MARRAKECH – Joint Meeting of the ICANN Board & the Commercial Stakeholders
Tuesday, March 08, 2016 – 11:00 to 12:30 WET
ICANN55 | Marrakech, Morocco

STEVE CROCKER: Good morning, everybody. This is a meeting between the commercial stakeholder group and the board, the ICANN board of directors. I think in the usual fashion, the commercial stakeholder group is represented by chairs of each of the constituencies -- yes? -- or representatives thereof.

UNKNOWN SPEAKER: (Off microphone.)

STEVE CROCKER: A small group from each constituency.

And most particularly, nobody representing all of the constituencies, so that the stakeholder group is an artifact of putting them all together, as best I can tell.

I'm pleased to have our incoming CEO, Goran Marby, here observing the proceedings and we hope that after he does that, he continues to come back.

This is really your meeting. We are here mostly to listen, to be responsive. And we are trying to make these as real and substantive as possible.

So dispensing with the pleasantries and formalities, we'll jump right into it. Who wants to start off?

Steve, go ahead.

STEVE METALITZ:

Thank you. Steve Metalitz with the intellectual property constituency. We have a small group up here who will be presenting, and we appreciate the opportunity to do this as always. We've identified two issues that we're going to raise and then I think we'll also try to respond to at least one of the issues, the diversity issue, that the board asked us to consider addressing.

The first issue I'd like to raise really -- and I know we've had this conversation with Bruce and Markus already -- arises -- the immediate stimulus for it was the question of implementation of a board -- a consensus policy adopted by the board over two years ago, and that's the requirement that all registries adopt a thick WHOIS architecture.

And just again to review the timetable here, it's been about 4 1/2 years, actually, since the GNSO Council started working on this topic. It actually had worked on it before.

There was a final report and the policy was unanimously adopted by the ICANN board more than two years ago. February 7th, 2014.

Long story short, the -- this deals with one registry operator operating three gTLD registries that still maintain the thin architecture, and on the current timetable, we won't see that change perhaps until the end of 2017.

So in other words, it's going to take four years for one registry operator operating three registries to come into compliance with the consensus policy adopted in 2014, which struck me.

Since I -- we had our conversation with Bruce and Markus, we also had a presentation at the GNSO Council from the generic names domains division which went through a number of other issues, and I don't have the whole list but they all seemed to have a very significant gap between the adoption of a consensus policy and the timetable for its implementation.

You know, yesterday in this room, Byron Holland, in his remarks, said, "You know, used to be everything in ICANN happened slowly and now it's a much higher pace of activity," and I guess

I'm halfway with him. It used to happen slowly, but some things -- and we now have a much, much more frenetic pace of activity, but things happening still happen sometimes extremely slowly. And I think this raises some pretty basic questions about operational excellence and really just the ability to deliver on the policies that have been adopted. The other reason I think this is a particular concern -- and my colleagues may have more to add on this -- is that, you know, the whole impetus for this grew out of the fact that even after all the new gTLDs, and in fact, all the gTLDs that had been recognized since the beginning of ICANN, even after they had all taken on the thick architecture, this was not dealt with in the contract renewal for .COM in 2012. And Steve and others will recall there was a lot of friction around that issue of the board's approval of the contract without any provision on that.

And we've now learned in the last week or two that ICANN -- and the report is that ICANN and VeriSign are planning to propose an extension, simple extension of that contract. That contract expires in 2018, so we thought, well, at that point we'll be able to look at this issue and a number of other issues in light of the provision in that contract that says it's supposed to be similar to the contracts for the five other largest registries, and we don't know what those will be in 2018 but at least that gives us kind of a reference point.

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The plan, as we understand it, is for the contract to simply be extended without change for an extended period way beyond -- I think probably till 2026 or later, and that would deprive the community of the chance for input into a contract revision and the ability to help shape that.

And of course as you know, this contract -- I'm talking about the .COM contract -- remains subject to review by the U.S. government even after the transition.

So we are concerned about the possibility that it would be -- simply be extended without any change, and I think that's the context in which we raise this concern, that even when the policy does change, it takes a long, long time -- we think excessively long -- for it to be implemented.

I'm not trying to allocate any blame or point any fingers. I think there are many explanations and there's responsibility to go around on that, but I think it -- we are concerned about the pace of implementation of consensus policies.

We would urge the board to consider how we might be able to accelerate those, and particularly in the context of the .COM agreement wanted to flag our concerns about the possibility of a simple extension with no change except in the expiration date of the .COM contract.

DAVID HUGHES: David Hughes from the IPC.

Yeah. So I represent, you know, intellectual property holders. In particular, the concern I'm most familiar with is music on the Internet. And really, the flagship for our business is the .COM TLD, and it's somewhat disturbing that the place that people most think of, at least for commercial stakeholders, is the one that seems to be dragging its feet the hardest on this issue. And, you know, the time line that Steve's outlined, you know, it is a frustration for us and we just want that to be understood by the board.

KIRAN MALANCHARUVIL: Kiran Malancharuvil with MarkMonitor and the IPC. I would also add that it's concerning -- the timing of this issue is concerning because truly the thick WHOIS issue is probably one of the least complicated of all the WHOIS and registration directory services issues we have on our plate at ICANN, and so if we're going to drag our feet this long on thick WHOIS, how long is it going to take us to implement the recommendations or even come up

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with the recommendations that come out of the PDP on RDS development?

So just something to think about how the way that we deal with the implementation of this policy is going to affect us down the road.

We have many clients that rely on WHOIS. In fact, all of our clients rely heavily on WHOIS for our activities. And they are consistently asking us when things are going to get better. So it's very, very difficult for us to say 10 years, because actually that's a pretty realistic time line when you look at how long this one is taking. Thank you.

BRUCE TONKIN: Okay. Let me just make some initial comments and then I'll ask Cyrus from the staff team just to talk about implementation, because there are quite a few things that you've said in your comments, Steve, and your colleagues.

So firstly, the thick WHOIS is actually a consensus policy, so the board's approved that. And even under the current .COM agreement, there's a requirement to implement the consensus policy, so that doesn't require any contractual change that needs to be implemented.

Secondly, there's a requirement for the registry operators to implement the new version of -- or a directory protocol, basically, that replaces the old Port 43 WHOIS protocol, and that protocol is called RDAP, so that's also a contractual requirement.

So both of those need to be implemented by the registry operators and registrars.

There was a comment saying that this is the easiest of all the WHOIS things to implement. Well, I guess the text is easy, so it -- in terms of drafting, it's pretty straightforward. You know, "implement a thick WHOIS."

In terms of the implementation, it's not that straightforward. You're actually talking about more than a hundred million records about people, and that information is actually spread across, you know, more than a thousand locations.

So there is a process, which has been done before because we did this with .ORG. With the .ORG registry, it was originally a thin registry and it's now a thick registry and there was a process to actually -- for the registrars to provide the full records to the registry operator and we now have thick WHOIS.

So it's been done before but it's not something that's done in a couple of weeks.

So I think the challenge here is -- so it's not -- I don't see it as an issue with a contract provision. Contract provisions for this are there. We have the thick WHOIS and we have the RDAP, and both of those need to be implemented.

So what the staff are now doing is trying to work through that implementation, so I'll ask Cyrus to give us an overview of the implementation.

CYRUS NAMAZI: Thank you. I'm Cyrus Namazi from GDD staff.

Just wanted to echo what Bruce was saying in terms of the complexity of implementing thick WHOIS.

Even though it's a short text in the policy and it only involves three TLDs -- COM, JOBS, and NET -- it's a hundred-plus million registrations. So yes, it's a fairly complex issue in a very fluid environment where, you know, privacy laws are changing. They continue to change. We keep track of them. There was a lot of dependencies we had to go through.

So in terms of implementation, there are two parallel tracks at the moment.

One deals with the consistent labeling and display, which is part of the policy. We've actually sort of lumped that up with the

implementation of RDAP because it just makes sense. That piece of it is in public comment, will close on the 18th of March. We intentionally, actually, extended that public comment period so that discussions that take place in Marrakech can actually be incorporated in it, so that's on track to be done.

In terms of the actual transition, there's an IRT that's been working with staff for some time.

The next step in the implementation process is for the IRT to actually reach out to the registrars, of which there are obviously hundreds and hundreds, and come up with an implementation plan that deals with (a) the existing registrations and (b) the new registrations and find out the best way to approach it.

It is taking a long time, but there are so many variables involved, and again, in a very fluid situation, that just calls for it to be done this way. We're not dragging our feet. We're pushing it as quickly as we can. Thank you.

STEVE METALITZ: This is Steve Metalitz again. I appreciate your comments on that. You and I have talked about this, this week.

I think .ORG didn't take anything close to four years. The fact we are sitting here 25 months after the board acted without even an implementation plan means that something has gone wrong.

Again, I'm not pointing fingers and I understand it is -- there are other variables involved. But it's disappointing. And as Kiran pointed out, it doesn't bode well for frankly more complex changes that are on -- potentially on the table in the next generation RDS, which is building a whole new system from scratch.

Again, I don't want this to be just about the thick WHOIS in .COM. There are some larger issues both in terms of implementation timetables generally, which I would urge the board to take a look at and maybe gather some data about how long it is taking to implement these policies. And then there's some special characteristics because of .COM. Bruce is absolutely correct.

The thick WHOIS issue is settled in the .COM contract. It's not settled in implementation, but it is settled in the contract. But there are other issues I think may be important to look at in the renewal of the .COM contract. And if we don't get that chance because there's a simple extension, I think that would be a misstep. Thank you.

BRUCE TONKIN: Yes. I think, Steve, we take on board your point about implementation. That is about operational excellence. I think that's a very good suggestion, to have a look at on average how

long are these policies taking to actually implement and are we getting implementation plans in place.

I'll refer to my colleague Chris Disspain just to talk about the fact that the board is aware of on the WHOIS topic just how many moving parts there are and we do have an board oversight group that's been established.

CHRIS DISSPAIN: Thanks, Bruce. So we've set up a board working group that I chair on sort of all things WHOIS. That's one way of putting it. That includes, obviously, the next-generation registry services.

And we met yesterday morning early with Chuck's GNSO group and got a briefing from them. That's obviously that very specific point. I would be perfectly comfortable -- in fact, I think it would be fantastic if you guys wanted to just appoint a point person on WHOIS stuff generally. And then they can then communicate with me as chair of a group. We'll happily discuss all matters with you. If you need to -- I'm not suggesting you have to. But if you need to, we are here and we're happy to discuss. Thanks.

STEVE METALITZ: Thank you very much for that offer.

BRUCE TONKIN: So the second topic you raised with the .COM agreement and the renewal, that's certainly something that the board is looking at. I don't think I've really got much I can add at this stage. But to note that we've heard what you said on the topic.

If we take renewal of some other recent contracts, which I think were .CAT and a couple of others, the general position in that situation has been that the contract can renew under the current terms or they can choose the new gTLD contract. And those have essentially been the two choices.

Anything other than those two choices would then generally go out through a full public process. So if a registry operator wanted to just add a clause or add a paragraph or something, then that would go through a proper public review process.

STEVE METALITZ: My understanding was that whatever the board decided to do on the .COM contract would be made available for public comment, which is -- that is good. We're trying to signal in advance of that --

BRUCE TONKIN: Yes.

STEVE METALITZ: -- what is the course that's been reported in the press.

GREG SHATAN: We should probably move on to our second topic so that we don't eat into the time of our fellow constituencies. The second topic -- I'm Greg Shatan, president of the IPC, for the record. The second topic that we wanted to raise was that there are -- continue to be challenges of various types in relation to public comments. Public comment periods sometimes seem to be truncated and are overlapping. I think we currently have five or six or seven public comment periods currently open, and those are just public comments that are listed on the public comment page. There are -- one of the barriers to entry, if you will, for newer people in ICANN is that they don't know that there are also pages elsewhere where public comments are being solicited such as the RSEP requests, and that makes it more difficult to find all of the things that the stakeholders need to comment on. And we also note that sometimes, you know, public comments are not only shortened but taken over holiday periods over meetings, and we are -- you know, want to express our concern. One of the significant hurdles that we and I think the rest of the community had in, you know, fully analyzing the accountability proposal were some of the timing issues around the -- the comment periods. Of course, you know, part of this comes from the community, I recognize that. But overall there

are comments coming from all directions. And trying to find a way to keep -- keep track of them, to avoid volunteer burnout and the like is, you know, a continuing issue for us.

And, lastly, I notice there is a peculiar propensity for public comments to be released at 5:00 p.m. Los Angeles time often on a Friday which tends to mean that by the time you look at the public comment, it's day three, especially if you're anywhere east of the eastern seaboard of the U.S. and Latin America.

So, overall, we're kind of, you know, calling that the issue of multiple overlapping time period -- and public comments with the sometimes shortened time periods and the like an overall issue. That's the first point.

There's kind of a subpoint on public comment, but I'll stop here.

BRUCE TONKIN: Some of the public comment, what would you suggest, Greg?

GREG SHATAN: Well, among the suggestions I would have is to consolidate all of the public comment opportunities on one page rather than having them on -- I think there's three different places. In addition to RSEP, there's another type of thing that's

commented on as well that doesn't appear on that page, if anybody recalls.

BRUCE TONKIN: Just one idea that I might have on this is maybe what we need is just a monthly digest. So there's -- once a month there's a notice that says here's all the current open public comment periods that you be subscribe to, something like that.

GREG SHATAN: I think it would need to be more than monthly because it would really need to be kind of something in realtime because the comments come up overlapping, right? And a month is too late.

BRUCE TONKIN: Maybe weekly. I assuming you don't want daily email on it, but you could request the frequency.

GREG SHATAN: There is often a need for predictive material so that we can know when public comments are --

BRUCE TONKIN: A public comment coming up.

GREG SHATAN: If you are within the working group and you inform your stakeholders, that's great. You can tell them. But that doesn't always happen. And not all comments come from working groups. They also come from the board, from staff, and elsewhere. So there's supposed to be a listing of upcoming comments, but it is not really kept.

BRUCE TONKIN: David, can you pick up on this one? Basically what we want is potentially a weekly digest that says, Here's the current public comments and here's the ones coming up. I think if that was just a regular weekly email or some frequency that's appropriate, then, Greg, you could subscribe to that and see it all in one place. Got it? Thanks.

GREG SHATAN: Anything else on public comments from my fellows?

KIRAN MALANCHARUVIL: Hi, Kiran, again. Kiran Malancharuvil. I think a weekly digest is a great idea. But considering the volume of emails that we're getting from ICANN and working groups and things like that, it still needs to be consolidated on one page that we can access when we need to.

I am the IPC participation and policy coordinator, so it's my job to actually find these public comments and then push them out to the list to try to find volunteers for this. It's like pulling teeth. It's really difficult.

And the hardest thing I had to do was figure out where on the ICANN Web site, which, you know, is disappointingly not user-friendly considering what we all do for a living, to find all of the opportunities for influence. And I'm constantly living in fear that I'm missing something.

So, please, consolidating it on one page is fantastic, and a weekly digest is certainly helpful for that. I appreciate that suggestion. I think it's a great one.

I also think public comments need to be longer. I think that -- and it's kind of like this whole nugget. We said this many, many times, but it's not getting any better.

The -- the business community in particular, the intellectual property attorneys and industry organizations and businesses, have a very difficult time getting internal approval for these comments. And the time frame is way too short.

So even when we're doing things like providing clients outlines and consulting them on the topic issues, as easy as we can make it for the people in our community to comment or to participate,

the internal corporate process for approval is way, way, way longer than the time that you're giving us to comment. And then we miss opportunities to influence things that are extremely impactful for business. Whereas, you know, other stakeholders in the ICANN community don't have that same sort of internal accountability. Individuals can post comments. Carries the same weight as businesses, but unfortunately businesses are just not that free.

So we've said this before. Nothing has ever changed. At some point, it would be awesome if somebody heard us on that and actually took that into consideration.

BRUCE TONKIN: So you are looking for longer -- because the trade-off of longer public comment periods then is the speed at which work gets done.

KIRAN MALANCHARUVIL: Sure, I certainly appreciate that.

[Multiple speakers]

BRUCE TONKIN: -- 90 days. Let's say we did that on accountability, we wouldn't have progressed as far as we perhaps have.

KIRAN MALANCHARUVIL: Sure. I don't necessarily think -- although this is a separate discussion, that progressing as fast as we did on accountability was a good thing.

However, that being said, I do understand there's a balance between us asking you to hurry up on things, like the thick WHOIS implementation, for example, and needing to give us proper time to comment.

I think there's a proper balance. I think that sometimes certain parts of the process go way too fast and then others way too slow.

So we probably need to take a critical look at this and have a genuine conversation about this as opposed to what's happening as we sit at this table time and time -- I have been coming to ICANN for four years, every single one except for one. And we've made this comment, I think, at every single ICANN I have been at. And I don't think that we've ever had a genuine conversation about how to strike the balance between speed and proper time to comment.

So maybe this is a time with a new leadership and others that, you know, we can actually sit down and try to strike that balance.

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BRUCE TONKIN: Okay. I will get Cyrus to give you a quick update on where public comment currently is available on the Web site. Maybe that will help.

CYRUS NAMAZI: Thank you, Bruce.

So there is actually a page on icann.org that has all the open public comment pieces.

UNKNOWN SPEAKER: That's the problem.

KIRAN MALANCHARUVIL: I'm not asking just for open public comments. I'm asking you for all the opportunities for influence, so RSEPs.

CYRUS NAMAZI: I was going to address that. Let me make a distinction. So to address the earlier point about shortened public comment periods, I don't recall ever having done that unless in extraordinary circumstances. If anything, we always extend the time for public comment. The minimum is 42 plus one days, and we adhere to that.

There's a distinction between public comment and public notice. So what we consider as an issue that's posted for public comment goes to icann.org/public-comments. If you can get to it from icann.org, it's one of the headings on the top. All the closed public comments and all the public comment periods -- topics that are open, they are all in one page there.

RSEP and other issues, they are posted for public notice. And they actually come in as dozens and dozens practically. It's a different thing.

You have an opportunity to provide input for it, but it's not really what ICANN calls public comment. So that's the sort of distinction that should probably be kept in mind when we have this conversation.

STEVE METALITZ: This is Steve Metalitz. I think that's a specious distinction. You put something up and you say, We're planning to do this or someone is asked to do that, we would like to know what the public thinks about it or you are invited to comment on, it. That should be -- you know, that should all be in one place. RSEP is one example.

Another is we've commented -- the IPC has commented half a dozen times in the past year on requests by registrars for

exceptions to their data retention requirements. And not a single one of those was ever on the public comment page.

Now, I don't think our public comments -- I'm not sure our public comments were carefully considered in those cases. But the fact -- what we're talking about here is that public comment was asked for or at least invited. It was not on the public comment page. Let's just see if we can consolidate all those opportunities, whether you call them public comment or public notice just so we'll know. And we'll be able to do some triage. And Kiran's job of trying to get more people participating in a more diverse group of participants would be aided.

BRUCE TONKIN: Thanks. I think David Olive --

GREG SHATAN: I just want to respond quickly to Cyrus. I think what we have here is a kind of classic UX or user experience mistake which is to look at the Web site from the point of the company rather from the point of view of the user.

From the point of the user, we don't care whether it's a public comment or a public notice. If we have a opportunity to comment, then it should all be on one page regardless of how the company looks at it. This is a UX issue or human factors

issue. So I think it should be looked at in that way. This is supposed to be a Web site to inform users. Thanks.

BRUCE TONKIN: And, Greg, this is the benefit of this forum because you're providing user input, and we have the designers of the solution. So I'll let David comment on it.

I definitely -- staff will look at what you said and come up with a design improvement. David?

DAVID OLIVE: Thank you very much. We in policy do do the oversight of the public comment forum. Our purpose is to ensure that you can comment and in a timely manner, and the purpose is not to hide things or not to make it easier to find.

In general, we have had a series of comments on that process. And -- it used to 21 days of comment, and then we extended it because of the inputs of the community to at least 40 days plus one. And if there are exceptions to the rule, we need to have a senior executive from ICANN approve that.

And so that is what we try to do, and we try to present more time rather than less time. But I appreciate the one stop shop would be more helpful, predictive if we can, and make it easier for you

to find it on one page so that you can get your people inputting and commenting as they should. So thank you very much. I'll do that.

GREG SHATAN: And David, I would also suggest a calendar display as well. I think we just have a couple of minutes left. I would like to switch to one of the topics the Board asked us to comment on which is that of diversity and I'm going to give the mic over to Kiran Malancharuvil.

KIRAN MALANCHARUVIL: Hi. Me again. Kiran Malancharuvil from MarkMonitor. I think that this -- the issue of diversity dovetails nicely with the conversation we just had about public comments and barriers of entry. The large barrier of entry to ICANN affects our ability to be effective in our outreach, despite a strong commitment to increasing geographic diversity and gender and racial diversity and diversity of world view.

I've said this before, it is a bit of a myth that it's easier to get businesses involved because of the internal approval process to spend the money needed to engage with the ICANN process. Especially because the barrier of entry to engagement is so high. There are so many public comments, the learning curve is so

steep. There are so few opportunities for meaningful mentorship that these unique challenges actually hinder the ability of businesses and attorneys and those of us in the IPC from getting funding to come to ICANN. And the ways in which we have engaged with the tools that ICANN have given us to try to lessen that burden have not always been effective for the IPC because a lot of our candidates for these don't necessarily fit what ICANN has sort of put forth as the criteria for people that are fellows, et cetera, et cetera. It's not -- you don't often expect to see an attorney maybe or a business person as a fellow, and there's some sort of internal community discrimination against attorneys in the business community that we are somehow not needy for the funding to come to ICANN when, in fact, that is not the case.

So I also on International Women's Day want to stress our commitment to gender diversity. I think it's probably no coincidence that they gave the woman at the table the gender diversity issue, although I do see Denise at the end, so that's nice. I will say that in a world where women have to work twice as hard to make three quarters as much money, adding the huge burden of dealing with the dysfunction, frankly, of the ICANN community is a huge part of an involvement of women. So as hard as it is for the privileged in the ICANN community to keep up with public comments, to keep up with the topics, to tackle

the learning curve, keep in mind that it is at least twice as difficult for women to do that. I think there are a lot of really fantastic women in the ICANN community, and I applaud us. But we are all working our booties off to get here and to do well.

Some of you might remember that I had to bring my 3-month-old baby to an ICANN meeting to the public forum. She was strapped to my chest, and she started crying when I was this close to the mic, so it's -- it's very difficult to be a woman at ICANN. It's very difficult to be a minority at ICANN. And we're doing our best, but we don't have the effective tools to do that. So I appreciate that the Board has asked us this topic. It's very important. We all have a commitment to do that, but we need to sit down as a community and have, again, frank, genuine, and honest discussions about what it is about the ICANN community that actually stops us from being effective in our outreach. Because it's certainly not a lack of interest or a lack of trying from the IPC's point.

WOLF-ULRICH KNOBEN: Well, thank you for your comments. And I think I do recall when you queued up with your baby. We do understand. I mean, there are great barriers also for people from developed countries and learning curve that has been mentioned by many people is so steep when you come into the ICANN world. So

there are -- there is a need for efforts and we know that, but this is also part of the Work Stream 2 discussion. Diversity is on the agenda, and let's tackle this and let's also look at practical solutions we can provide. Maybe add a creche to the ICANN meeting for women with young babies, whatever. These are maybe simple steps, but they can be helpful. And we are definitely --

UNKNOWN SPEAKER: (Off microphone).

KIRAN MALANCHARUVIL: That's an issue that's actually -- you know, I see people in the audience chuckling, but that actually was an issue in Dublin. There were more than a few women who got together on ICANN social which is a Facebook page to talk about how we might share a nanny to bring our children to the ICANN meeting so that we could attend more effectively. And we asked for ICANN's help to provide it, and they said no. So that's, you know -- I see you chuckling, but that's actually something -- and it's a conversation that has happened at ICANN before. And I think a creche would be a fantastic idea.

MARKUS KUMMER: Well, thank you for bringing this up in this meeting so we have this discussion. It's an important discussion to have, and we are willing to have this discussion.

CHRIS DISSPAIN: There's a microphone behind actually, just a stand-up mic.

UNKNOWN SPEAKER: (Off microphone).

CHRIS DISSPAIN: Yes.

ERIKA MANN: I mean, I don't want to prolong the debate but it's an important one because it's not just -- when you look at diversity, you know, it's regional diversity but it's the gender diversity as well. Or as Asha always says we shouldn't talk about diversity but about diversity and balance. And whatever we choose, it's fine with me.

I think the trouble for professional women is simply that if you don't have enough -- and you see this on the Board, there's not a single female Board member on the podium. If you don't have enough, it automatically means that a workload you cover and you do is automatically more. Because you -- you want to be --

you know, when you have to choose where you want to be, it's automatically more work. And this is true for everybody, for all of the women involved in this -- in this environment.

So I would love to pick up the point and would say we will look into the financing for -- for -- because I don't think that we have debated this actually in the Board. And this is an important topic, and I would not want us to wait until Work Stream 2. I would rather prefer that we have a discussion a little bit earlier. And typically ICANN is known for a very pragmatic approach. Sometimes these kind of things simply slip because, you know, somebody makes a decision and maybe is not fully aware about the consequences, not looking into a lot of the items. So I'm -- I'm sure I cover the voice of all women on the Board, we will look into this. I can't promise anything here yet, but we will definitely debate and discuss this before Work Stream 2. Thank you so much for bringing this up.

KIRAN MALANCHARUVIL: I will note also when my baby started crying Erika offered to hold her while I was at the mic, so thank you, Erika.

STEVE METALITZ: So that concludes the IPC portion, and we'll be glad -- unless there are further comments, we'll be glad to hand it over to our colleagues at the ISPs.

GREG SHATAN: This is Greg. I just want to make one very quick mention of another form of diversity which we need to improve our efforts on which is disability diversity, in terms of web accessibility of ICANN's own Web site, in terms of closed captioning and other elements that can be available for those with disabilities, low vision, motor disabilities, hearing disabilities, and the other -- and others. It's an important effort and also a matter of law in many countries. Thank you.

BRUCE TONKIN: Thanks, Greg. Good suggestions. So we have the ISPs next, is it?

MARKUS KUMMER: So thank you, Bruce. So the ISPs are sitting beside this great wall of the IPC here so we are visible here from that side. My name is Wolf-Ulrich Knoben. I'm the vice chair of this constituency, and I'm glad to -- I'll introduce the topics have towards the Board. But if I may -- but before I do that, it would be also helpful, I think, just to brief the Board briefly on that

achievement we have so far in our constituency, showing that we are contributing to this community as well.

So just in brief, as other communities, they are busy on finding consensus and finding -- the final consensus on the IANA transition and the approval of the accountability issues. That's what we are doing as well. But I can say so far that we -- in our constituencies, so we are -- we have achieved a consensus to be in favor for the whole package of what is -- what is at the table. So also, we know as a member -- being a member of the GNSO that we accept the complicated process has to be taken by the GNSO, meaning that the voting shall not be that easy in this way. But we are doing our best to succeed and to help the GNSO as well to succeed in this respect.

There's one point, another example is, just to raise a specific item we are dealing with is this universal acceptance where my colleague to the left is very much engaged here in the universal acceptance steering committee here. And so far this committee and this activity has reached already almost the complete -- completion of the CTO guide with regards to universal acceptance, which is a very big step. And this guide can be deployed and can be used as a -- as an asset for the technical community about to help them with regards to universal acceptance.

So there is thanks then to the Board that there is ongoing support for this activity, and we hope this is really continuing in the future because that is on the long-term approach that we are -- we are accompanying.

So now, coming to the -- to the Board's items we'll talk about, the first one is with regard to the GNSO reform. And I make briefly -- may briefly highlight that we -- as our constituency took the opportunity to raise concerns, they stem from the current structure within the ccNSO and that these concerns have not been taken into consideration so far by the ongoing or by the review which has been undergone by the independent adviser at the time being. So we have also several time referred to our disappointment that this recent review failed to address what many of the part in the GNSO have phrased so far with regards to the structure or effectiveness of the GNSO. And we also pointed to examples where the stakeholder group, the commercial stakeholder group where we are part of had been unable to put forward a unified response on important aspects of the IANA stewardship and the accountability work because we are very disparate in some views of that. So we are not unified in having one view about the IANA transition and the accountability matters.

So this was all raised, and we were then also happy that at the last time in Dublin the Board approached us, the Board

members approached as well and came back with a response which was very helpful to us and invited us that we should strive forwards this process and these ideas to incorporate that and start an activity, if possible, that we start with that discussion within the GNSO.

So this activity, this initiative which was taken and was transferred then to the meeting we had in LA, the so-called intercessional meeting. And that, I have to refer, that was the first time that this diverse house, non-contracted parties house where the non-commercial ones and the commercial ones are bumped together in, has taken a topic that they start to discuss a problem bilaterally and think about how we can structure that discussion and find a way to do that.

So what we have done so far, that was the first -- the first outcome of that is we are thinking about well, that's a common working team or working group is going to establish within that house to talk about these different issues with regards to a new structuring of not only that house but the GNSO in total.

So as usual, while it takes time, we are starting this talking about the chartering process of this and what are the major issues which have to be taken into account is that we need in future a clear distinction of the various interests on constituency level in the new structure. This is to some extent -- and this came to us

very often when we had talks to the Board -- that they are seen as just one group. Even just one commercial group or to some extent from some Board members they are just looking at the GNSO and seeing just as the GNSO Council and that's all. But the whole work and the whole interests are represented on constituency level.

So that is what we are focusing on, and we would like to have ongoing support of the Board and also making the Board -- would like to make the Board aware of this activity and aware of the target where we are looking for.

In the context of this discussion, the diversity aspects are essential also. You know, we had this discussion on GNSO level with you already on Sunday. You were asking us this question, how we deal with diversity in our different groups. And a major aspect of this is ICANN at the time being is doing a lot with regards to outreach which is the basis to improve diversity, but outreach in that sense that you are going more or less inviting people to the meetings here, coming here and looking what is going on at these meetings.

So we are -- and I think all the colleagues of the other constituencies of the commercial stakeholder groups, we are of the opinion that an outreach going to the places where the interests are represented themselves is essential and therefore,

we need support as well. That means we started activities going to some conferences by ourselves where representatives of the -- of our interests from the ISPs are very liberal and sharing information about the issues here. So from that point of view, we need and we would like also to ask for support in this respect.

With regards to the diversity and the other aspects, so this is for us the very first step. You know, we cannot go a step when first we're looking for more gender diversity at first, so we're looking -- reaching out that we get more female applicants or more female applications or constituency rather than we see it more -- a better way to go for a geographical diversity and we are of the opinion that the other diversity is then going to be better improved as well, so in context with that.

So this is so far to the first topic, just to set here the question for the discussion, and the major question is ongoing support of the Board and the question then is with regards to the distinction of the various interests within the commercial stakeholder group.

MARKUS KUMMER: Well, thank, Wolf-Ulrich, for this fairly comprehensive summary. And also first, congratulation on the progress achieved on universal acceptance. This is an important issue, and as you

know, the Board is fully supportive of these efforts. It is important.

As regards the GNSO reform, you correctly rendered the whole history of this discussion. I think it started last year at the NCPH intercessional in Washington. You wrote to the Board that was dealt with what is now the organizational effectiveness committee, then it was called structural improvements, and the Board's reaction has always been consistent. If you do have a problem, we're willing to support it, but we don't want to impose any solution. I think part of the -- the dissatisfaction with the present structure stems from that, that it was seen as an imposed, top-down solution. So this discussion has been ongoing and I was also in LA and you rightly, I think, can be proud of the fact that you actually have started the process to deal with this. As we said, the Board supports this process. Maybe we have to discuss more what exactly also that means in practical terms, like making rooms available at meetings and so on, but that's the nitty-gritty we can sort out with staff and with you.

You have raised some other questions regards outreach. They may be -- necessitate more further reflection and discussion. And again, the diversity aspect of that, yes, that will be part of Work Stream 2 and we will have the opportunity to look into this more in depth, what can be taken up and what not. And up to --

there's also you hinted that you would like, also, more support which then has financial implications. That we also need to look in framework of budget, budgetary planning. That obviously these are issues we have to discuss and we have to reflect on and we cannot react on the fly on those. But rest assured, the Board is supportive of your efforts and the increase in enhanced diversity, as was also brought up by the IPC, is something that is important. But it is not that easy to achieve. And I think we also discussed -- I think it was last year at the intersessional of the NCPH there were separate meetings on having mentoring onboarding efforts. I'm sure more can be done but they don't just happen. I think we really need to assess what is effective, what is needed, and what can be done. But maybe my Board colleagues would like to add to that. That's all I have to say. Rinalia is standing behind the microphone.

RINALIA ABDUL RAHIM: Thank you, Markus. Rinalia Abdul Rahim, for the record. Universal acceptance, fully following that. You're doing good progress. Please continue.

On GNSO reform, I remember the discussion in Dublin, and as a follow-up of that, there is a placeholder for a discussion tomorrow, Wednesday afternoon, called birds of a feather. It is actually a safe space for the GNSO community and others who

are interested to come and share ideas about what you need. What is needed to reform. And, you know, no pressure. It's just discussion amongst you. And the space is created, and if you need more such support, please let me -- please let us know and we will do what we can. So thank you. And do -- and the organizational effectiveness committee is looking forward to receiving the report from the GNSO working party and the GNSO Council on the recommendations made by the independent examiner, and there is a process for dealing with that. And if you think that certain work was not addressed or out of scope and needs to be addressed, please give that feedback along with that report, and the Board and the committee will factor that in our discussions and deliberation. Thank you.

WOLF-ULRICH KNOBEN: Thanks, Markus. Before I -- and thanks, Rinalia. Before I hand over to him briefly, just a comment on this session tomorrow, isn't it? So -- because there was some confusion, you know, in the community, not only in our community, also in other communities, what is it about, you know, nobody really -- because it was not very detailed described about that.

So it would be, I think, of great help, well, to make that aware from the beginning that this is just an open forum, nothing else. So -- because the question is, I think we are not in a status, well,

to talk about any consequences to be drawn from that tomorrow, so if that helps the community and you, just with regard to some ideas, that could be one step, but please do not sideline or sidestep, you know, our activities we are just taking and starting, as well, within the noncommercial -- non-contracted parties house. So -- and it may be we have to incorporate others as well, so this will come out from the -- elaborating on the project.

So that is my -- my request. Thanks. But --

CHRISTIAN DAWSON: I have, very quick, three comments on all three of the threads that we're now maintaining simultaneously, which is impressive.

Very quickly, I appreciate the thanks that we received for the work on the universal acceptance. That thanks should go to the entire community, and I want to specifically thank ICANN -- the ICANN board for their support, but also ICANN staff and in particular Ashwin Rangan for his efforts in leading ICANN's efforts on universal acceptance and we're hoping you -- that case -- that the case studies that will follow on the work that you have done will help our efforts tremendously.

With regards to the work that we have done in NCPH to start conversations, I believe that the conversations are in the early

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formative stages and the first things we need to do, honestly, are around framing up exactly what we want to call this. And that may sound silly, but we don't want to a call it a working group because it's not a working group. It is a group of people that are talking about issues that will ultimately lead us down a path of action.

We want to, however, have clear objectives and we do have clear objectives written out of what we want to accomplish. So we don't want to just make it a talking club. We want to have some structure on it. But simply finding a name that's appropriate has been difficult, and if there are recommendations there, we would love to hear them.

The last thing when we're talking about diversity, there's one area that I would actually like the board to take into consideration that will assist us in that effort.

The CROPP program is great and we're using the CROPP program to assist us with increasing our membership. However, you have to do it within region. And the problem there is each -- each constituency only has a certain number of active members that are willing to donate their time in each region, and when your region -- when you're low on region support, finding the one person who's willing to do your support in the region is difficult.

WOLF-ULRICH KNOBEN: So thank you.

Can we go to the second item? I wouldn't like to shorten the time for my colleagues from BC.

Well, the second item is more related to implementation rather than Work Stream 1 but I refer in this respect to Malcolm, please.

MALCOLM HUTTY: Thank you, Wolf-Ulrich. Malcolm Hutty, for the record.

This is a question really concerning the implementation phase of the accountability reforms proposed by the cross-community working group. We are looking -- we have -- I recognize at this point that we have not yet had formal community approval for the -- from all the chartering organizations for this report but we've had approval from some of them and we expect and are looking forward to more that we are anticipating tomorrow.

After that, the board will also have to receive it and to give its approval, but the board has already given a strong -- very strong statement of commitment to implementing what the cross-community working group comes up with in advance of its

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having come up with it, subject to some specific criteria that it mentioned.

So I'm looking -- but I'm looking far past that. I'm looking forwards and the -- and what we have is the hope and the steadily mounting confidence that by the end of this week we will have the entire community united in support of this proposal -- proposed reforms, including the board.

So my question relates to what happens next.

Now, the accountability reform proposals are connected with the transition proposal, in that good chunks of the community have said that transition requires -- their support for transition requires implementation of the accountability reforms.

But the converse, that's another matter.

These are proposals from the community for reforms of certain aspects of the ICANN rules. Now, within the ISPCP, we support these proposals, we supported this process, and we support the outcome, and we are hopeful that the entire community will get behind it, including the board.

And we are looking forward to then moving into implementation as soon as can readily and practically be achieved.

But as the board passes these proposals as part of the transition package to NTIA, the transition package moves into a phase which is slightly outside the control of this community. It's in a political phase where it's considered by NTIA. And as Larry Strickling said at the beginning of this week, it will also be given keen attention by the U.S. Congress.

And to some extent, at that point this is beyond the community's control. At that point it is in a phase where others are -- have a degree of control over it.

So while we are very hopeful and have every confidence expectation that all of this will proceed smoothly and without any undue or unforeseen delay, there must be the possibility that we need to consider that during the political phase there might be something that flew up or some delay that was caused for some political reason.

My question, therefore, relates to how the board intends to treat the implementation of the proposed accountability reforms, in the event that there were some unforeseen delay or other bump in the road for the transition proposal and the transition thing.

It is our hope, in the ISPCP, that the board sees this as something -- sees these reforms as something asked for by the entire community, that the entire community will then have given its support to, and that the board supports as well, and it

will therefore remain committed to implementation of these reforms as soon as they reasonably can be received and would not see any unforeseen delay in transition as reason for suspending or otherwise introducing some delay into the accountability reforms.

But my question is: Does the board agree with us on that? Does the board make that commitment?

BRUCE TONKIN: So Malcolm, let me perhaps set out a little bit of a timetable, to give you some context there.

So it's actually a little bit the reverse. We are going to be hitting the accelerator pedal.

So we have one month to get the bylaws done, and they will be posted for public comment probably -- you know, for the normal public comment period, and the intent is that we would approve those bylaws by late May, early June. So that's the bylaws done.

The NTIA will do its report, and it's likely that it will produce its report by about mid-June. And that will essentially say, "Yes, the NTIA is okay."

We then have until -- we then need to provide a report to the NTIA by about mid-August which basically says, "Not only have

we passed the bylaws, but we've actually implemented a number of the pieces that need to be done."

So for example, we would have implemented the PTI legal structure. We would have formed various -- you know, we would set up the IRP panels. You know, so there's a whole -- whole bunch of moving parts.

So by mid-August, we'll be providing a report to the NTIA to say that these implementation items are done.

And then that will allow the NTIA essentially to not renew the agreement. In other words, the agreement will expire and the transition will have happened.

Contingencies around that. If we have not completed the -- all the implementations by mid-August, then we could ask for an extension and the NTIA would, at their choice, decide, you know, would they want to extend beyond September. You know, they might give us an extra month. Or we may simply say in our August report that, you know, we need a couple of weeks extra to finish the implementation but the September date can go ahead.

So the plan is basically get the bylaws done by late May, early June; get the implementation done by early August; and then we're done.

Contingencies around that, we can ask for an extension. Another contingency is that the political process decides not to go forward with the extension -- sorry, the political process decides not to go forward with the transition, in which case the bylaws will already be in place. Then we just need to see whether we want to change the terms of the -- of the contract with the NTIA or whether we keep the current contract and need to change some of the terms in the different agreements that we would have with the regional Internet registries or with IETF, et cetera.

So that's kind of it in a nutshell.

But we are going to be delaying. We are going to be -- try to get this done as fast as we possibly can.

MALCOLM HUTTY: Thank you. That's very helpful and really what I was hoping to hear.

If I may just repeat back to you a couple of key elements of that, to check that I've correctly understood.

Even in the event that there were some political problem with the transition, it is your intention that we will have implemented the bylaws changes, that the accountability reforms are done and that we will have implemented the other aspects and that

any -- any political impediment to transition will not prevent the implementation of those bylaws reforms.

BRUCE TONKIN: So the only caveat that -- in that case, Malcolm, is if the NTIA wished to continue its agreement, we would just need to make sure that any changes were not in conflict with that agreement, which really doesn't involve much in the way of any of the accountability work that --

MALCOLM HUTTY: No.

BRUCE TONKIN: -- you've been involved in, but it may involve some SLAs because there is some process things that are in that contract, so --

MALCOLM HUTTY: Understood. But you're limiting that to, to the extent that it was in conflict with the agreements?

BRUCE TONKIN: Correct.

MALCOLM HUTTY: Thank you very much. I must say we are very heartened by that response.

BRUCE TONKIN: Cherine?

CHERINE CHALABY: So I'd like to add to what Bruce is saying. I mean, basically on the accountability reforms, I think the train has left the station. And the reason for that is the community has come to an agreement. I mean, if the community did not come to an agreement, it would be a different thing.

So I think they are good accountability measures and we're committed to go forward with it, even if there are political positions and such.

So subject to some of the caveats that Bruce has done, we're all in support of that.

MALCOLM HUTTY: In closing, I'd just make one final personal comment, if I may.

I know that the community has put a lot of work into this process. It has been an enormous achievement for the whole community to have come together in this way. But I also noticed that many board members have spent a lot of time personally

constructively engaging with the CCWG and I'd like to, you know, take this opportunity to give our thanks for that.

[Applause]

WOLF-ULRICH KNOBEN: So I have to thank as well from our constituency.

And just to add, so my last question is if there would be a chance that the board could do a statement, a similar statement, at the public forum in this regard, that would be very, very helpful. Thank you.

BRUCE TONKIN: Yeah. So my only caveat on that -- trying not to have too many caveats, but -- we also need to respect that there is a political process underway, in addition to our work, and we just need to be careful that we're not being presumptuous in trying to suddenly say, "Well, we don't actually care what you think, we're just going to do everything anyway."

So messaging at the moment is just at a bit of a knife point. But, you know, certainly for your community, I'm more than happy to, you know, convey what we've discussed.

WOLF-ULRICH KNOBEN: Okay. Handing over to the BC.

Thank you.

CHRIS WILSON: Thank you very much. My name is Chris Wilson. I'm chair of the business constituency. I'm joined by some, no doubt, familiar faces to the board. Our policy chair, Steve DelBianco; our outreach chair, Jimson Olufuye; and Denise Michel from Facebook who is a very active member of our constituency.

I guess there's a blessing and a curse for going last, in that we have opportunity to speak on our own issues but perhaps respond briefly to things that have been raised as well.

So let me quickly just do that before we turn to our two core issues, and also, I want to address the questions the board has posed to us regarding diversity and CCWG accountability.

I first just want to echo Wolf-Ulrich's point regarding the birds of a feather session, and want to make it clear that, you know, the -- the stages of GNSO reform are -- from our perspective, are still in the -- to borrow from the discussions of babies earlier, in the infant stage.

This is -- we had a healthy conversation at the non-contracting party house intersessional just about a month ago. That's where a lot of this was -- was -- the initial work here was born, and we don't want to get ahead of that.

And so to the extent that we've got a commitment, this is just a -- really just an open forum. That's wonderful. But we don't want to get -- get -- get -- get too far ahead of what we're trying -- trying to accomplish there. So just wanted to say that.

Secondly, quickly, following up on some of the discussion from the IPC on -- with regard to public comment, public comment period, one quick issue from the BC's perspective, the BC has filed over 40 public comments this past calendar year. By far, more than any other stakeholder group or constituency within ICANN.

That's, in no small part, due to the hard work of Steve to my right, but also because the members of the constituency care deeply about many of the policy issues that are -- that are coming across the transom.

And we would hope and we're so very thankful, obviously, for this opportunity right here and have many board members, both in the audience and here at the table to listen to us.

We want to reiterate the -- we -- the desire and the hope that the board will also take seriously our public comments that are filed, because a great deal of work and time goes into them and at times I think we feel that we -- we may be -- we may be heard but not necessarily listened to, if that makes -- if that makes sense.

So I just wanted to make that point for all, and then -- because considering the earlier comments, I think it would be -- just dovetail on.

And Bruce, if you want to quickly -- I'm happy to let you comment, if you want, on that quickly before I move on. If not...

BRUCE TONKIN: I think I'd just comment that when the board does have a policy matter coming up before it for decision -- because most of the policy work is done within the GNSO and you make recommendations to the board, so we're assuming that what's come from the GNSO has actually had your input.

But if you think that there is something that's coming as a policy recommendation to the board that you're really concerned about, then this is the ideal forum to bring it up.

CHRIS WILSON: I just want to make clear, this is not just a GNSO-related -- I mean, this covers a wider range of things. And, certainly, I just -- we just wanted to make the point that we spend a great deal of time and effort on this and hope that future consideration will be taken when those comments are filed.

And we expect we will be just as active in 2016 as we were in 2015. So I'll just simply leave it at that.

Perhaps we will make a quick return to the two questions that were posed to us on the -- Steve, just very quickly just give a brief answer with regard to the BC's position on the accountability proposal. And then Jimson just for a minute to just quickly tell the board how we are -- how we are doing on outreach.

Steve, quickly.

STEVE DelBIANCO: Thank you, Chris.

The business constituency is prepared to support enthusiastically the proposal for accountability, and we'll also dedicate our efforts to be as active as we can on the implementation of bylaws and the proposal and also on work stream 2 where we're going to try to draw more volunteers from the volunteer-fatigued community in the BC because there are many important threads in work stream 2 that deserve attention despite the exhaustion I think we will all have to acknowledge at the end of this week. But thank you for your attention to that, and look forward to moving ahead.

CHRIS WILSON: Jimson, please.

JIMSON OLUFUYE: Thank you, Chris. My name is Jimson Olufuye, a vice chair for finance and operation of the business constituency. I represent Africa's -- the alliance in BC.

Well, we want to talk about outreach diversity. Actually, they interchange, they interlink. We want to invite the board to review the BC report. We have report on outreach in English and French. We have physical here and also on our Web site.

After the Dublin public forum where I talked about budget restraint we experienced on FY16 outreach, BC received a positive signal that the board is taking this issue seriously and there will be improvement in FY17. So we look forward to that improvement.

After reaching out and they want to come, there are some challenges I want the board to be aware of. Like, for this meeting, we have two business people that would have been here as part of our leadership engagement that could not make it because of visa restraint or constraint. So I want to suggest that we need to improve on the process of getting those letters out and have a means of tracking that those that register do get

invited or are on the list of names sent to host country embassies.

I would like to quickly comment on the ISPC comment on the CROPP. That is Christian.

I support your comment in that it would be good for the CROPP not to be restricted to a region. It could be made to also affect other regions.

Then, lastly, I would like to commend ICANN on the mentorship program you started. And I think this should be sustained. Thank you.

MARKUS KUMMER: Thank you both, Steve and Jimson, for your comments. They have been taken note -- we have taken due note of them, and we are aware of visa continuous headache. And I think staff is also looking into ways of making sure that this is a smoother process. But this is to large extent outside ICANN's control. But staff can help, of course, facilitate the obtention of visas.

In the interest of time -- we don't have much time left. I think we will not go deep into details. But we really have listened to it with great sympathy to your comment, and we will look into this. Thanks.

CHRIS WILSON: Thank you, Markus. Appreciate that.

So in the remaining time, perhaps we'll turn to our two issues. One deals with the RSEP, and then the second is trusted notifier agreements. But really, in reality, we are looking for sort of maybe a general quick dialogue on the healthy domains initiative and get the board's perspective on that.

Let me first turn to RSEP data gathering. The business constituency sees a compelling need for assessing the RSEP. For those that don't know, RSEP is the registry services evaluation policy.

We would ideally like ICANN to hire a consultant to do some basic data gathering and analysis and provide the entire ICANN community with a straightforward report about what's happened with this program since its inception. As we know, the program is about a decade old. It's grown, if you will, over time. I think in 2006 -- there were four RSEP applications filed. In 2016 -- in the first two months of 2016, there have been at least nine applications filed. So we see an evolution taking place.

In terms of the type of data, we're looking at frequency, the type, the results of applications, thinking about evaluations, the types and results.

And then maybe looking at what kind of public comments were filed in regard to the applications, the number, the source, et cetera. These are just sort of illustrative examples of what we think would be helpful for the community to get a little more transparency into the RSEP process.

So, yeah, let me just lay that groundwork there. And then I'll be happy to turn to Denise Michel who can provide maybe even more color for the board in this regard.

So, Denise?

DENISE MICHEL: Thanks. So we think this data gathering and analysis is particularly critical now given the exponential increase in the number of gTLD registries as well as the exponential increase in the number of RSEPs that have been posted for public comment and execution.

When the program first started, there were -- in the first year, there were four RSEPs in the entire year. There's been nine in just -- nine RSEP requests in just the first two months of 2016, and we're expecting significant additional numbers.

So we'd like the board to quickly assign an expert, you know, researcher, to provide really just a basic data gathering and analysis, post that information so we can have a better

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understanding of how the program has been functioning, how the community has been engaged, how the evaluation panels have been working. I think it's a really important foundation to understand how this important program has been used. Thank you.

BRUCE TONKIN: Thanks, Denise. Perhaps we can have Cyrus to just comment on the RSEP process that we're using.

Certainly, I think the fact that we're getting more RSEP requests can also be a sign of innovation, which is kind of what we're expecting with new gTLDs. So we actually want people doing new things, and really our role is just to make sure that those new things don't cause competition or security issues.

CYRUS NAMAZI: Thank you, Bruce. This is Cyrus Namazi. Thank you, Denise and Chris.

So the RSEP, as you most likely know, is a consensus policy process. And to that end, we have implemented it within ICANN. And it entails really pretty much any new service that a registry would like to implement. We have a narrow definition of it, and we drive it through the RSEP process.

So the RSEP really has three components to it in terms of the evaluation of it. One is really technical, which has to do with security and stability, and the other one has to do with competition-related issues. The staff actually does the analysis for all three of these components.

If we deem it to be technically of a complex nature, then we invoke what's called RSTEP. So that's the technical panel that we have also as a part of the consensus policy. And we run it through the RSTEP process. External consultants are used for this. They provide a report that's posted publicly. So that's sort of the technical track.

If we deem that it's not technically complex enough with issues that needs for consulting, then typically we converse with the request provided at the registry. And then sometimes they make changes to their request to satisfy our requirements and then go ahead and approve that track of it.

And then there is the competition element of it. And if we deem that the request actually raises competition issues, then we refer it to competition authorities in the jurisdiction that they operate. So that's, basically -- the program actually is well-defined. The process is posted on the RSEP page, the SLAs that we have for it, the number of days for each step of it. And as you

mentioned, there is actually a summary table of all the RSEPs that are in the pipeline or have been approved to date.

DENISE MICHEL: Thank you for that. The business constituency is well aware of the RSEP program, its scope, and how it operates. What we've asked for since it's been underway for ten years now with no assessment whatsoever, we simply want an expert analysis and data gathering of the RSEP program that has been carried out for the last ten years. So this isn't a commentary on the RSEP.

Really, all we're asking is for a very simple data gathering analysis and a publication of that information so we can be better informed in thinking about how effective the RSEP program is and whether any changes might be needed in the future.

I think this is particularly important given an enormous change that we've seen in the registry space and the number of RSEP proposals that have been posed. The business constituency is one of the very few groups that has actually consistently provided input on almost all of the RSEP applications. But if you look at the public comment forum, you will see that very few groups in the community seem to have the time and ability to provide comments. The ability of the community to be engaged

in this process that is intended to have community engagement is just one of many questions that's raised.

Again, this is not a commentary on the RSEP program. We're simply asking for some basic data to be provided to the community at this point. Thank you.

STEVE CROCKER: Let me ask. Collecting data per se isn't enough. It's got to fit into some sort of framework. So there must be some questions there. Do you have -- I mean, you worked very long and well inside of ICANN doing lots of kinds of evaluation processes. So I can imagine that you could probably jot down a basic framework for the kinds of questions to be asked and explored that you have in mind underneath the basic rubric of collect some data to do an analysis.

DENISE MICHEL: Thank you, Steve. Yes, the BC actually has just an initial top-of-the-head set of questions. We think any expert researcher could quickly develop these, but we would be happy to send them to you.

BRUCE TONKIN: Just putting orders of magnitude on this, Cyrus, how many RSEPs in total that have ever been filed?

CYRUS NAMAZI: I don't have that number off the top of my head, but I can look it up and send it to you.

BRUCE TONKIN: It's probably rather order of ten rather than order of a hundred, isn't it?

CYRUS NAMAZI: In what time frame are you asking?

BRUCE TONKIN: Ever. Well, maybe Denise knows.

CYRUS NAMAZI: I mean, Denise is right --

DENISE MICHEL: There's ten in January and February of 2016. Ten.

BRUCE TONKIN: How many in total forever?

CYRUS NAMAZI: I would say forever would be closer to 100.

BRUCE TONKIN: There is a hundred, is there?

CYRUS NAMAZI: She's right. The volume has gone up because, well, we have a lot of registries and such.

BRUCE TONKIN: So we're saying there's a hundred because the last RSEP applications are published. So the documentation is public. But you would just like the staff to summarize the key metrics that you would like defined. Yeah.

CYRUS NAMAZI: We can do that.

RAM MOHAN: This is Ram from the board, also with a registry. I think there are a couple of things that I would like to explore a little bit more. Perhaps the BC has a hypothesis or a set of hypotheses that you are trying to explore.

I worry about just collecting data and then trying to arrive at conclusions from that data. I think it's useful to also look at whether there are hypotheses and then look at does data support or not support this hypothesis.

From the registry side, for example, as a registry operator, one of the things that I'm concerned about -- and the registries have expressed that concern to staff -- has been in some cases because the only way to make changes -- essential changes to what a registry does is via an RSEP. Even small things result in requiring a RSEP.

And the worry about scale when you have thousands of registries or thousands of applications, how do you scale and how do you get to streamlining?

I think that came up in the area of IDNs. And I think staff actually came up with a good way to arrive at some streamlining there. But I particularly want to ask a question on: Are there some sets of hypotheses that you have? And from that, we can look at the data in an useful way perhaps.

I worry about just data and then publishing it because then I worry again it's going to be there and nobody is going to see what that means.

DENISE MICHEL: Yes, thank you. No, we don't have hypotheses.

What we're asking for is, again, just really basic data. Bruce asked how many RSEPs have been posted in the last ten years. How many each year? What type of RSEP? What type of RSEP were they? What type of technical or competitive evaluations were carried out on each of the RSEPs? How many public comments were filed for each one? What were the source of those public comments? What happened to those public comments? I mean really basic data.

We have no particular agenda. We don't have hypotheses. We have not discussed any changes to the RSEP. We simply see that this has been going on for ten years. No one has ever assessed it. We don't have any data, even the most rudimentary data on this program.

Really at this point, all we are asking for is just really basic information about what's occurred over the last ten years.

I fully take your point and the whole rationale and reasoning behind the RSEP. I'm not at all taking any issue with that. We simply want to have more insight in what has occurred in this program over the last ten years.

RAM MOHAN: Great. Thank you.

MARKUS KUMMER: That seems a reasonable request.

I'm afraid our time management was not very good. And you are at the end. You were given the last slot. And now people seem to have commitments and wandering off for lunch. So I wonder whether we can actually come to closure now of the meeting or do you have any other urgent questions you would like to ask? Once again, my apologies.

CHRIS WILSON: I'm the last person that wants to get between anyone and lunch or another meeting. So that's fine. Thank you for your time. We are happy to talk to you further offline when the time comes. Thank you very much.

MARKUS KUMMER: Thank you very much. Thank you.

[Applause]

[END OF TRANSCRIPTION]