise these powers which the separation of processes of course encompass.

And first we were going through a multiple legal person could structure in which any SO or AC could actually begin this process.

But then we received comments that raised my concerns with both the notion of membership and the notion of multiple.

And we took some work in the working group. So we are now going through finalizing the comparison of the baskets and the powers that either a sole member or a soul designator the model could actually deliver to the community to be able to enforce these rights and of course at some point enable this as a (separability) process.

But the one thing we are undertaking now is that in at the Annex L the requirement is to provide the community to actually review or reject the board position but not to force the board to actually go and comply with the communities of opinion on (separability).

So I think that actually going into a mechanism that could force the board to undergo the (separability) process would be jumped their requirement that has been set by the CWG.

So for the moment we are only of course addressing the issue of providing this possibility of reviewing or rejecting the board's decision.

And we do believe that this can be achieved by either the members, the soul membership board, the soul designator model. And we of course encourage you to join us today in our session to continue the assessment on the different - on the two different models.

And as you can see in the slide well what we would be doing in either model either the designator or the sole member model who would be providing legal structure that would comprise all SOs and ACs and all SOs and ACs would be part of the decision-making process.

But one that could be in fact exercising the power would be the sole designator or the sole member as a matter of luck. So these would actually deliver and allow us to line up your or our proposal with your requirements regarding the PTIE separation. Thanks.

Lise Fuhr: Thank you Leon. Any questions. I see Paul. Yes?

Paul Kane: So thank you very much. This is Paul Kane. And may I thank all of the three co-chairs for the amazing work you've done. And being candid I have not been following it so I'm very pleased not to be following it bearing in mind what's going on.

So just to really following up on the point Mary raised with Rickert with respect to the budget but also with respect to the separability.

Bear in mind in the CWG's proposal we have numerous opportunities in the event what is considered to be a breach or a fundamental breach by ICANN, IANA, PTI in delivering the IANA service we have escalating - escalation mechanisms for separating out PTI.

I would just like to hone in on one thing you said which is if the community that is contained within the CWG proposal considers that the only remedy available is for separation to occur could you just reiterate what you said with respect to the community being able to enforce that?

Because one of the tasks we ask the accountability group was to make sure that we had the mechanisms in place where the escalation processes had come through and determined that separation of PTI from ICANN was the only outcome that it did happen.

So the other aspect was the budget having determined that separation should happen but the budget of ICANN, sorry of PTI is indeed ring fenced so ICANN will fund the Newco or whoever it is that delivers it.

I want to emphasize I think ICANN and IANA have done a very good in the past and this is the worst case scenario. But it's always good to have the root predefined so that there is no ambiguity with respect to how separability actually occurs.

Mathieu Weill: So the first thing is yes the PTI budget is ring fenced because it has a specific reader right.

The second on the separation I think what Leon said is when we are very detail reading of the CWG report shows that this - there's a process where the community would decide it's the ultimate remedy and the only one available and that's something that needs to be, a conclusion that needs to be reached with the board.

And then there's a process that's taking place which our group is definitely prepared to take on board in the bios. And we think that and both of the

models currently being considered that would bind the board to follow the process.

And so as a consequence we think we're meeting the CWG requirements to have to process enforceable now bearing in mind that it's a joint decision with the board.

So as a consequence if the board was not in agreement with the community at this point then obviously I guess the decision wouldn't take place and it's not our group's role to prejudge what the outcome should be in this process.

So this however what our group is setting up either way if this is not settled to actually change the board which it probably actually best way to do so to find out to find a solution.

But as Thomas was saying this is not going to be the way it happens. It's going to be about a crisis mode kind of discussion and finding a mutually agreeable solution.

Because I think that's the spirit of what I read in Annex L of the good decision process. Its major crisis, we need to find a way and it would be dangerous to have something that's true mechanic and would lead to automatic stuff while we're still talking about IANA functions and its impact on security and stability.

So it's just like a bridge where your - if you build it without any room maneuver or with any wiggle room and certainly the conditions outside change you risk breaking it.

So I think it was actually a very wise balance that was struck in the CWG report about this speaking without my accountability hat.

Lise Fuhr: Yes. (Al) plus the queue after Avri. And I see Thomas you have a quick comment because we're just short of time. But Thomas go ahead.

Thomas Rickert: Quick follow-up because my memory is so bad.

What I would take away from this is if you get an enforceable right to the process. The board needs to follow the process as you have specified in Annex L. But we can't predetermine the outcome of this process. That's for the outcome of the process if and when it happens. But you get what you want in terms of process enforceable.

Lise Fuhr: Thank you. Alan go ahead.

Alan Greenberg: Thank you. Two points, first of all recall the separation may or may not be separation of PTI.

It's the real reallocation of the IANA function by its steward ICANN to somewhere else. So it could be by, you know, cutting off PTI and doing something else with it or it could be just leaving PTI where it is as a group that does nothing at least on behalf of names going somewhere else.

With regard to the separation process and enforceability I find this discussion interesting from a theoretical point of view.

But when you recognize that the whole process is kicked off because the registries essentially have decided something is really broken and can't be fixed it's hard to imagine that we would live with that not working and can't

be fixed situation for the next many, many months possibly years that would it take to get to the point where we have to worry about enforceability.

Just the concept of running an IFR and then CCWG and then an RFP in any real world I live in chances are the other registry functions the IANA does will also have been messed up.

The ITF and the IRRs would have long left. The registry operators and the root server operators would have found a different way to distribute the root. And we may have a completely enforceable process that's meaningless because it has no work to do anymore.

So an interesting theoretical discussion but I just cannot ever see it playing out in any real world thank you.

Lise Fuhr: Okay I see Alan. A quick from you...

Avri Doria: Sure.

Lise Fuhr: Avri?

Avri Doria: Yes Avri Doria speaking. Whether it's purely theoretical or not what it basically says is that for the names function at the end of a separation process either the board agrees or it has that whole escalation process that can enforce it according to the bylaws.

And in either of the models at some level of that whether it's at a, an appeals or at the replacement of the board or at a court level you are basically enforcing the bylaws and the bylaws have forced the decision in some way have defined how a decision is made.

So I believe that that comes in enforceability without getting into all the spinning of what may or may happen yes in the best of all possible worlds the crisis would be oh God we've got to fix something and that would fix it in the meantime.

Lise Fuhr: Thank you Avri. And since I closed the queue there is no more time for questions.

And I'd like to thank the accountability chairs to come and give us a quick update on where you are. And we look forward to have a new proposal to have a look at in order to sign off of our requirements. And thank you for giving us the catchy concept of the Triple E.

I'll quickly hand over to Jonathan to move on.

Jonathan Robinson: Thank you Lise and Mathieu my thanks. And if you want to add a fourth E Mathieu or Thomas or Leon to the Triple E you may exit at this point.

Lise Fuhr: Okay.

Jonathan Robinson: But you are of course very welcome to stay.

Woman: (Unintelligible).

Jonathan Robinson: Thank you very much. Okay so we have normally 35 minutes left in this meeting. We were hoping to have 45 to deal with the remainder of the agenda.

Welcome Akram and Trang from ICANN staff to join us for this section of the meeting.

Our plan here is to get an update from staff as to the work that they're starting to do to prepare for the implementation and to discuss gentleman. Alan, Leon please and to concentrate on making some initial discussion and forward motion on our work on the implementation and oversight of the implementation of our work.

So I think it's probably most useful to hand over to Akram and Trang now to give an update. And then we can take the other items under Section 3 of the agenda as discussion points. So over to you.

Akram Atallah: Thank you Jonathan. It's very nice to be here and to meet with the CWG.

We want to just give you an update on where - what we're trying to do to let's say improve our chances of getting everything done on time.

So as you can see here the - there are three phases that everybody's talking about, the preapproved - the submission of the proposals, the approval of the proposal and during the approval period. And then once the approvals are approved and then of course we have the timeline of 9:30 2016 that's not changing.

So the way we're looking at this is that we are trying to do as much as possible before the approval because as things move to the right the time that's fixed is actually 9:30.

So we want to offer, give ourselves as much chance to do as much as possible before so that when we get the approval of the proposals we can get done in whatever time is left for us to get it done. So that's our thinking.



We have broken the work into the three stacks that you see below that. The roots zone management system. And I'll talk about that in a second.

The post transition IANA which is PTI which is mostly the proposal that's coming out of the CWG plus other two communities and then the accountability track.

We are in the phase today that what we call administrative prep. So basically we're trying to put things around the different projects that are already being highlighted by the proposals.

And we are putting a team together to be able to track the projects, make sure that the appropriate staff that are working on that are updating the progress and provide reporting and accountability, not accountability, I'm sorry, oversight and reporting tools for the appropriate working groups that have developed the proposals.

So and we're here right now to basically work with you, see what your needs will be, the frequency of reporting that you would like to see.

It's very important for us that we do a frequency that gives you comfort so that you're reviewing things as we're going and not wait till the last minute to say okay here it is and then you review it then you have concerns and then we have to backtrack and start all over again or do more work.

So the idea is that we want to give you the frequency you need on reporting and allow for oversight so that as we progress you're in lockstep with us. And then when the product is finished it is actually your product that you wanted in the first place and the interpretation of the implementing team is the correct interpretation and output is what you want.

So this way we get ourselves a much more likelihood of success within the timeframe that is just getting shorter and shorter.

So these are the things that we're working on right now. We're hoping that we will also hear from you on your requirements and how we would like to operate so that we can start preparing as much as we can now.

We are also trying to figure out what can be done before the approval. And we are trying to itemize these things in two buckets one bucket that says, you know, we can do some prep ahead of time on certain issues that are approval period.

And we are working with NTIA to get their okay on doing this because we have the contract and there are certain things we don't want to overstep and we don't want to actually be assumed approval either. So we have to be very careful on how we do this.

And the other bucket is we believe that there are things that have nothing to do with IANA contract. And if they have nothing to do with IANA contract and the board is willing to give us a resolution to move forward on those then we can start to work sooner and be able to implement and get the implementation done ahead of time.

So these are the two things that we're trying to do as much of as soon as possible so that we give ourselves more time.

On the root zone management system track we have been asked by NTIA to deliver a proposal to maintain the security and stability of the (RDMS).

And what we've done in that regard we've actually got with VeriSign who is the current maintainer of the root zone management system. And we've developed a process to put the system, a parallel system to the existing system in place. And the parallel system will take the NTIA approval step out of the system.

Besides that the two systems should be totally identical. And the reason for this of course as you might've guessed by now is to maintain the stability and security and not to make too many changes for the transition.

Now these two systems are supposed to run in parallel for about 90 days during which we will compare the outputs of the two. And we will post on a regular basis the outputs and the consistency that two systems are working exactly alike.

Whatever there are actually differences -- and we expect some differences on timing -- as you can see one system is not going to have that - the pushbuttons from NTIA.

One will have the pushbutton from NTIA and this NTIA delays pushing the button for a day or so there might be an update that comes up on the parallel system that will say yes go ahead versus on the existing system it won't. So there'll be some differences.

We will have to be able to explain these differences also in a transparent way. Otherwise we'll have to fix the problem that we see and then start the clock all over again.

So that's really in a nutshell and say just maintaining everything status quo, continue doing the same things as we're doing right now, maintain everything that we have until the transition happens.

And on September 30 we need to have a contract in place with a maintainer so that when NTIA takes away the maintainer function from the cooperative agreement between them and VeriSign we have something in place for continuity and stability.

That contract is being negotiated with VeriSign. And basically it is a contract that asks them to do the same thing as they're doing today with no changes with the ability to actually terminate the contract at, you know, within a period of notice and within a transfer so that we can transfer the knowledge.

And so that allows us in the case of community post transition decides that they want to change maintainer or they want to put an RFP out or, you know, so we have the time to do what the community wants us to do.

And then also there'll be a change process so that the community decides that what they want us to do things a little bit differently, start exploring other things that we can actually enter into a change process with the VeriSign to change the way we do things.

So the approach is very simple, do the same thing as we're doing today without NTIA to guaranteed the continuity and stability, have something that is today or as soon as possible contracted so that we can guarantee that at the last minute we can find ourselves that with the maintainer not wanting to do the function and now that becomes a delay for the transition.

And also be able to have the flexibility after the transition to change things and improve things as we need to.

So that's really what we're doing on the root zone management system.

On the post transition IANA we're doing a lot of prep. We're trying to understand sort of things. But we can't move as much on the PTI stuff until we have actually a final proposal but really exploring where we are. Another accountability as you can see we're waiting for the final proposal and we will try to do this.

The good thing is that the resources are available to actually implement these things as quickly as possible. Given, you know, where we are today I think we have plenty of time to get things done.

We need to get as much in the bucket of do - to do before the approval as we can. And if we manage that well we increase our chances of success.

So that's where we are and, you know, be more than happy to take questions.

Jonathan Robinson: That's Akram. That's helpful and clear. And I think from my point of view I would look forward to seeing the expansion which we will work with you on and be able to keep a close eye on that, you know, the orange, the post transition IANA component of your diagram, so great.

Let's go straight to - I'm very mindful of time. I think I can see a way through this in the time available but let's go to any questions or comments for Akram and Trang. I see Alan your hand is up.

Alan Greenberg: Thank you very much. The description you just gave of the what is embodied in the ICANN VeriSign proposal is pretty clear with one exception. And I'll go to that in a second but the document itself was not.

Many, many people read into that that it was somehow related to the contract, that it was somehow related to the contract to the cooperative agreement or the contract that you just referred to will come sometime in the future.

There were all sorts of things people presumed and conspiracy theories because there was no clarity in it as to what it was really trying to fix.

It was trying to simply avoid writing some code and inserting it into the root zone process today. It would be useful if there could be something written that actually describes that. If I may there one more question.

The thing it does not - is not clear around and you aren't - you would not be clear on is exactly what happens. You have these two parallel systems, one partially IANA, partially VeriSign and with NTIA plugged into the middle and the other wholly contained with essentially on ICANN premises as it were. No, you're replicating the whole system.

Akram Atallah: Yes. So the idea is that the systems that's on VeriSign's contract stay there.

Alan Greenberg: Yes.

Akram Atallah: The systems that's on the ICANN side stays there. The only element they're taking out is approval.

Alan Greenberg: No, no I understand. But you've replicated a system which...

Akram Atallah: Yes.

Alan Greenberg: ...goes - it's - which copies or repeats copies what VeriSign does and then you compare the outputs.

Akram Atallah: No. So the system on VeriSign stays there. And at the output of that system VeriSign will post the outputs and the differences there are and any justifications for them.

So VeriSign is still doing its role and ICANN is still doing its role. So it's not all sitting at ICANN. It's sitting at both.

Alan Greenberg: Okay. But the paper describes a duplication.

Akram Atallah: Yes.

Alan Greenberg: Okay. The question is what happens at the moment of transition?

Akram Atallah: And so what we're trying to do is we're trying to get a system that is, the parallel system to be consistent and show us that over 90 days the system is good.

Now we would like to ask NTIA to flip to the parallel system before the transition is over so that there is time where the parent system is actually now the operational system.

I don't know that we would have time to get to that. But the idea is that once we get the transition done then we switch to the parallel system and the parallel system becomes the system of record and the operational system.

Alan Greenberg: Okay.

Akram Atallah: To answer your previous question on the contract I wanted to mention that also we are committed to post the contract responses negotiated between with VeriSign to post publicly for review. And like I said we're putting everything in place so that we have ability to change things after the transition.

There was one more question you had. Okay.

Okay. Oh the explanation yes. We're very mindful with very cryptic. You know, we spend like maybe probably three weeks issue a small blog between, you know, the concerns of all the different parties and how the, you know, the different - read the language and what it's going to be. And of course it doesn't satisfy everybody but, you know, we try harder the next time. Thanks.

Jonathan Robinson: Okay so thank you. Now let's look at this. We have 20 minutes to cover this area of implementation.

We've had a good update from staff which goes on record of which there've been some helpful questions.

I think I'm going to try and cover A, B, C, D, E - A, B, C, D at a high level. And then particular I'm very mindful that Paul has traveled here almost specifically to be at this meeting. And I've got Xavier and Akram and Trang here. So let's try and make sure we make best use of the time available.

Lise and I have had the opportunity to talk with various of us talked amongst the groups at different times. I want to get on record where I think we are and see if there are concerns or issues arising from that.



I think in the - going back into the sort of mists of time it wasn't clear what the role of this group would be in implementation. We've considered whether there'd be in Implementation Review Team or how things may or may not work in implementation.

As time has passed I think it's become clear that this rule - this group will need to play a role in working with staff as they prepare for and execute on implementation by essentially reviewing that oversight if you like but certainly review to make sure that the work that staff is doing is consistent with what was intended in our work.

So the way in which Lise and I have talked about that working is that we would have -- and Akram essentially talked to that a moment ago -- regular updates from and opportunities to engage with the implementation work to ensure that it is consistent with the intent of the proposal which actually if I think about what the GNSO has done for example on policy and implementation that iterative cycling as we go through makes a lot of sense.

So I trust that that is in line with the group's expectations. And we can reiterate this approach at the next meeting of the group when - but for the moment I'll get that on the record and obviously expect any counterpoints questions or concerns if there are.

Now we have three very specific points on implementation that we need to deal with in more short order. And those are dealing with the probably most urgently because the other operating communities have gotten a little ahead of us on this is the IANA IPR but also ensuring that there's no confusion in and around the work that's being done on the service level expectations, the SLEs.

And finally to make sure that any work that's been done on the budget -- and I welcome Xavier from ICANN finance here -- any work that's been done on the budget is undertaken consistent with what - how we envisage things to be post transition.

So we've got this delicate line to walk where we're operating in today's environment but mindful of tomorrow's environment which affects the SLEs, affects the IPR and affects any financial work.

So here's what Lise and I believe we are doing and essentially propose to the group that we have some discussion now on the SLEs. But with respect to the budget we essentially ask what was Design Team O to engage with ICANN finance and make sure that any work that's being done in the current budget planning and work is consistent with what's envisioned by the group in future and then thirdly on the IANA IPR we clearly need to get to work on our requirement.

So Lise and I had the privilege of meeting with the other operating communities, representatives from the other operating communities yesterday I believe it was.

And we talked through the work that they had done so far and what we might do going forward which is really what we've agreed to do is set out the naming community's requirements for the appropriate housing of the IANA IPR and to do that mindful of what the other operating communities have done so far and also so that we can make ultimately dovetail these requirements together and ensure that whatever solution is in place is consistent with the various requirements.

So I see a hand up from Jari. And then what I think I'd like to do is if - is go to - and so finally on that IPR I think we need to pull together a design team, a small group of people with appropriate expertise from the CWG who are prepared to work on this, put in the time in short order to essentially draft those requirements in conjunction with reference back to the group of course but ultimately for approval by the group to make sure that we get to work on that as soon as possible.

So I think I've captured that adequately and I see a couple of hands coming up. And so we'll deal with those. And then I'll probably pass the microphone to Paul to talk about the SLEs. Let's go to the hands up first from Jari and then Alissa. Jari?

Jari Arkko: Jari Arkko for the record. So I want to come here and say that we're very keen on working with you guys and the IRR ours on the topic of IRRs on the topic of IPRs.

We've reached a sort of high level agreement and - of new job plays and next steps on what exactly that is and what kind of place that needs to be and what kind of contracts are in place. That is the work ahead. And I agree with everything that you said about how to move forward on that.

I sent yesterday or was this morning an email to the list about, you know, some, you know, existing things what the IRRs have said, what the ICG has said, what the IGS said.

So my personal belief is that we are at the stage where we should not yet discussed too much like, you know, this organization or that organization or this contract details but first figure out what sort of the framework is and what the requirements are and that their idea of contribution was on the framework

that in order to have this work we need contracts between, you know, the parties that are the operator and the operational communities. And of course icon will kindly host the IPR. And then the IRR contribution is on all the requirements.

So moving forward on that I think is important we want to - I understand your point of view as well. And then once we sort of that the high level understand what we're trying to do and agree then we can move forward to, you know, selection of entities and more detailed contract work. Thank you.

Jonathan Robinson: Thanks Jari, appreciate your - both the substance of your contribution also that the support for our processes and participation in the meeting.

I've got Alissa Cooper: next and so go ahead Alissa Cooper.

Alissa Cooper: Thank you. I just wanted to return briefly. I apologize if I didn't get us in at the right time.

But to the question about the general interactions between the various parties during the implementation phase so what I think I heard you say Jonathan is that in terms of - well let me just give a concrete example.

There's some details in the CWG proposal that are to be worked out during the implementation phase.

So for example the PTI board is said to be between three and five members. When it actually exists it must be either three, four or five people. It can't be arranged. So someone's going to have to decide, you know, is it going to be three, four or five.

So for decisions like that it sounds to me like you're expectation is that Akram and Trang and team will put together a proposal for resolving that detail and then invite, you know, review and discussion with the CWG. And the CWG, you know, once it's decided will say okay yes we feel that this has been completed appropriately and consistently with the proposal. Is that correct?

Jonathan Robinson: That's correct. And so to that extent that orange bar on this very high level project plan will be broken down into numerous sub details for which we can essentially sign off that they are implemented consistent with the underlying intent in the proposal.

And we don't see that as modifying the proposal, rather progressively implementing the proposal as intended.

Alissa Cooper: Okay, excellent. Thank you. The ICG is discussing whether there's any work for the ICG to do during implementation. So it's very useful to know that the CWT is willing to be the body that kind of gives the sign off and says yes this is consistent with the proposal. So that's very helpful. Thanks.

Jonathan Robinson: Yes. and I think that's becoming increasingly - our role has become - our role or requirement in this process is becoming increasingly clear to us over time. And we were in a sense differential to the ICG in an early draft of our implementation schedule.

But we now feel increasingly confident that we need to be in place to keep a close eye on the implementation in line with what I talked about before that iterative reviewing and making sure that I - and I know staff will feel most comfortable with that because it gives them the opportunity to know that they won't have to go three steps forward and two steps back if we work in that way.

So I have a queue that formed. And next is (Nurani). And I don't know Izumi if you would like to join as well. But let me accommodate (Nurani) whose has her hand up in the chat if and Izumi if you would like to join by all means do so as well.

Go ahead Izumi.

Izumi Okutani: Oh, thank you. So I'd like to speak with the (unintelligible) the hat of the (Chris) team chair from the numbers community.

And I completely agree with the statement that Jonathan has made and Jari has made. So as much as the others were very willing to continue in collaboration on the IPR issue.

And as a way forward we've actually shared the IPR principles to the CWG list. So I think as a starting point instead of trying to immediately jump into the discussions on which should be the entity I think it would be good to start to agreeing on what are the basic principles that we all feel would be important for free operational communities?

So we'd certainly welcome your feedback on the draft that we've shared.

And also on the drafting team that Jonathan has mentioned I think this is very helpful that we have been engaging among the leaders from each of the operational communities on this issue.

But then I think from this point on we would like to have experts on this topic to have discussions, so not just list restricted to the chairs who do the

collaboration so that this team can go back to each of the groups and try to form a way forward in terms of the implementation.

So I completely support this suggested way forward and virtually the Numbers Committee is committed to joining this team and working together. So thank you.

Jonathan Robinson: Okay thank you for both the substance of your input and also your willingness to be here with us and provide that -- so much appreciated.

Unfortunately we've ended up in a rather tight time slot party due to the technical issues at the outset of the meeting.

So I think I'm going to go straight on now to bring Paul in to give us an update on where we are with the SLEs and the work that's been going on there and just make sure we're in a good place there so Paul over to you.

Paul Kane: Think you very much Jonathan. Paul Kane for the record.

First of all let me just reiterate what I said on the email exchange.

I would like to thank the ICANN and IANA staff for the good work that they've helped the working group undertake in the development of the SLEs which obviously this community adopted some time ago.

I'm also pleased to advise that yesterday we've had a very productive meeting with Akram, Trang. And thank you both very much for facilitating that meeting yesterday.

And in principle as many of you know, all of you know that there is no intent within the Design Team to change the current process. What we're seeking to is capture, and we have captured in the SLE the current process.

And what was agreed yesterday subject to further discussion is basically the log files that currently the IANA system generates may be made available to the Design Team to start populating the SLE and so the thresholds that can be determined.

It's uncertain precisely how many of the SLE parameters will be able to be addressed. But broad brush about 80% of the SLE can be addressed using just simply pausing the current log files of the IANA. So that's a major chunk done just to use Akram's term it's sort of the bucket before approval as it were.

So I would also like to support the idea of having a parallel that using the parallel track process to basically populate the SLE so that things could move forward very expeditiously particularly with a few items. It's either four or five items where new tools need to be or may need to be built just to extract the timestamps off those.

I don't think there's as many as four. I think there's probably three but if we were to say four or five then we've certainly over (egged) it.

So I'm very grateful again to Trang and to Akram for the pragmatic approach that was discussed yesterday. And we look forward to receiving the data so we can start the population of the SLE.



And obviously once the SLE has been populated the thresholds have been entered into the SLE that will be circulated once we get into CWG members. So thank you again for yesterday.

Jonathan Robinson: Questions, comments, issues arising out of that or anything in and around the implementation that we've been discussing so far?

Akram?

Akram Atallah: Just a point of clarification. We still need NTIA's approval to deliver those datas. So I just want to make sure everybody hold your applause but we'll get there. Thanks.

Jonathan Robinson: Any other comments, questions points?

So looking forward just to clear where I think this is going to go I expect all of us are sufficiently exhausted or otherwise engaged next week that we might want to take a little break. But there is some urgency to getting on with elements of this probably most significantly in the case of the IP are because as I said a moment ago we are slightly behind the curve with respect to the other operating communities.

So I think we will want to pick up this work of the CWG in the following week with the staff together at least. And I will work with staff to get a meeting scheduled for that following week and we'll pick up some of this on the list.

The - I think that covers most of it. As far as this meeting is concerned now we had an item on legal and a progress update on the bylaws drafting.

We did communicate via client committee with Sidley. I understand that there is some work going that the work on the bylaws is two to three weeks away from seeing initial drafts. So that would dovetail with this implementation scheme.

I'm realizing that Xavier was good enough to come and be with us. So Xavier would you like to share anything with us? You might have a - are you content with where things are or...

Xavier Calvez: If I have the time I can give you a little bit of insights on the planning process. But if you're short on time we can do that in a different timeframe. It's not indispensable right now.

Jonathan Robinson: Let's commit to working with you via our Design Team as I said earlier and essentially dovetailing our future requirements with your current work.

And I think we can work effectively with you in that way. And so that can be part of the in essence this transition timeline and part of the band two, conscious that it may not be representative in the same color on everyone screens.

Trang Nguyen: And Jonathan if I may just to chime in...

Jonathan Robinson: Go ahead...

Trang Nguyen: ...on that FY '17 planning process there is the dependency sort of maps and to the implementation.

And that's sort of what Xavier was planning on highlighting to this group is that the FY '17 planning process does - is does have a timeline that it needs to

adhere too. And it does require some information if possible from, well Xavier the slide is up so I'll let you talk to it. But it does require some information to inform that planning process. And so that's sort of what we wanted to highlight.

Jonathan Robinson: Thank you Trang. Go ahead Xavier?

Xavier Calvez: See that I high jacked that two minutes ultimately. So as Trang was just indicating the planning process for ICANN and for those of you who participate it is a very tight and packed timeline and with sequence of events that are very much impacting the rest of the process downstream.

So to make it very simple because we are intending to produce on the 5th of March in draft operating plan and budget for public comment the process that needs to be able to do that requires that we have finalized assumptions relative to any elements of the plan but including the US transition no later approximately than January 15. So this is the orange bubble on this slide that is here on the line that's on that's top.

By that time after that time it will be very difficult to formulate any substantive information or relative to something that needs to be put into the plan the simple reason being that between January 15 and March 5 there's a certain amount of work of consolidation review validation by the Board Finance Committee by the management and also simply preparation of the 80 or so page document that we put for public comment.

So the logistics of production make this date of practically January 15 as a very important date for us to have received any input that we can take into account.

Now this is simply for the purpose of producing a draft. But it's important because it's very structural to us.

Of course the - when you map this timing to the development of the transition process and we have simply displayed here the option under which the board and NTIA would receive the proposals by the end of December it may not be possible to have a lot of information at the detail level by January 15 in order to be able to fully develop a budget at the level that we develop it today which is by project relative to transition.

So it's just a matter of the more information we have the least assumption we need to make, the less information we have the more assumption we need to make. And we just want to make sure we're also as transparent in relying as possible together on what all those assumptions need to be.

So our plan is to work very closely with the Implementation Team and have basically the Implementation Team own the formulation of these assumptions because that team is closing going to be working with everyone to ensure that at all times these assumptions are well formulated and are representing the intent of the communities.

So from a planning standpoint (train) will be the owner in quotes of the information that we receive so that any information that we receive is always where we aligned with the intents and the status of the work from the organizations.

And we expect that this is a good way to be able to be in sync. And of course I'm very happy to work with the Design Team O in answering that alignment and obtaining feedback and exchanging thoughts. So I think it's a good process if it works for everyone.

Jonathan Robinson: Okay well thank you Xavier. And you'll be familiar with the section in the proposal or response for - or request for proposals from this group, the final proposal that deals with specifically the detail.

And I understand that not all that detail may be possible from the outset as you said that at the - at least in fully accurate form at that project level.

Xavier Calvez: If I - there's just one last comment I'd like to make on this slide (Grace) if you could put it back please.

There's one concern that I have on the timeline. And that one is driven by the timing of our approval of the budget.

If the board as usual approves the budget in 2016 you can see that we will be much further along obviously the transition path at that time.

And logistically the challenge that I have and the concern that I have is that we may find ourselves in June looking at a final budget that reflects a position that was determined somewhere in February.

And of course by June we will have a lot more information collectively. And that information may not be actually reflected in that final budget.

So I think it may be just a communication exercise or an education exercise. But I want to emphasize to all of you that because of the lead times of all those phases for board - budget approval we may find ourselves a little bit at odds between the content of the budget and the knowledge at the time that we will all have.

As long as we're all conscious of that then we're all able to communicate with each other on that and agree on that that's fine. But I just wanted to point that out. Thank you.

Jonathan Robinson: Thank you again. I think we really have to draw the meeting to a close because of the time constraints. But thanks to all who participated both remotely and in-person and have come specifically to contribute to this meeting from staff for the community.

So with that we'll stop the recording, call the meeting to a close and look forward to the next meeting of the group which is provisionally scheduled for 11:00 UTC Thursday, 5th of November. Thank you.

END