THOMAS RICKERT: Can I please ask you to be seated. We're going to start the session now. Good morning, everybody. My name is Thomas Rickert, and I'm one of the co-chairs of the CCWG accountability. And I'd like to welcome all of you, either in the room or remotely, to this joint CWG/CCWG town hall meeting. As Fadi Chehade mentioned in his speech a few minutes earlier, he requested us all to focus on the first phase of the transition exercise, and I think this is the first example during the day where we can evidence that.

I would like to introduce my fellow panelists to you. So on the right of the table it's Lise Fuhr, Jonathan Robinson. Lise and Jonathan are the CWG co-chairs that have just submitted their proposal to the chartering organizations, and we expect that the proposal that they submitted will be approved by the chartering organizations. Next to me is Mathieu Weill. To my left is Leon Sanchez. And we are the co-chairs of the CCWG, and the CCWG is still working on its proposal and we are going to show you through where we are in a moment. So as you will have seen on the slides now, the burden is on the CCWG to deliver, so pressure is on but don't cry for us, Argentina. So with that I'd like to hand over to Jonathan Robinson who would like to bring you up to speed on the status of the work of the CWG.

JONATHAN ROBINSON: Thank you very much, Thomas. And good morning, everyone. Before we begin with the detail on the work of the CWG, I'm just going to make a few general opening remarks. Clearly you've got in front of you here two cross-community working groups, each of which has their own set of objectives, and their work is rooted in two specific charters in each case. Each charter was approved by the chartering organizations, the respective supporting organizations and advisory committees that commissioned this work.

So as the NTIA withdraws from its historic stewardship role, accountability is clearly and arguably the overarching theme across the two different groups. For both the CWG, the stewardship group and the accountability group.

Since the IANA functions are performed within ICANN, these accountability areas are very strongly linked and the chairs, the co-chairs respectively on this table, have had to work together over many months to ensure that this linkage is not only intact but remains coherent and the appropriate interdependence takes place with a lack of duplication.

So we've met together regularly and frequently in order to produce this coordinated approach between the two groups. And we've also benefited from many members and participants in common and liaisons between the two groups.

As you have heard, the CWG has now submitted its final proposal to the chartering organizations, and we await their approval hopefully later this week. Of course the CCWG, the work on the accountability is still very much work in progress and here's the critical point, the work of this -- of the group that Lise and I chaired on the stewardship is expressly conditioned on the work of the accountability group. In other words, whilst we can progress with the integration of the names proposal on stewardship together with the other groups, the work cannot be seen as complete in the whole, in the round, until it is joined together in the final event with its related work from the accountability group.

So we expect that when the final proposal from the steward -- from the accountability group is delivered to the chartering organizations for their approval, a key check that those chartering organizations will want to make for themselves before approving that work is that the conditionality implicit in the work of the stewardship group has been met.

So I think with that background, I hope you can -- it's a very -- it's a quick sketch and an understanding of the interlinking between these. By participating in this session -- and we hope you will participate, rather than simply hear from us -- you should end up with a very good understanding of the proposal on the stewardship transition, you should end up with both a good understanding of the proposal on the accountability and a very current update from their recent work, including the sessions that took place at the tail end of last week. And so the majority of this session will focus on, in first part an

understanding of the stewardship proposal and it -- and then the -- and then in second part to focus in on the -- the accountability work, and through that we hope you will end up with a confidence in the proposals and that the community will retain and, in fact, develop significant influence through the -- through the work of the accountability group. And the conditionality implicit and contained within that will empower the community to vote, we hope, on the stewardship proposal knowing that this linkage is tightly bound in and therefore that you can with confidence vote on the stewardship or take your decisions. I think vote is not necessarily appropriate across all the SOs and ACs but take your decisions on the proposals safe in the knowledge that the conditionality and the linkage is built in and won't be lost by dealing with the stewardship proposal at this meeting. Thank you. So -- so with that, I'll hand over then to Lise to deal with the first part of the work from the stewardship.

LISE FUHR: Good morning, everyone. It's good to see so many of you here interested in the work. We'll do a quick walk-through our slides and the model as such, and the first one is about statistics and diversity. And this is actually a very important slide for us because this slide shows the huge amount of effort that's been put into this proposal but also as important the diversity of the group. And this has been very important for us all along to have -- to have representatives from all over the world. And as you see, we have had, from all of the chartering organizations that have been all along with us in this work, and we also have had people that has no affiliation to ICANN. We've had 53,

and that's a very -- that's very good because that shows the outreach that's beyond the ICANN world. But you can also see we've been 152 members of the working group -- 152 members and participants, and everyone has been participating on equal terms. So we've had a very good working group with 101 calls, almost 5,000 volunteer working hours, and a lot of email exchange.

Well, our proposal is not the only one. It's part of a larger process. One of the processes is, of course, the accountability process where we are dependent on their work, but furthermore, we are -- we have our -- our proposal is an answer to a request for proposal made from the ICG, so we are the CWG stewardship transition group. We also have the CRISP, the numbering communities, and the IANAPLAN that's the protocol that are giving in their proposals to the ICG that has to compile it all into one final proposal. And the numbering and the protocol community submitted their proposals in January where we, the CWG stewardship, had to work a little more on our proposal so we could submit it for -- a little while ago.

This is important to understand because this makes time of essence. We have to have another round of public comment with the ICG, and also there will be another round with the CWG proposal with public comments. So this is all going to link into a final proposal to the NTIA.

Why is the accountability important to the CWG, the stewardship transition? That's because ICANN is both the domain name policy body and the current IANA functions operator. So this makes this linkage very important.

What are the goals and requirements of our proposal? Well, first and foremost, it's meeting the needs of the direct customers, and to do that we have to produce a consolidate the transition proposal for the elements of the IANA functions related to the Domain Name System.

And what would a proposal require in order to meet those needs?

Well, we thought it should have a contract that could replace a current contract with the NTIA. There was also a need for accountability mechanisms on IANA with respect to -- on ICANN with respect to the IANA functions.

There was also a need for a further separation between the policy and the operation for the IANA functions operator. And we needed a replacement for the NTIA role in the root zone.

We needed to find a way to ensure adequate funding of the IANA functions. And as you see as the last one, an ability for the multistakeholder community to require the selection of the new operator for the IANA functions, if necessary. That's what's been called separability, separation possibility.

We have actually had two public comment periods. The first one was in December where we sent out a proposal and got a lot of feedback and we had to change the model from that feedback. But some of the important parts of that feedback was the premise that there was great satisfaction with the current IANA functions operator. And ICANN should remain the IANA functions operator, furthermore. And there was also comments stating that we needed independent legal advice.

So we have -- Sidley Austin has helped us all through this process, and those are also the legal advices for the accountability team. This has ensured really good coordinations between the groups.

Well, the second public comment period that was April helped us refine the details of the proposed model we had. We have, after this public comment period, we have refined the role and composition of the PTI board. We have refined the approval mechanisms for the root zone environment and, also, the escalation mechanisms and -- in relation to the separation process.

So those two public comment periods was open to everyone. Everyone could submit their comments, and we had a lot of good and constructive feedback. And that's what's brought us to where we are today, where we have a model that we have actually sent to the chartering organizations. And I am now hand over to my co-chair Jonathan who will walk you through the actual model.

Thank you.

JONATHAN ROBINSON: Thank you, Lise.

So this slide attempts to capture a significant amount of that work, or at least the outcome of that work, in a structural overview of the Post-Transition IANA.

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Before doing that, before looking at that post-transition structure on the left, it's worth comparing it with the grayed-out area of the pre-transition setup.

So on the left-hand side of the slide in the grayed-out area, you have the oversight of the NTIA, you have ICANN with the IANA functions operator as a functionally separate unit, but managed within the broader ICANN operations, under contract with the NTIA. So you've got -- You've got the current governance setup in a symbolic representation there which encapsulates the current stewardship model.

What changes as we move over towards the right in color in the post-transition world? Well, as you see there, there are some similarities, but also some critical differences.

We have a post-transition entity which is now not only functionally separate -- in other words, the staff are -- the functional separation describes the operating entity being separately located and independently operated within the overall structure of ICANN, but here we put a further wrapper around that in the form of a legal separation. The creation of what many of us would view as a subsidiary.

Technically, the subsidiary is more correctly referred to as an affiliate in that that is the legal definition of it, but it's useful to view that as a subsidiary, a separate legal entity which has a form of enhanced separation by virtue of this legal separation.

The rationale for the legal separation is that it does exactly that. It enhances the structural separation and assists in the distinction between the policy and operational aspects of the management of the service.

Moreover, it provides an entity with which ICANN can contract. Without a legally separate entity or something equivalent, it makes it very difficult to encapsulate the relationship in a contract as it currently is. And so this provided for the capability for ICANN to contract with the separate subsidiary and to encapsulate that relationship, including items such as the Service Level Agreement with the separate legal entity.

Ultimately, in the event of the unlikely eventuality, but ultimately we had to consider all sorts of eventualities, in the unlikely event of a bankruptcy of the parent company, there is a greater protection by virtue of the legally separate entity. And in an equally or perhaps even -- well, certainly in a scenario that many would consider to be at least at the end of a long chain of escalations and remedies, there is the possibility of actual separation of the legally distinct entity.

I think it's probably useful -- This slide highlights the other key components of accountability, oversight, and escalation in the form of the CSC and the IFR, and then ultimately in the orange lightly shaded area, the accountability mechanisms provided by the interrelationship work with the accountability group.

We'll come on to that interdependence much later in the session, but over the next few slides I'll walk you through a little more detail on the

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Post-Transition IANA entity, the composition of the board associated with that, because by virtue of being a separate subsidiary, separate legal entity, there is the opportunity and the necessity to have a board and to deal with the CSC, the Customer Standing Committee, and the IANA Function Review.

So here we look in a little more detail at the Post-Transition IANA entity, the separate legal subsidiary, and this is really designed to -- This creates the opportunity for the separate entity, as I said, with its own unique board but remains within the overall governance and supervision of ICANN.

So we keep IANA within -- We keep the Post-Transition IANA within ICANN based on the understanding that there is a current satisfaction with the performance of the current operator. And in order to keep that entity tightly bound into ICANN, and for us, the users of that service, to be able to hold Post-Transition IANA -- hold ICANN fully accountable for the operationally performance of the post-transition entity, we have a board that is majority appointed by ICANN.

Now, at first sight this is something which might cause some people to be concerned, and it was a subject of quite a lot of discussion within the group, the working group, as we dealt with this, because the natural instinct is to say -- is to seek independent -- some form of independent oversight of that post-transition entity.

We took legal advice and in combination with our own careful thinking and analysis of this and the legal advice we took, we came to the conclusion and understanding that this was not the place to create all

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of and the significant independent oversight of this entity. There's a very good reason for that. The Post-Transition IANA entity is bound into ICANN by virtue of ICANN's membership of the company and by virtue of the appointment of the board. If the board is appointed independently of ICANN, ICANN ceases to control that post-transition entity in a legal sense, at the very least, and in so doing cannot be held fully accountable for its performance, which is what we need to be able to do.

In the event that the performance is not satisfactory or adequate, there are numerous escalation mechanisms to address that, and I'll touch on some of those as we go through this. But in the top right, you see the working group's recommendation for the composition of the PTI board. We have suggested that the most senior manager responsible for the operations of that entity is on the board. Given that it's a technical function, that the ICANN CTO is on the board. And given that this is a functionally and legally distinct entity but nevertheless a subsidiary of the parent, that the executive within the parent, within ICANN, responsible for the operation of this entity is also on the board. So we have three ICANN appointees to the board. And in so doing, the majority of the board is controlled by the parent. And in so doing -- And, therefore, the subsidiary is tightly bound into the parent, and we can rely on the accountability mechanisms that will be provided by the work of this group to hold ICANN accountable for the performance of its subsidiary to the extent that the subsidiary remains a subsidiary of ICANN.

We have created the opportunity for the appointment of two independent directors to create a degree of independence oversight, which we think is a valuable additional corporate governance mechanism. And our requirement is that those independent directors are appointed by a mechanism such as the ICANN Nominating Committee or some similarly robust mechanism foster producing carefully selected independent directors who have the right skill set to contribute to the independent oversight of that post-transition entity.

The customers of this predominantly technical function will interact with it on a day-to-day basis as you would expect any customers to do. These customers are, for the purposes of this presentation, the names registries.

However, in order to give those customers some form of organized representation and oversight of the Post-Transition IANA entity, this working group has recommended the construction of a Customer Standing Committee, a group of registry customers that have the ability to meet on a regular basis and provide oversight of the operation of that entity, essentially monitoring day-to-day performance and to replace some of the operational responsibilities or replace the operational responsibilities previously provided by the U.S. government.

The focus of this entity is on the direct customers of the service; hence, the name, the Customer Standing Committee.

There is an opportunity, although not a necessary condition, for liaisons from the SOs and ACs to participate in that Customer Standing Committee.

It may be that those SOs and ACs have little or no interest in this entity providing it is performing its customer operations on a day-to-day basis, which is why we made the liaison -- the liaisons optional. And you see there that that covered both the composition in some detail as well as the reference to the liaisons.

As we move through the PTI, the CSC, and then we come on to the IANA Functions Review.

Now, here we recognize a number of critical points. In particular, that there will be a requirement to periodically review, at a distance and with some substantial independence and multistakeholder input, the performance of the post-transition structure and setup.

It is planned that these reviews will take place on a five yearly basis, everything being as expected.

In addition, we have created a proposal which envisages the first of these -- of such reviews taking place after two years in order that there's not too substantial an elapsed time post transition, and we felt there was a balance to be struck here. We didn't want the post-transition entity to be entering into a review immediately but nor waiting too long before there was some substantial oversight.

And you see before you on the slide there the composition of that IANA review function, including familiar components from various elements

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of the -- of the ICANN community, and I'm not sure it's worth reading all of those out to you but you can get a feel for the diverse and multistakeholder components of that IANA Function Review.

You see at the bottom of that highlighted square or lozenge on the screen there reference to a special IFR. This really says a couple of things to you. One, that although this is a structured and periodic review function, there is the possibility of introducing reviews out of cycle. And the way in which that will work is in the event that there is a perceived or actual substantial issue with the performance that hasn't been -- of the Post-Transition IANA entity that hasn't been resolved through direct interaction with customers, that haven't been resolved via the CSC and a series of escalation procedures, which I'd like to draw your attention to in the report, if you have an interest in that. There's a structured and systematic piece of work that's dealt with the range of escalation options that exist. If those essentially fail to remedy sustained performance issues, there is the opportunity to institute a special and out-of-sequence IANA Function Review.

The reviews in either case, whether periodic and regular or special, are not constrained in what they can look at or what they can recommend. So they have a wide-ranging potential scope in the oversight of the post-transition entity, and I think that's a crucial point to make. They are not restricted in what they can look at nor what they can recommend.

One potential recommendation that could come out of a review function is to recommend work on separation, but that would not

mean that such a recommendation or work on separation would result in a separation. What that would do is, if that recommendation was made, it would then kick off the commissioning of a Cross-Community Working Group analogous to the work that's just been done over the last six months or so, which we've called a Separation Cross-Community Working Group.

So what you see in here is a series of oversight and exclusion mechanisms with a series of careful checks and balances along the way that we believe will satisfactorily and comprehensively replace the existing stewardship function with a well thought out and ultimately multistakeholder base solution. We very much hope you'll agree. There are details to be worked out during the implementation process. But we believe that this proposal as it stands is a satisfactory and comprehensive response to the RFP from the ICG. So thank you for paying attention to that. We will come back to this in a little more detail when we come to the final session of this morning's work when we talk about in some detail and reemphasize the linkage between the stewardship work and the accountability work.

So thank you, again. And over to my cochairs from the accountability group.

MATHIEU WEILL: Thank you very much, Jonathan. We will now excuse Lise and Jonathan and give them a few minutes' rest before you join us back later in this session as we move to the description of the initial

proposals from the cross-community working group on enhancing ICANN's accountability.

And for that purpose we will be joined by the three rapporteurs of the cross-community working group on ICANN's accountability; namely, Becky Burr, who is leading the part of our work on reviews and redress; Jordan Carter who is leading the group on the community mechanisms; and Steve DelBianco. And as they move on.

So the point here now is going to be focusing on this initial proposal starting with an introduction that will be provided by Thomas Rickert. And, hopefully, we'll pass this quite swiftly so we can have a longer question-and-answer session after that. Thomas, over to you.

THOMAS RICKERT: Thank you very much, Mathieu.

Just to refresh everyone's memories, the CWG on accountability has been tasked with improving ICANN's overall accountability. So we're not only looking at aspects of accountability related to the IANA stewardship transition. In fact, that part of accountability is explicitly in the CWG's charter. But we're looking at the overall accountability architecture of ICANN.

And our work is split into two workstreams, the first of which focuses on those accountability mechanisms that need to be either implemented or committed to prior to the transition.

And this is what Fadi has referred to as phase one. This is what we're focusing on now. This is what we're trying to complete by Dublin for the chartering organizations to review and approve.

So you might miss a few points that are important to you, personally, in this very first phase. But, rest assured, there's another phase which we call workstream 1. And that includes those accountability measures or such accountability work that we are planning and foreseeing now but that will not be completed prior to the transition.

So that will be the more long-term or mid-term accountability work that we're conducting. But we've already included a list of areas of work for workstream 1 in our report so that everybody knows that this is not just a vague intention to further work on ICANN's accountability but that there is actually a robust plan in place so that nothing gets forgotten once the stewardship transition is over.

The CCWG has roughly 150 individuals working on it consisting of 26 members from the chartering organizations and 120 participants. On this slide you can see the participants by region. And, certainly, there's room for improvement to be more inclusive at the global level. So those who wish to join this effort you can still do so. There is a lot more work to be done. Please join the group and help us achieving this important task.

There's also some statistical information on the number of calls, volunteer hours, and emails exchanged. And, actually, I haven't compared that to the CWG figures. But I'm confident that we'll beat them in that area.

Now, what we've presented in our report -- and this is very important -- is not something that has our group's consensus. So these proposals that we have published for you to comment on are nothing that is provisionally or finally carved in stone.

Our group is conducting two public comment periods.   And we thought it would be very helpful for us to have one of these public comment periods even before we draw our conclusions and do a consensus call.   Because we want to learn from you, from the community, whether we are moving in the right direction and do course correction, if need be. And, actually, there were some that are going to speak to that as we move on in this session.

So nothing is actually perpetuated in any way. It's all provisional work results.   Actually, we made it explicitly clear that our group has debates, that our group is struggling in some areas to find the right solution, and that our group has actually put up -- put different options for various questions in front of the community to chime in.

But what seems to be common sense in our group from a very early start is that we think we can build all accountability mechanisms, the whole accountability architecture, infrastructure, from four building blocks. And we try to be as lightweight as we could by not inventing too much new things but actually to build on what we already found in ICANN. So we -- at the outset of our work, we actually established an inventory of ICANN's existing accountability mechanisms.   And we looked at those that were good, and we analyzed where there was room for improvement. Also, we listened to the community. You will

recall that last year ICANN has conducted a public comment period already where the community has voiced concerns, where the community has made suggestions. We've analyzed all that. So what you find in our findings is actually not only what the individuals in our group came up with, but that's already based and rooted in community feedback.

So we think that we can, basically, replicate something which has proven to be efficient over centuries. So we're building ICANN as a mini-state, if you wish. So we're going to use this analogy for a moment. But, since no analogy is perfect, we're going to move away from it very shortly.

But, basically, we have the legislative -- the people, which would be an empowered community. We think that, in the absence of the historic relationship with the U.S. government where the U.S. government sort of had some power over ICANN, and, if that power goes away, we would rather give it to the community so that it's truly bottom-up. And I'll explain what this empowered community means in a moment.

We would have an executive, which would be the ICANN board. We would have a constitution, which would be an augmented and amended ICANN bylaws. And we would have a judiciary, which would be the independent review mechanisms that we're working on.

Okay. So on this slide you find these four building blocks again.

And what we're planning to do is this: We are thinking of having something which we early called a community council where the SOs

and ACs have representation and where all of them, except for SSAC and RSSAC, would have two votes -- five votes, and SSAC and RSSAC would have two votes. And that group would come together and make some decisions to exercise community powers. And these community powers would be the possibility to review ICANN's budget with strategic plans and operating plans and also to chime in on bylaw changes.

It would also have the opportunity to remove individual directors or to recall the entire board. So how would we operationalize that? We would put that into the bylaws. And, in order to make the bylaws robust, because there are some in the community who say, "Okay. Now you guys should be cautious, because we change the bylaws now to have all these accountability features. But, once the U.S. government moves away, who guarantees that these improvements are not going to be reversed and we're back to square one?"

Which is why we thought that certain aspects of ICANN's accountability need to be made more robust than other aspects of ICANN's accountability. That's why we came up with the idea of so-called fundamental bylaws. That would be the mission, commitments, and core values. You know that's going to be new language, amended language in the bylaws. That would be the independent review process so that nobody can jump to the conclusion that, you know, we don't need this judiciary in the new system so let's get rid of it and strike it out. It would be the power to veto non-fundamental bylaws. And, in order not to be disruptive to ICANN's operations, we would say that normal bylaw changes can be

done by the board as the Board does it now. They would go through the consultation process with the community. And then the Board would take a decision on the bylaw change. And only if something goes wrong in that, if the community feels, well, this bylaw change is actually not what we authorized the Board to do, then the community can veto such bylaw changes of normal bylaws after the fact.

For fundamental bylaws, it would be different. There the community would need to explicitly approve bylaw changes. Then it would be some reviews such as the reviews asked for by the CWG. Those would also be made fundamental bylaws. And the community powers that I've just described. And that all is to ensure that we maintain flexibility. So these fundamental bylaws are more robust and harder to change. They need a higher voting threshold. Yet, we're cognizant of the fact that ICANN is working in a rapidly changing environment. And even things such as ICANN's remit and mandate might need to be reframed in a couple of years down the line. And we can make that happen with this architecture.   And then we would have the independent appeals mechanism. And we've analyzed what the IRP does today. We've analyzed where there are inefficiencies -- where it is inefficient or where it is even deficient. And we tried to improve that by adding certain features to it.

So we want that the IRP decisions or our current thinking is that the IRP decisions should be binding for the board.

We think that it's a good idea to have the independent review panel not only look at procedural aspects, but also look at the substance of

cases to decide on the merits of the case. We've been discussing one case frequently where the IRP said well, the decision was wrong but procedurally everything was right. And, therefore, they didn't have any further means to go against the decision and help the aggrieved party. So that's what we're going to change. We're looking at aspects of accessibility, low costs, relatively low costs. And we're looking to have a standing panel of independent experts out of which one or three, depending on the case, would be chosen to decide on cases.

Now, all these community powers that I've alluded to earlier would follow the same scheme of decision making. So either one SO or AC or multiple of them -- so, for example, for recalling the whole board, it wouldn't be only just one group that could start this process, but we would need multiple of them. They would file a petition. Then it would be checked whereby this community group, whether the petition meets the required threshold. Then, if so, if the requirements are met, then votes would be taken. And, depending on the subject matter concerned, these would either be votes mandated by the SO or AC or the representatives could have flexibility. So that depends on the case.

But then, if a certain voting threshold is met, there would be a decision. And that would need to be implemented. And, according to our current thinking -- and I mentioned that earlier -- we would have 29 votes in total. But for many cases we would not be prescriptive on how these votes would be managed by the various SOs and ACs.

I think I should pause here.

So what we did as a vehicle to make this happen, we thought of a structure which we called the reference model, although we kept the door open for other models as well. And this reference model was such where the SOs and ACs would create additional legal entities. And the recommendation was that we would be using unincorporated associations, which is a lightweight legal structure. It's lightweight to our perception. But not everybody agrees that it is lightweight. And we'll get to that -- get back to that in a moment.

But the SOs and ACs would have these additional legal entities as alter egos or as other (indiscernible) merely for the purpose of exercising certain community powers. So that was the idea. That was our proposal. That was the reference model. And we will now take a look at how the community responded to our draft report or to our first report.

So, Leon, would you like to --

Or shall I just continue to --

Okay. So we have tried to categorize the various areas of our report in three sections. We are on our journey to consensus. And we tried to slice and dice the feedback that we got. So we tried to identify those areas where the community strongly supported what we were doing. We tried to identify areas where further explanation or clarification is needed. And then we have another section or another area where more deliberation of the groups is needed. And I will briefly confirm to you that the vast majority of commenters has applauded us for the four building block structure. They said that's a good idea. That's the

way they should be going. They also said that what we're suggesting is significantly enhancing ICANN's accountability. I guess that's very good news. That's very good news. We have a limited set of powers. It took me only a few minutes to explain them to you. And the community said yes. The requirements that need to be in place for an enhanced accountability are okay. That's what you should be doing.

Also the principle of fundamental bylaws remained more or less undisputed by the commenters. Also working more on ICANN's purpose and mission was something that the community was very happy with.

And the incorporation of AoC reviews into the bylaws or at least parts of that was something -- incorporating those was something that the community liked. Because we said what's going to happen once the AoC is terminated at some future point? Will all these reviews go away? We said, no, they're not going to go away. We perpetuate them in the bylaws. So I guess that's good news. For our general approach, we got a lot of positive feedback. That's something we certainly need to work on details. And a subteam -- subteams have taken good note of the areas where further work needs to be done. But that's more or less uncontentious.

And, before I hand over to my colleague Leon, I just would like to note that all the comments we received have been and further will be analyzed very diligently. We're using the so-called public comment review tool where all the incoming reports, comments have been sliced to the respective areas of the report so that we'd have all the

community feedback on a specific question in one place. And then for all comments for all sections our group has been working on and we further refine responses that could either be, well, that's a good point but we've already taken a look at that. So at the moment there's no further action required. Or this is actually an excellent idea. We will revisit what we've done so far and take that to heart and further elaborate and maybe come up with a different solution. So I think I should pause here and hand over to you, Leon.

LEON SANCHEZ: Thank you very much, Thomas. This is Leon Sanchez, for those who are attending on the remote participation mode and our remote hubs that are connecting to the Adobe Connect room.

As Thomas just said, there was a lot of support for the overall proposal that we have built. But, of course, we have also recommendations that require further explanation and clarification.

One of those proposals is the IRP. On an overall perspective, we can say that the IRP, as we are designing it and proposing it, has overall support from the community. But, as I said, it requires some clarification in different areas like, for example, we are talking about a reconsideration request process that needs to be further clarified. There have been some concerns and some questions raised with regards to this reconsideration request process.

There has also been some comments about the ombudsman role. Like, for example, we have commenters suggesting that the

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ombudsman should undertake a preliminary review on our petitions as opposed to ICANN legal staff. So we think this is, of course, very valuable feedback that will be taken into account to build our next version of the document, the proposal for the second public comment period. We also have been asked to do refinement about the composition of the Board reviewers and conflict of interest check, for example, not having board members reviewing their own decisions. I think that this is a key issue that must be addressed and has, of course, been raised by the community.

We also have some changes in review standards. Like, for example, materially affected versus materially harmed. This new IRP will be open for anyone that has been materially affected or materially harmed. This is the discussion we're having at this point. And, of course, it would need to be clarified.

Also, we have had comments on standing on deadlines and timelines. Some of the deadlines and timeline have been perceived as being too short or maybe others too long. And there also have been some requests on, for example, extending the timelines and deadlines under extraordinary conditions. And this, is, of course, important.

And we have also received some comments on transparency and other topics like financial arrangements, community empowerment, and prevention of the use of this IRP for frivolous or vexatious means.

So this is, of course, as I said, a work in progress. And, as Thomas stated, this is not final. This is not carved in stone. And we will

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continue to work to incorporate the different comments that we have received so far by the community into the next version of the proposal.

And, as well as these clarifications and these explanations on these topics, there have also been new issues arising.

And I believe that, Mathieu, you have a summary of those, right?

MATHIEU WEILL: Thank you, Leon. Indeed this section is actually the most interesting for us as a group because when you get into a public comment period and you were very much pushing for a quick initial public comment, even if it was not based on the consensus proposal, because we knew that the community would bring to our attention some aspects that we, even as a very large group as we are, were not realizing were important. And that's what happened.

So the key issues that were brought to our attention were number one, the issue of ICANN's overall culture of accountability and behind this our concerns related to how accountability trickles down from the Board to all layers of the organization. And that was an issue that was laid out as a concern by several of the commenters. So it's -- and we hadn't really taken a lot of time on this. So this is an issue we will be considering how to best address it within the scope of our charter obviously.

Number two was a topic which was laid out very nicely by many under the label who watches the watchers. The model we are providing is a model of mutual accountability. We are separating powers so that

there is a balance between the powers of the Board, the powers of the Independent Review Process, and the powers of the community. And several commenters said, but who's really holding the community accountability? And by the community they say the SOs and ACs because those are the organizations that we -- our proposal suggests to empower over a certain limited number of decisions made by the Board. And I think this is a very important aspect that we will have to deal with within our group. And once again, within the limited boundaries of our charter, because it's definitely not our intention or even in our possibilities to go into major reshuffle of this, but however, we need to make sure there are no unintended consequences in empowering the SOs and ACs with this limited set of powers. So that's item number 2.

Item number 3 is basically about how we are ensuring that the ICANN community we are empowering represents adequately the overall global Internet community. How do we make sure that the SOs and ACs, when using their new powers, are actually aligned with the expectations from the broader Internet users? And that was carried through items of diversity, how do we ensure these bodies we're creating, the SOs themselves, are sufficiently diverse? And it's important to stress that it's just -- it's just like Fadi Chehade was saying in the opening ceremony about excellence. This is about a journey. You are never diverse enough. It's not -- there's no perfection. But it's about enhancement. Enhancing accountability, enhancing diversity. And that's an issue that came back in many comments, and we'll be considering how to best address it. And on

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those three new issues, we will certainly welcome questions in the question and answer session that's coming now in questions and suggestions because we're only at the beginning of our reflections, and it's valuable for us to get your input on those issues.

The fourth topic on this list is a main concern we have received in a number of comments regarding the reference model that Thomas was mentioning earlier. The reference model is this model we had designed to empower the community with this community mechanism with 29 votes, et cetera. As Thomas said, we were considering a reference model that would turn ICANN into a membership organization where the members would not be just anyone but would be the ccNSO, ASO, the GAC, At-Large, SSAC, RSSAC, and GNSO. It wouldn't be an open membership. It was the proposal. And the proposal said that these organizations would create unincorporated associations in order to become members. That raised a number of concerns. Concerns about complexity, unintended consequences of accountability of these unincorporated associations, and a number of concerns regarding the fact that these organizations might have to be specifically incorporated in certain jurisdictions, including the jurisdiction of California.

So basically what our group did on Friday was review all these comments and listened. We listened very intently, and then we said okay, let us try to give another shot at designing a model. So we had this excellent session of elevator pitches where about a dozen of our participants and members sort of introduced in five minutes their favorite model, their vision of a favorite model, and then we started

narrowing down the list based on a number of criteria. And we are currently designing a fresh approach which we are currently labeling as the empowered SO and AC model which provides compatible authority. So the same number of powers would still be possible, with a lower number of additional steps to take. So it is still very much under development. And I expect there will be some questions on that, and I'm sure Becky Burr here will be able to answer them. But the one thing I want to make clear is because it's probably no longer the -- necessary to ask any questions about this, is the unincorporated associations, they're out. No more. There are no more questions about incorporating into California a specific association in terms of registering, filling the forms to California attorneys. So there's still -- this model has lived, and now we're moving on to another model which has a number of similarities because if you look at this slide here, all of this is still here. We've had feedback from RSSAC and SSAC that they wanted to stay as an advisory capacity so that will change. The 29 number will change. But the powers are still here. They're still -- the community is still empowered with the power to reject a budget or a strategic plan, to reject bylaw changes, to approve fundamental bylaw changes, to remove individual Board members, to recall the whole Board as a last resort measure. And I think that I will pause there because probably our group will need to further flesh out this approach before it's fully ready to be discussed, but I think it was important to signal that the two-layer approach where the SO is a member and then it creates another association is -- is off the table. And I think that with that we will finally come to the point of this meeting where we can have question and answers. We've talked long

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enough now, and I'm turning to Leon who will moderate this question and answer part. Leon.

LEON SANCHEZ: Thank you very much, Mathieu. Well, we would like to, of course, open the floor for questions and comments from the audience. There are microphones at the front of the room, and I will kindly ask you to keep your comments and questions short. There will be a two-minute timer for participation. So we now encourage you to come to the front and ask questions and do comments. So remind -- I remind you to state your name, of course, and affiliation for the transcript purposes and the remote participants and, of course, for interpretation. It makes their life easier to know who's speaking rather than just woman or man. So please, our first on the queue.

ANNE AIKMAN-SCALESE: Thank you. This is Anne Aikman-Scalese. I'm a member of the IPC. My questions are actually directed toward the stewardship proposal, so I don't know if Jonathan and Lise are coming back, but maybe others can answer these two brief questions. The first question I had about the stewardship proposal is after the transition and creation of the PTI entity does the IANA managing director report to the ICANN board or to the PTI board?

LEON SANCHEZ: Thanks, and CWG-related questions we will defer to the session that's the outlet session for the CWG that's coming right after so --

ANNE AIKMAN-SCALESE: No stewardship questions now.

LEON SANCHEZ: No. We would like to -- would like to defer them to --

ANNE AIKMAN-SCALESE: Sorry.

LEON SANCHEZ: That was a point I was supposed to clarify. I'm sorry about that.

ANNE AIKMAN-SCALESE: My bad.

CRAIG NG: I've been told to ask the relative question. Craig Ng from APNIC. It's a question that is at actually the intersection of stewardship and accountability.   PTI, there's a lot of thought that's gone into the structure and the creation of PTI. In the accountability side you say, has there been any thought given into the preservation of the PTI in terms of inserting something in their fundamental bylaws that prevent ICANN from, say, disposing of PTI or changing PTI or changing the constitution of PTI in some way?

EN

LEON SANCHEZ: Thank you very much. Anyone want to react to that or provide a reply? Becky?

BECKY BURR: I would expect -- I have not been following the CWG closely, but we will get a package of necessary bylaws changes from the CWG, and I can't imagine that something like that wouldn't be in it.

STEVE DelBIANCO: And if I could add, they can designate that the establishment of PTI would be considered a fundamental bylaw, not just a regular bylaw. And as the co-chairs complained earlier, regular bylaws are subject to one of the community powers of blocking and change with the three quarters majority. But a fundamental bylaw is a little different. If the board proposed to change to a fundamental bylaw, the community would be required to approve it with a three quarters majority vote, and I think that's the protection you're asking for.

CRAIG NG: So just as a follow-up, because PTI is going to be wholly-owned subsidiary of ICANN, so ICANN can technically dispose of PTI, change the constitution of PTI without reference to anyone else unless it is prevented from doing so in its bylaws, whether it's fundamental or non-fundamental.

LEON SANCHEZ: Mathieu.

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MATHIEU WEILL: Just a -- the CWG has made clear to us that their requirements were meant to be, just by default, fundamental bylaws.   In addition, disposing of a subsidiary I would expect would be in a strategic plan plus in a budget and that would imply that the community would be empowered to veto such a plan in case -- in case that happened. And if the Board did that outside of the strategic plan or outside of the budget, then the community would be empowered to recall the Board, if it -- I mean, I can expect this kind of situation as a very, very sensitive one.   So there are a number of powers in our proposals that are actually providing safeguards to that extreme scenario.

CRAIG NG: Thank you.

LEON SANCHEZ: Thank you very much. Alan, please.

ALAN GREENBERG: Thank you.   The new empowered AC/SO model is interesting, particularly in that it allows each AC and SO to decide whether to participate or not. We've already heard the SSAC and RSSAC will not. It is questionable whether the GAC could, because of various issues related to how governments participate. We haven't heard from the ASO. There have been comments that the ccNSO may have problems with a membership organization. That says if the ALAC also chooses

not to participate, and we also have some significant concerns in that area, we could end up with the GNSO being the only member of ICANN and -- and --

[Laughter]

From the GNSO, that may be a marvelous thing. From the optics of ICANN being controlled only by the GNSO and when the GNSO has their -- there is a very, very strong -- not necessarily absolute control but a very strong influence and the ability of -- to veto anything by the contracted parties, that starts to bring ICANN into question as a multistakeholder operation.

LEON SANCHEZ: Thank you very much, Alan. Becky, do you want to respond to that?

BECKY BURR: Yes. First of all, that is an important concern, no matter what model we go with, preventing capture and ensuring that the powers of the community are being exercised by the community and not by a minority of the community imposing their views on others. So I think that's critical under any model, and it's completely legitimate to ask that question under the empowered SO/AC model.

I want to just say to begin with, we've just started talking about the empowered SO/AC model. It's not a done deal. You know, we've got to -- people seem interested, but it's not a done deal. But the kinds of checks and balances about what kind of support you need in the

community to proceed with any of the exercise of those powers don't go away because one SO or AC takes the steps necessary to become an official member. Those checks and balances are still in there. There are clearly details and refinements that need to be made, but I think that's the fundamental hard work that we have to do, no matter where we go, and we clearly have to do it if we adopt the empowered SO/AC model. Whatever that turns out to be.

ALAN GREENBERG: Thank you.

LEON SANCHEZ: Thank you very much for that, Becky. Steve, do you want to add to that?

STEVE DelBIANCO: If you don't mind. Alan, I wanted to follow up in one other respect is the decision to participate in a vote, Alan, the decision to participate in a vote is available to any AC and SO because it will be established in the bylaws and exercising their voting on slide 19, I think Alice or Hillary will put it up, that decision can be made at any point. You can participate in a vote. If something of really great import came to the ALAC you can participate in that vote. And that doesn't require any indication of membership. So we may have a slight confusion that these powers would be baked into the bylaws and they're available to all ACs and SOs to vote and they can vote anytime they wish. So the decision of, for instance, the SSAC and the RSSAC to say that we'd

prefer to stay advisory and not vote, that's not an irrevocable decision. We'll try to write the bylaws to be open to all, including those who for the time being decide they'd rather not vote on a budget proposal or a bylaws change. But that can be changed at any time. They can simply exercise their power to vote by taking a position. And none of that requires a decision to be a member.

BECKY BURR: Well, just to be clear, all of slide 19, none of that requires a decision to -- I mean, that is -- that's one of the safeguards that gets built in no matter what.

So the voting continues and the powers of the community continue, and that is not changed by one S.O. deciding to become a member.

ALAN GREENBERG: Okay. I'll reiterate that my question was, to a large extent, the optics and how it will look if the only formal member of ICANN is the GNSO where contracted parties effectively have a veto of any decision of GNSO. It's very much an issue, not so much what an A.C. and S.O. could do in a crisis situation should it choose, but how it looks to the rest of the world.

BECKY BURR: And that's a fair point.

LEON SANCHEZ: I think we will continue to discuss this in our sessions throughout the week.

JORDAN CARTER: Just on that point. Alan and everyone, we had a meeting on Friday where we sort of thought about an evolution and changed the model based on the feedback.

In the process that we're following, if you analogize it to where the CCWG was, the stewardship group, we're a couple of weeks after the close of the first public comment round. So I think -- it took them from January to June to get it right. We need to keep going. But the point I want to riff on your question to make is if anyone is making decisions today about whether they want to participate or not -- and I don't think that's what you're saying -- I would just urge everyone to still keep an open mind because what the final model is going to look like to propose back to you in September is really still a bit up in the air.

ALAN GREENBERG: In the issue of full disclosure, in the interest of full disclosure, I am a member of the CCWG. I understand how tenuous the current proposal is, but I wanted to mention an issue which is much great concern to the At-Large Advisory Committee.

Thank you.

THOMAS RICKERT:

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LEON SANCHEZ: Thank you very much, Allan. Chuck, we have a remote participant question. Could you put that? So Alice, we have a remote hub in Tanzania that is going to join us.

REMOTE HUB: I have a couple of questions. (Indiscernible) the work that has been done.

A few questions on the statistics on the slide number 3 for CWG and slide number 13 for CCWG.

It seem that Africa has very few participation. What does this means to us as African to participate in this IANA stewardship transition? I just need to know just few on that matter because I'm aware that Africa is among the second largest continent, and I think the participation is not promising. So what lesson should we learn from this?

Thank you.

LEON SANCHEZ: Thank you.

Thomas, would you want to answer our remote participant?

THOMAS RICKERT: Yes.   Thank you very much for your question.   And actually inclusiveness is one of the points that we put an awful lot of attention to from the very beginning.

It is difficult for us to reach those who should chime in in our discussion but it's not too late. So you can make yourself heard, participate as a participant or observer, do send the public comment. In the second public comment period it will be thoroughly analyzed, so there is no door that is closed.

We are fully cognizant that this exercise in an exercise where we need the buy-in of the whole community, and not only by different stakeholders but also by participants from all over the world.

We have done a few measures, and I'm very clear that there is a lot of room for improvement, but what we did, for example, is to make it easier for everyone to understand, we did something which I think hasn't happened often in ICANN's history. We have added to the written report graphics illustrating what we're doing to make it easier to understand.

We have done videos in three languages where we explain the basic principles of what we're dock.

Also, the report itself, the long report has been translated into five U.N. languages.

So I think we're doing what we can do with the tool kit at our fingertips and even beyond, but we would like to encourage all of you -- and I keep repeating this in various fora, do reach out to your

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respective peer groups. Make them aware of this important task and encourage them to participate.

The entry threshold is new. Please do join and be part of this.

Thank you.

LEON SANCHEZ: Thank you very much, Thomas. Next in the queue we have Chuck Gomes. Chuck.

CHUCK GOMES: Chuck Gomes from the Registry Stakeholder Group and VeriSign.

First of all, let me compliment the CCWG. You've done a great job, and I know how much time you're spending. So thanks for that. And not just you guys but the whole group. It's super work, and it's a great example, as others have said, of the multistakeholder model working. So my thanks to that.

I just want to clarify something that Allan said with regard to the GNSO. I just want to point out that the contracted parties do not control the GNSO. It's much bigger than that.

But I have a question. Mathieu, it really comes back to something you said about the unincorporated associations, and that may be a moot point, I don't know, now, but would the unincorporated associations, if they were involved, would they have to be unincorporated associations in California?

LEON SANCHEZ: Becky, do you want to answer?

BECKY BURR: So I'm looking at our lawyers who have given us very good advice. I think the answer to that question is no, and I'm sure they'll correct me if wrong. But here's what I think. The statute requires for membership legally cognizable personhood, which is established by the intent -- the declaration of intent to participate as a group to exercise those powers.

In California, that might be an unincorporated association, that might be something else. It might be something entirely different in Switzerland. There's no requirement that you actually file papers anywhere, and there's absolutely no requirement that if you want to file papers, you have to file them in California.

You have to have legally cognizable personhood, and we have wrapped ourselves a little bit around a pole with this term unincorporated association. That's really not what's going on here. The legal personhood is the issue.

CHUCK GOMES: Thank you very much.

LEON SANCHEZ: Thank you very much, Becky. Thank you very much, Chuck.

Roelof.

ROELOF MEIJER: Thank you, Leon. Roelof Meijer. Maybe I should declare I'm also a member of the CCWG, so I should probably not take too much time from other people of the community, but I'm just a bit worried, maybe, that, Becky, you didn't make one particular aspect of the new model that we're looking at clear, and I want to illustrate it with an example. Steve mentioned that one of the powers that the community will get is voting on changes to the bylaws with a 70% threshold.

Even if, for instance, the ccNSO would not file such a declaration of intent, they would be vote being so they would have the power. It is only that they could not take ICANN to court if they had not declared an intent because they would not have this legal personhood. That would be reserved for those entities that have declared that intention.

It might not look good, and if it's only the GNSO that files that intention, we might wonder if it's a good idea to go into this whole membership stuff. And that maybe another level we're discussing that there's a better one, then, but I think it's very important that this is the distinction. Not that the SOs or ACs would have to file this intent to get the power. The power will be there.

BECKY BURR: Correct. That's absolutely correct.

LEON SANCHEZ: Thank you very much. (Saying name).

UNKNOWN SPEAKER: Thank you very much. My name is (saying name). I'm from Africa. And I'd also like to indicate that participation in Africa is increasing, and we hope it will continue to increase.   My comment is in relation to perhaps a question to the CCWG, concerning I'd loke to know exactly what powers would we be losing if we don't go the membership route? Because it still looks like enhanced -- this enhanced model still ultimately turns to a membership solution.

So what we'll be losing if we don't go the membership route in your report? Because I know currently, without being a member, we can actually appoint SOs -- SOs and ACs can actually appoint directors at the moment without being a member organization, board of directors actually required to obey the bylaws. So what powers, apart from, for instance, removing board members, is it that we'll be losing if we don't go to the membership route?

Thank you.

BECKY BURR: Could I just ask a clarifying question here? Because I want to make sure that when you say when we don't go to a membership model. Are you saying if we live in a purely voluntary cooperative model? Or are you talking about the enhanced --

UNKNOWN SPEAKER: Yeah, so maybe I should just answer with a question to you. What is the model we have right now?

BECKY BURR: Okay. Right now we don't have a model that has been agreed to by the community.

UNKNOWN SPEAKER: No, no. What is --

BECKY BURR: Right now we have a entirely voluntary, cooperative model.

UNKNOWN SPEAKER: Yeah.   So what would we be losing?   Because I know the CWG recommended a lot of improvements on the bylaw and so on and so forth which, actually, ICANN board is required to obey. So what I'm saying is what will we be losing if we actually don't go --

BECKY BURR: Okay. So we could write all the bylaw powers that the community has identified into the bylaws right now as a voluntary cooperative model. So long as the ICANN Board thought it was consistent with their obligations under law, they could honor those, and we would be fine.

The only, as I understand it, power that we lose, and I don't mean to minimize it because I personally think this is a pretty important power,

is that we would not have the ultimate enforcement power. Ultimately, it would continue to be the board's final call, and that is right wouldn't be shared in an enforceable way. I'm trying to get away from the word "enforceable" because I think it's more about authority, but if you are comfortable with a voluntary cooperative model, we can put all of those things into the bylaws as they are.

UNKNOWN SPEAKER: Yeah. Thank you very much.

LEON SANCHEZ: Thank you very much. At this point, we'd like to close the queue with the lady that's, of course, at the end of the queue. And we would like to, of course, also open a question for the remote hub that we have in Colombia. Colombia is also our remote hub and we would like to welcome them, and they will be next.

REMOTE HUB: Good morning. I'm Antonio Medina from the Colombian Association of Internet Users.

I would like to ask the members of the panel in what way can we ensure participation, effective participation and legitimate participation of all stakeholders instead of having a process that may lead to conflicts in the future?

And how can we ensure that decisions are legitimate?

Thank you.

LEON SANCHEZ: Thank you, Colombia. This is Leon speaking. I will reply in Spanish.

Participation and inclusion are ensured by means of the SOs and ACs. And we ask of them and we beg them to participate, to engage, and we beg you to participate and engage. In your case, you are an ALS, an At-Large Structure, so please feel free to reach out to the different engagement opportunities we hold on a monthly basis. Feel free to participate, to join us on our monthly conference calls. Feel free to participate in the public comment period, and of course please let us know what your concerns are so we can ensure that decisions not only within this group but decisions in our ICANN, in our ICANN community, are made in a legitimate fashion and taking into consideration the multistakeholders within this community.

Thank you.

So I'll go back to English and we'll switch to our next person in the queue.

Thank you.

ANDREW SULLIVAN: Thank you. My name is Andrew Sullivan, and just to be clear, I'm speaking for nobody here except for me.

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I wonder if there might be a tension, so I wonder if you might reflect on whether there's a tension between the voting approach that is outlined in the proposal and multistakeholder transitions, broadly construed. In particular, if you look at the proposal, there is a fairly strong bias towards names' interests, as compared to everything else. Now, maybe that is legitimate for the ICANN community, but it does entail that you're going to have a bias in that direction. And of course when you've got majority voting mechanisms, then as long as you can assemble a majority, you can sort of permanently exclude people who are not part of that coalition.

Traditionally, in any kind of multistakeholder approach, the idea is that you've got all these different kinds of views and they all have to be more or less evenly balanced.

And I just wonder if there's any kind of tension there and whether that was, you know, something you discussed or looked at.

Thanks very much.

LEON SANCHEZ: Thank you very much for your question. Thomas, would you like to answer that?

THOMAS RICKERT: Yes, sure. Thanks for the question. And it's not the first time we hear this question, and we've discussed it in extensively in our group as well.

There is no intention whatsoever to move away from a consensus-based decision-making.

So what you see here, the voting scheme is only for last resort community powers, if and when they need to be exercised.

So let's take the example of the budget. Before a budget is approved by the ICANN Board, which could then be challenged by the community with one of these powers, there's a consultation process. So nothing -- nothing -- or none of these powers should be executed as a surprise. So there will be consultation with the Board and the community on these matters, and only in case a future board, a rogue board, that, say, wishes to ignore the express wishes of the community, then the community could come together and take a vote to overturn, let's say, board decision or force the board to reconsider decisions that it has made neglecting the community's wishes.

Also, let's be very clear that the community empowerment that we're discussing is not related to ICANN's policy-making. So the policy-making in the GNSO or ccNSO or elsewhere will remain as it is. That remains untouched. And that will be continue to be conducted in the way that ccNSO or GNSO, for that matter, would do their policy-making. And that would be primarily consensus based.

LEON SANCHEZ: Thank you very much, Thomas.

Steve, do you want to add to that?

STEVE DELBIANCO: Yeah, to further emphasize the notion, if the community power of the independent review, the enhanced independent review were used, all it can do is ask these independent experts to look at our bylaws as the standard of review and look at whether or not the decision should be upheld or reversed. It cannot change the nature of the policy. It can simply say that the board either did or did not act appropriately. And in that respect, it goes back to the community, so that the bottom-up consensus process can devise a decision that fits more in keeping with the bylaws. And there's no ability to override the bottom-up process by micro managing or changing what's in it.

LEON SANCHEZ: Thank you very much. Next up in the queue, Kuo-Wei.

KUO-WEI WU: Yeah, Kuo-Wei in my personal capacity, not representing the Board view at all.

And actually, I'd like to follow on Andrew's question. Although you're talking about you go to the consensus stuff, but if you look at the current design, the 29 votes, if you including the number community and the technical group is about nine vote. If you take -- in case you are going to be voting, even you take two-third, these nine vote from the number community, including the technical community, the total vote nine is insignificant.

So you can ignore these organization. You can ignore the technical group. You can ignore the number community. You still can pass the two-third. This is the first question I like to -- you know. Even though you said you going to consensus, in some sense, in the critical you're going to vote, their vote is insignificant. That means you can ignore them. That's one question. The first question.

The second question, I really like to ask for this design. In this design, you are talking about, you know, this is the 29 vote, basically the community can override the Board decision, whatever the finance, whatever, like that. My question is if you override the decision of the Board decision, and something, the lawsuit happen, the liability, who take the liability? Is it Board or your 29 voting member? That liability problems.

LEON SANCHEZ: Thank you very much for this, Kuo-Wei.

I think, Jordan, do you want to answer the first part of the question?

JORDAN CARTER: On the first question, Kuo-Wei, I don't think it's -- to assume that the technical community and the rest of the ICANN community would be at total odds on something that was an accountability decision seems unlikely. And given the thresholds that we've built into this first draft of the model, it's almost impossible to exercise some of the core problems.

So, for example, if there was a fight about resources in the budget, as we've proposed --

KUO-WEI WU: Let me give you one --

JORDAN CARTER: Can I just finish my point? If there was a fight about the budget and the community sent the budget back to the Board, to do so a second time would require some of those technical community people to be involved.

KUO-WEI WU: I give you one example like that. As I was appointed by the ASO, ASO always get the list of the financial support. We always put into the new (indiscernible) of the (indiscernible). And so sooner or later, one of the critical situation happen, you need to go in to vote. That situation would be happen.

So we just -- I just like to remind, even there is only one percent possibility it's going to happen, is any way we can resolve that?

MATHIEU WEILL: I mean, following up, the first thing is I think this is an interesting stress test. We need to make sure whether our system, how we would react if, at a point in the future, there was a riff between the technical

community and the nontechnical community, although I think the border between them would have to be defined.

I don't know whether, as a ccTLD manager, I'm in the technical community. Maybe you don't consider me as a technical community. I would argue that some of us, at least, are very strongly technically rooted. So that's the first question.

But that's a valid stress test for us to check. And I mean the 29 are going to change because it's going to become 25, and then we're going to fine tune this. And that's exactly what we're trying to do when we're trying to fine tune this stress test and any risk of capture. So that's very important.

You asked a second question about liability.

KUO-WEI WU: Yep.

MATHIEU WEILL: We have independent legal counsel here, so I'm very careful. But my understanding is -- my understanding is the fiduciary duty and the liability rests with the Board and only the Board. But it's -- you will agree with me that the responsibility of the Board is to get community buy-in. Can you imagine a situation where the Board would have to adopt a budget that would not be supported by two-thirds of the community? That's a very difficult one. And that's exactly what happens in any organization or any membership organization. I

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mean, sometimes there are projects that my Board wants to do, and the membership is not ready. It's their responsibility, and it gets rejected. Never happens. It could get rejected, but it's still their responsibility. But that's the story of board members. You have to deal with the stakeholders or shareholders or whatever you call it.

KUO-WEI WU: Yeah, I know. I just wish you to understand.

MATHIEU WEILL: I'm seeing some nodding from the lawyers, so I must not be too wrong.

LEON SANCHEZ: Thank you very much. I remind you to and would kindly ask the questions to remain short. We are running out of time, and we need to still get through many items in the rest of the session. So, please, can you go ahead.

JIA HE: Yes, this is Jia He, and I'm from China. I'm also a fellow of ICANN fellowship.

I just have two questions. First is I'm thinking about CCWG proposal. Even if the IRP said ICANN board made wrong decision, how to deal with decisions, I think we need more specific procedures in the ICANN

bylaw, because we can't find these -- these specific processes in the proposals.

Maybe another is not a question but is a concern. I'm thinking about, if currently the ICANN board is -- was selected by the communities and also the ICANN -- the communities, it's possible to recall the whole board and also fire one of the board members. But, if I just remind you that if we are the ICANN board, the smart decision we made is we just keep quiet to accept every policy. So why do we need ICANN board?

JORDAN CARTER: Yeah, why do we need the ICANN board? Becky, you want to answer that?

BECKY BURR: I'm going to answer the first question and not the second, in favor of my continual ability to interact with the Board.

Your question about specific procedures to deal with independent review decisions that the community takes issue with is a very good one. There are not proposals in the report now. That is an issue that we are still working on. That's been flagged. But, clearly, that is an issue of great interest to the community, and it is one that we will be talking about.

LEON SANCHEZ: Thank you very much, Becky. This is Leon Sanchez again. Malcolm, do you have a question?

MALCOLM HUTTY: Malcolm Hutty from LINX. This is a not so much of a question as a comment. I'd like to take this opportunity to draw attention to something in the broader community. It relates to that last issue, the power that is proposed to recall the entire ICANN board.

The proposal from the CCWG would require for that power to be exercised that a motion of no confidence in the Board was supported by multiple SOs and ACs. This ensures that it is not too easy to fire the ICANN board, and people don't want it to be easy to fire the ICANN board.

Nonetheless, the consequence of this is that it is possible that an SO could, by a very broad consensus within itself, support a resolution to discharge the entire board and that that resolution would not find support from its -- from other SOs and ACs.

So it may be, for example, it's entirely foreseeable that an issue that concerned one SO greatly and for which they had found there was no other option left to them other than to seek to discharge the Board, simply did not relate to the matters of the other SOs.

So, for example, if it were -- I don't know -- something to do with the Board's repeated failure to honor the PDP process, for example, in the GNSO, simply doesn't concern ccTLDs or the numbers communities. Because the PDP doesn't relate to them. Which would create the possibility or a situation where one of the primary communities for which the Board was responsible had formally said that they had lost

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confidence in the board and the Board remained in place. This is a choice by the CCWG to prefer the importance of stability and making sure it is not too easy to discharge the Board over the importance of ensuring that the Board commands the support of the communities which they serve. I find this surprising. And I think that, if it ever came to this, it would be highly controversial. And that is why I've chosen this town hall as an opportunity to draw the attention of the broader community to the implications of this. Thank you.

LEON SANCHEZ: Thank you very much, Malcolm.

Milton.

MILTON MUELLER: No response to him. Milton Mueller, I guess Georgia Tech University. I have some responses to some of the other people who talked to you. I'm here from the GNSO. I was a little bit disturbed to see Alan Greenberg say that the GNSO was, basically, the contracted parties. I would just like to remind you that the GNSO is half contracted party and half non-contracted party. There's an entire house that seems to be overlooked there. And those non-contracted parties are user constituencies.

But I wanted to address the broader point as to whether these SOs or ACs would accept the empowered membership model. I think that's an interesting element of your current plan, and I'm not sure I understand the full implications of it.

So let me just ask you -- first of all, I can understand when Alan said the RSSAC and SSAC would not possibly accept this. And I, actually, don't even think they should be in consideration as a member; because, A, they're appointed by the board, and B, they're meant to be advisory committees, not essentially policy makers, as I understood it. So I think there should be a clearer separation between advisory committees in their role as members and the actual supporting organizations that were supposed to represent the entire multistakeholder communities that develop a policy within ICANN.

So the other comment I have relates to what Kuo-Wei Wu said, which is he's picking out a couple of these constituencies and saying they're a minority. Well, taken individually, all of them are minorities, are they not? And so you do have a balance of power issue that you need to think about in a stress test fashion. And, in some ways, the last person mentioned this. But I don't think it's valid to criticize this model by saying that no community has complete control of the membership structure.

Okay. So those are my comments. And now I have a simple question for you. When people are arguing against this membership model, what are they proposing for enforceability? What is the alternative that they're giving us to create the accountability that we want to have?

Now, sure, there are various details about this model that you can debate and discuss. But what really is the alternative that we're being

offered if we don't have some kind of membership or some kind of mechanism for enforcing accountability?

Because isn't the need for that what's created this entire process to begin with?

LEON SANCHEZ: Thank you very much, Milton.

[Applause]

Steve or Becky?

BECKY BURR: So I'm going to answer your question, Milton, on the sort of enforceable/non-enforceable. Because the designator model also has the enforcement characteristics. There is a strong group of people in the CCWG that feel that it is okay and effective to continue to rely on the voluntary or cooperative model that we have now. It is sort of we expect and anticipate that the Board will do the right thing in these circumstances. And we're going to continue to expect and anticipate that. Both sides say that. The question is whether that's enough.

And so the difference is do you need an institutional -- the ability in the absolute worst case scenario to enforce through an IRP, for example, or not? And that's the discussion that's taking place in the community right now.

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STEVE DelBIANCO: Milton, it's Steve. There's an innovation -- and Becky I have to give most of the credit for -- the innovation that we discussed on Friday is you said would ACs and SOs accept the model. There isn't any need to accept the membership concept initially. All one has to do is decide whether or not you wish to exercise the votes the bylaws would give to each AC and SO. And you can make that decision at any time.

That would be a voluntary vote in the sense that the advice or the vote to block a budget would be given to the Board. And we would still live in today's world where that's merely advisory to the Board. None of the ACs and SOs have to turn on the membership or activate membership if the Board continues to honor the voting that comes out of the bylaws. So it may never turn into a membership organization.

But this is our last chance to put that enforceability into the bylaws by creating the potential for membership, if it should ever be needed, to get the enforceability.

LEON SANCHEZ: Mathieu, you want to add?

MATHIEU WEILL: I think it's been already argued quite forcefully. Some of the arguments we're hearing as well and I think are important to state here is that a voluntary model -- making myself the advocate for a moment -- is just representative of how the Internet was built based on cooperative agreements and non-contract based like the peering arrangements which are still very largely non-contract based. So that

this model may not be disclosed like this as well as the fact that the threat of, basically, a process like board recall being put out in the public would be sufficient to hold the Board to honor the bylaws. And that's the argument that we're getting, I think. And that's the debate we're having in the group. And I think it's important that it's shared with the wider group here. Thank you.

LEON SANCHEZ: Thank you very much, Mathieu.

Next in the cue we have Mary Uduma.

MARY UDUMA: Thank you very much. My names is Mary Uduma. I'm from Africa. First I want to put a disclaimer that probably the group would have explored the possibility of looking at what are jurisdictions and not just California. I don't know whether that has been done or whether we have restrictions. Because each time we come up with a model, we try to analyze how it will appear or how it will work, we come back to the fact that it's jurisdictional restrictions. So I don't know whether I'm right or wrong. So that's why I'm putting out that disclaimer first.

Now, I want to say that, if we take this model, will now every member of the Board become a voting member unlike what is currently? And would all members become voting members?

If so, can we reverse the process of electing the Board or selecting board members through this process, these 29 votes? So all

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communities, everybody is involved, not only the community where the individual relates to but the community, the ICANN community would be part of it. People can tell us what they can do for us on the Board, and we reverse the process and get this vote in the 29 process first before it is going to be a recall or there's going to be a recall of all or some of the board members.

The liability question you've already answered.

Can we also look at shortening the tenure of each board member? Instead of allowing board members to be there 9 years, 10 years and it continues. So can we look at that and make it shorter so that it would be possible for those people to participate? And those that are saying that we don't trust the Board, they will go to the Board and see what they can do. Thank you.

LEON SANCHEZ: Thank you very much, Mary. Do you want to answer to that, Mathieu?

MATHIEU WEILL: Yeah. Thank you very much, Mary. I think you made very good points. And some of them were actually already discussed. Others we may want to reconsider, including the tenure of the board members.

One of the points you raised was jurisdictions. And I think this gives me an opportunity to address this question, which has been part of our deliberations a lot.

And it's what we've realized doing this work is that jurisdictions has different aspects. Where are the headquarters? What is the jurisdiction of the contracts in the dispute resolutions? And to those different aspects we took the approach that, number one, we were requirement-based. So we looked at the powers we needed, and we said can we do that currently with ICANN being incorporated in California?

Answer is yes, mostly, no problem.

And then we said -- and that's going to be important in the next phase -- we will further investigate all aspects of jurisdiction issues in workstream 2. But when I say all aspects, that means we will look for aspects where the current system within ICANN would prevent achieving some requirements for accountability.

So we won't look at everything. But, if we find in the course of our work that we are blocked to implement a requirement, which has not been the case so far, then we will look at whether it's -- the jurisdiction is an issue either most probably there are some concerns that were voiced in our group about the fact that most of the ICANN contracts would have dispute resolution clauses in California, for instance. That's something that our group can investigate and further elaborate on.

So that's an important aspect. And I know it's a topic that's closely looked at by many within ICANN but also outside. So definitely an important aspect of our work. And one of the comments we've received several times is to make our thinking more clear on this issue,

which is actually not the case in the first initial public comment we've sent. So that's work that we know we have in front of us.

So I think that's an important aspect that you mentioned. And the rest of the ideas certainly are part of our deliberations, and we need to further elaborate on that in our future work. Thank you.

LEON SANCHEZ: Thank you very much, Mathieu. One last comment. And there seems to be a misquote by Milton Mueller on Alan Greenberg. And Alan wanted to clarify this, but the queue was already closed. And we didn't let him clarify this. But the misquotation comes from having the contracted parties veto on a supermajority vote in the GNSO so they could actually effectively block a decision by requiring a supermajority vote, which turns this into an effective veto. So clarification made, Alan.

And I'd like now to turn to my cochair, Mathieu.

MATHIEU WEILL: So we are now going to invite Jonathan and Lise back to here. Ladies and gentlemen, I'm giving you the two CWG stewardship cochairs, Jonathan Robinson and Lise Fuhr, for the next part of our session, which will be regarding the dependencies between our two groups.

JONATHAN ROBINSON: Okay. Thank you, everyone. It's Jonathan Robinson speaking. I know it's been a long session, and we'll try to bring this to a wrap relatively

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quickly. But we felt it was critical, as part of this overall session, to come back together now and talk about the linkage between the groups in a little more detail. Just to remind you, there will be an engagement session where you'll be able to talk with myself and Lise and, in fact, some of our drafting team leads later today. So we'd very much welcome talking with you in more detail.

And I know there were questions earlier that wanted to address elements of the CWG proposal, and we're very happy to engage with you during that session later today.

As a refresher just to get us back where we were, I put up a slide here. Here we have a slide of the post-transition structure with the critical elements of it.

ICANN, the ICANN board, the contract between ICANN and the subsidiary, the post-transition IANA subsidiary, its own board, and the oversight and accountability and escalation provided by a combination of the Board, the CSC, and the review functions and then all wrapped in the accountability mechanisms provided by this group that you've heard so much from over the last hour or so.

So I think it's just absolutely essential to look at this as an integrated package. And before going on to doing a little more detail on those specific linkage and accountability points, I think it's probably worth talking about process. Because process seems to have bothered quite a number of people during the course of this. And by process I mean, how these proposals are taken through the root towards final acceptance.

In Fadi's opening speech this morning, he talked about the different phases and he highlight the process. If you look at the process between our two groups, we have a proposal, a final proposal here before the chartering organizations for approval now. What are they approving? They're approving a proposal that's expressly conditioned, conditional on the work of the accountability group. They're approving that that proposal is sent to the coordinating group, the ICG, for review and integration with the proposals from the other two communities. That integrated proposal will then be put up by the ICG for public comment and thereafter brought back to -- as an integrated proposal brought back to be finally reviewed at the Dublin meeting at which point we will be seeing the final proposal from the accountability group and in reviewing that accountability group, as I said in my opening remarks, it's at that point that we would expect the chartering organizations, in reviewing the accountability proposals, to seek confirmation from the stewardship group that their accountability requirements have been met.

What are those accountability requirements? They really break down into five key areas. Each of which is dealt with, as you have heard, by the accountability group at a sort of global level. But we have specific requirements in the stewardship proposal that these are dealt with. So clearly we care about the ICANN budget, but the component of the ICANN budget we care about in the stewardship group is to ensure that there is sufficient and adequate and ongoing funding for the IANA function. But that sufficient and adequate funding for the operation and future development of that PTI is a critical component to the

ICANN budget. And that's why we care about the accountability of ICANN in respect to the budget.

We talked earlier about the fact that the PTI is an -- is a -- a controlled subsidiary within ICANN. The fact that it is controlled and bound into ICANN means we care about the accountability issues of ICANN relating to the ICANN Board and the community rights that this group -- that the accountability group is working on.

Our proposal under item 3 has two types of review functions built into it, the regular review function and the possibility of a special review function. We care about that accountability mechanism being built into the fundamental bylaws.

Under item 4, our proposal has the CSC which I described, the Customer Standing Committee described to you in some detail earlier, and we care about that being incorporated into the bylaws of ICANN.

Finally, we care about the possibility of independent review and the fact that that should be applicable to the IANA functions. So you take this as a package of requirements that we depend on this group to produce and we need to be satisfied that this group has been -- will produce to the satisfaction of the completion of the overall package and that these mechanisms will -- will be captured in a set of bylaws or fundamental bylaws.

So that's the essence of the linkage in a nutshell, and why the proposal can both stand on its own two feet at the moment but ultimately requires a third foot, if you like, to make it stand up in full

completeness when the work of this group is done. So we feel comfortable and confident in putting the proposal to the SOs and ACs for approval with those conditions built into it because it is -- it is -- it can stand with all other elements complete, subject to the development work on the accountability.

So I think that's probably all I and we needed to say on that. The community will and -- will retain significant influence through the accountability work and as that -- as the work of this group that you've just heard goes through its further iterations and development, and I think you heard that very clearly from the co-chairs in their presentation from the past hour or so, there is further development and work to be done to finalize that prior to it coming back together and sitting alongside the work of the stewardship group which will ultimately then be presented as a package of two proposals to the NTIA later in the year.

So I think that's all I wanted to cover for the moment to make sure. Would any of the -- my other colleagues like to add anything to that or comment in respect of the account -- the linkage and interdependence?

THOMAS RICKERT: Yeah, maybe just to clarify again that when we started our work both of the groups got charters on the basis of which they worked. So we were tasked with accountability but the CWG's work also contained parts of accountability, and as we progressed and as we closely liaised with Jonathan and Lise in particular we found out that there were

sufficient areas where they could just piggyback on what we're doing. And now we're in the situation where they sort of rely on us delivering on certain aspects, and I think I would like to reiterate that neither in our group nor from commenters during the public comment period did we get any challenges for us to meet CWG expectations. And I think that's something that's encouraging as we move on. So it's very, very, very, very unlikely that we will experience this -- experience surprises with respect to the CWG requirements, but this is still a work in progress.

LEON SANCHEZ: Thank you very much. And I would like to open the floor now for comments and questions. So it's your turn again.

ANNE AIKMAN-SCALESE: Yes, thank you. It's Anne Aikman-Scalese with the IPC, and the other question I had --

LEON SANCHEZ: I'm sorry, could you put the microphone closer.

ANNE AIKMAN-SCALESE: Anne Aikman-Scalese with the IPC, and I'll defer the other question to the later session as Jonathan referred to that session. But this question is about linkage and coordination, and the question is about the contract itself. In other words, I view the ultimate contract between the PTI and ICANN as an accountability mechanism, and so

I'm wondering whether there will be a contract that is delivered to NTIA that has been approved by the ICANN Board that will ensure accountability between ICANN and the PTI with respect to those functions which should be carried over and taken out of -- for example, you know, in schedule F there are all these deliverables and it has to be a determination as to which of those, you know, come into the new contract. So that's the linkage question. Thank you.

LEON SANCHEZ: Thank you very much. Does anyone want to react to that?

JONATHAN ROBINSON: I think -- if I understand the -- we, as you will know from the proposal, we started to work on a -- on some ideas around a term sheet for what that contract might look like. We felt that our job was to produce a post-transition structure that could accommodate and deal with the transition of oversight. I think it would have been very difficult for us to specify in full and final detail what the shape and scope of that contract would look like. It's my expectation that that -- that is something to be handled as part of the implementation and I think the -- the confidence that the community should have there is that that contract will need to be ultimately settled between the post-transition IANA and the parent. And I'm almost certain, and forgive me for not being 100% certain, that we've certainly discussed and I would expect that that would be assisted by independent legal advice. And I think that's where the confidence the community should have -- that the reality of trying to develop that contract. I suppose I'd make one other

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remark and that that contract, as the current draft term sheet is, is likely to at least take some guidance from the existing contract. The existing -- the problem with the existing contract is it's -- it's not wholly appropriate for the future and that it's a -- a government contract and many elements of that contract relate to it being derived as a government contract. But it certainly gives some good guidance as to how things might be done in the future and therefore was the basis of the term sheet.

LEON SANCHEZ: Thank you, Jonathan. I believe, Steve, did you want to add to that?

STEVE DelBIANCO: On the slide in front of you. Look at number 6 and number 5 to truly understand the linkage. The CWG proposal suggests that the bylaws of ICANN establish and create PTI and they are in the fundamental bylaws. The linkage is that it would require three quarters vote of the ICANN community to change a fundamental bylaw. That's the first. 6 would protect the presence of PTI.

Now go to 5. If, in fact, the contract between PTI and ICANN were altered, the Board would have to approve a contract alteration and if it did so, above and beyond the community's desires an independent review panel can be invoked to question that decision and measure it against the standard that the bylaws require. So those are the linkages we're talking about.

LEON SANCHEZ: Thank you. Kuo-Wei.

KUO-WEI WU: And I'd like --

LEON SANCHEZ: I'm sorry. We're now closing the queue after Kavouss. So please.

KUO-WEI WU: This is Kuo-Wei again. Jonathan, can you bring number 3, the IANA Function Review, the composure, because if I remember in the very beginning you make the presentation you look at the IANA Function Review team, you look at that list. It seems like the number community and IETF is not in there. How you can do the IANA Function Review without number community and the IETF? Because you know, the IETF provide the protocol and number community is provide the number address stuff and here it's missing.

JONATHAN ROBINSON: Okay. I think that's a very good question. We had a really delicate line to walk here between trying to -- we had the advantage of having the proposals from the other two communities visible to us through a substantial portion of our work, but we also had to recognize that it was our job and our scope to deal with the requirements of the naming community. The job of the ICG is to bring these three together and to think about how those might be welded together. As I understand it, there are review functions, review capabilities in both of

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the other proposals, and it may be that it's satisfactory for those reviews to operate independently or it may be that there's a coming together of the way in which these work. My sense is that currently the different groups are satisfied with operating as they are independently, but, you know, we have to be very careful about how far -- the scope of our work and in dealing with both the charter we had and our requirement therefore to deal with the naming community needs and requirements.

KUO-WEI WU: Well, I think as you know, in IETF or the number community, RIR, all the meeting is open for everybody, not only for the, you know, RIR memberships. Anyone can go to the RIR to making the comment, making the policies, participations. So I think there is a -- if that is possible, I think you should think about, you know, there is a possibility to put the number community and the IETF in the list. Thank you.

LEON SANCHEZ: Thank you very much. Next in queue, please. I'm sorry, Lise, you wanted to --

LISE FUHR: Thank you. I just have a response for that because the IANA Functions Review are supposed to be open and transparent for everyone. So it's not going to be in a closed environment. So there will be possibilities to follow the process. Thank you.

JONATHAN ROBINSON: And engage with the process. Not just to follow it. To actually actively engage with the process. But again, it wasn't necessary to us to specify additional participants outside of the naming community on them.

KUO-WEI WU: Yeah, that's what I mean, because it mean in these compositions, if they include these two constituency. And if you didn't include in this constituency, as I was the liaison in the ICG basically with respect to the CWG proposal. So if you don't open a window here, you're expecting to modify your final proposal.

LEON SANCHEZ: Thank you. Please, next in queue.

UNKNOWN SPEAKER: My name is (saying name) and I'm from Uganda. I have a question and probably a suggestion as well, and it relates to the accountability mechanisms around -- please, can I have the slide back? I think it's 9. I believe it's 9. So my question is, especially around the differences between the IFR and the CSC so -- but this is particularly because when I read through the remit of the CSC I see that some of it is rather operational in nature and it got me thinking if a whole committee and a fairly independent committee is necessary to actually carry out this work as opposed to perhaps having the operational aspects of what is

being carried out by CSC be something that is inside or administratively handled within the PTI and then any non-operational aspects perhaps could fall within the IFR. As you have rightfully pointed out the IFR's mandate or remit is rather wide and it could encompass quite a few things. So it got me thinking, instead of two committees, wouldn't we cover the work of the CSC somewhere administratively within the PTI and then get some of the non-operational stuff in IFR? Thanks.

LEON SANCHEZ: Thank you very much. You want to add to that?

JONATHAN ROBINSON: I'll try to respond. I think -- I mean, the CSC is by definition responsible for reviewing the operational aspects of the performance. So I'm not sure I fully understand the concern, because we have a -- the -- those are -- it is representative of users of that service. So to the extent that that service is not being performed adequately or satisfactorily, you can expect that that -- to be highlighted and remedied and if and only if it is not, are there escalation mechanisms to deal with that. So -- you know, I'm not sure I get --

UNKNOWN SPEAKER: Perhaps I will try again. The CSC and the IFR, is there anything the CSC is -- has in its mandates that cannot be fulfilled by the IFR which now more requires that we have a completely new committee just for the CSC mandate?

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LISE FUHR: It's Lise Fuhr, for the record. The CSC is, as Jonathan said, covering the operational stuff, and the IFR has a wide mandate, as you say. But the CSC is the Customer Standing Committee that's there all the time, whereas the IANA Functions Review is gathered every five years, so it's -- it's established to do the specific review. So you can't actually merge those two. You would have the CSC that's the customers that's overlooking the operational stuff and the IANA Functions Review is -- it's a wider review of IANA as a whole and it has all the chart -- all the organizations included and that's the multistakeholder body of this model. Thank you.

UNKNOWN SPEAKER: Thank very much. That gives an answer. I think it also answers the second question of whether both committees are standing or ad hoc.

                       Thanks.

LEON SANCHEZ: Thank you very much. We do want to note that in this slide the NCSG is meeting, but in their report it's, of course, considered. And we do apologize for the oversight, and this is going to be corrected.

                       So next in queue, we have Malcolm.

                       Malcolm.

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MALCOLM HUTTY: Thank you. Malcolm Hutty from LINX for the record.

I do have a question. It was prompted by Jonathan's reference to the resolutions before the chartering committees at the moment.

Does the panel believe that it might be useful to keep the CWG and the CCWG formally in existence until the completion of the implementation of the proposals so that the community has a structure available to engage in dialogue with the Board and the staff as they grapple with implementation of your respective proposals?

LEON SANCHEZ: Thomas?

THOMAS RICKERT: The answer is yes for CCWG.

JONATHAN ROBINSON: I think it's a good idea and it's something we should be aware of. So, I mean, we've just got to make sure it's consistent with whatever's been resolved already and what's in the charter. But, yes, it's evident that they require some oversight of implementation, and so it's a sensible point to throw into the mix.

Thanks, Malcolm.

LEON SANCHEZ: Thank you.

Next in the queue, Kavouss.

KAVOUSS ARASTEH: Thank you. My name is Kavouss Arasteh. I am not writing any question to you. Don't worry.

The way that you explained that, it seems that between now and Dublin we have a lot of things to do.

You said that few people getting together behind the scene and provide something, and that is something to be really discussed.

Now, it seems that between now and Dublin, we have many calls, and perhaps few more face-to-face meeting. And in that sense, we benefited from the services of the ICANN staff. As I mentioned yesterday, I want to make it today more publicly, they have been very, very efficient. Very efficient, preparing the call, Adobe connections, telephone conversations, difficulty that we have, presentation of the document. Immediately after the meeting, providing the note, providing the transcription. Replying to the question, so on and so forth.

I would request that if distinguished treasure, coming and naming these people, that we formally appreciate their effort, because I don't know all of the names, but she may be so kind, and kindly announce the names of these staff that provided to us these services, that for us, time zones is okay. But for them, they have to cope with all time zones. So there's a lot of work, and they are very, very efficient. Very

effective. Very humble, with all courtesy and with all collaboration, and we really appreciate their effort.

But I would like that their name will be pronounced and they will put it in this transcription for the record of the people. And after that, I would request a big round of applause for them. But first pronounce the name and introduce them.

That is very efficient and very necessary.

Thank you.

JONATHAN ROBINSON: Kavouss, I'll make a quick remark here. It's a wonderful suggestion. I think we've had tremendous support. And I think the critical point for me is the support we've had is -- you could very easily say, well, that's their job, but they've gone well beyond -- over and above beyond their respective jobs.

My challenge is, with mentioning names, is I'm very worried I might forget someone.

[Laughter]

KAVOUSS ARASTEH: Let us hear the names.

Thank you.

LEON SANCHEZ: Thank you.

KAVOUSS ARASTEH: Theresa, please kindly.

THERESA SWINEHART: I will be very quick.

First of all, it is -- Thank you very much for the recognition of the staff, but also for the recognition of the volunteer community around this.

There are a wide range of names across the entire organization. We have different touch points across the department.

Let me just name a few. Grace, am list, Adam, Sam, Hilary, Brenda, Kim, Marika, Bart, Bernie, the entire language services team, and then obviously everybody else from I.T. who is helping out with various parts.

Excuse me?

UNKNOWN SPEAKER: Nancy and the meetings team.

THERESA SWINEHART: Yes, and the entire meetings team, Xavier in finance who I know has also provided input into various parts. The IANA team.

As you said -- The legal team. So we have a wide range of teams across the organization that have really been stepping to the plate

and working 200% to provide responses to different things and the day-to-day support.

[Applause]

JONATHAN ROBINSON: Not to mention Theresa.

[Applause]

LEON SANCHEZ: Thomas, would you like to do a couple remarks?

THOMAS RICKERT: Yes. It's now my privilege to be the only one between you and lunch. This has been a very informative discussion. We will keep working closely together and exchanging thoughts.

I would like to encourage all of you to stay tuned, watch out for the next public comment period. And I'm not sure whether we have extended our thanks to the technical team that is doing everything to make this work, that we can understand each other, and also to the translators. So I just want to make sure....

[Applause]

Thanks to Becky Burr, Steve DelBianco, Jordan Carter, Leon Sanchez, Mathieu, Jonathan, and Lise.

Thanks, everyone. Have a great week. Bye-bye.

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JONATHAN ROBINSON: Don't forget the engagement session on the CWG later this afternoon. I'm sure many of you will be aware of it. We look forward to seeing you there.

Thank you.

[END OF TRANSCRIPTION]