

**Transcription ICANN London
ISPCP
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Tony Holmes: So, apologies for being a little bit delayed. We had to clear this very hot room from the previous meeting, the luncheon meeting.

But welcome, everybody. This is the ISP and Connectivity Providers Constituency meeting. And as I mentioned, if people want to move up to the table that's also fine. So welcome to people, in particular, who haven't attended the ISP meetings before.

So just to make everyone aware of the agenda if we can just step on we've got quite a full agenda here. There's obviously a lot happening that impacts ISPs and we're trying to segregate this meeting space. It's due to finish up at 4:30 so that we can cram all this stuff in.

The intent is that we will have some substantial discussions on these items that will enable us as a constituency to understand where we are with the particular subject and what we need to do to advance it once we leave this particular meeting.

So just a quick word about the constituency as it is today. It's open to membership from all ISPs and connectivity providers spread across the globe and also organizations who represent those bodies as well so you don't actually have to be an ISP but if you come from a body that has involvement of ISPs and connectivity providers then you certainly qualify for membership.

We're part of the Commercial Stakeholder Group where we have some common business interests together so we meet during ICANN meetings and outside of ICANN meetings with our partners in the Business Constituency and the Intellectual Property Constituency.

We actively engage in all of the GNSO policy debates. We have two seats on the GNSO Council. But we come at from a slightly different perspective to some of our partners. Our prime concerns are always around the security and stability of the Internet. So some of the things we'll talk about this afternoon they are being talked about within the other constituencies but they do come at it from a slightly different perspective to what we do.

So there's a sheet being passed around for people to write their details on. Please indicate if you are a member or not. And even more importantly if you would like to follow up and joined a constituency or even have a dialogue about that then please leave a business card and we'll be please to get back to you on that.

So with that if we can move on to the agenda. I mentioned we're going to cover off those particular aspects that were listed but more importantly here we mustn't miss some of the things we are actively involved in here that we are already engaged in and we need to catch up where we are with each of the issues.

So...

((Crosstalk))

Tony Holmes: ...if we go back to the agenda we're going to start with the issue of name collisions. And for that I'll hand over to Christian here to lead us through, bring us up to date where we are, look at what's happened since we last met together as a group and also since we last had our calls which obviously

cover this - this is such an important item for ISPs. So, Christian, the floor is yours.

Christian Dawson: Thank you very much Tony. I appreciate it. I'm Christian Dawson. Trying to also simultaneously fill the technical role here once held by Mikey O'Connor - big shoes there.

And so I'm going to be bringing us up to speed a little bit on what's happening with that name collisions and hopefully Akinori can help fill in any gaps that I may leave.

If you want to know what has happened up until the last couple of weeks you can go ahead and read the document that I put together for this. Hopefully everybody has a copy of this wonderful brochures that Anthony put together for us.

If anybody doesn't have one we've got a stack of them here. But it gives you a background up until about two weeks ago on what's been happening with name collisions.

The JAS Advisors put out their report - their final report on about - about two weeks ago. And we have seen the prior report before our last meeting in Singapore - and in Singapore we had taken a number of notes that we used to form our opinions - our response which we issued a few days after Singapore. Those were responded to as well as other comments and this is the final report.

The difference is that we are going to find from the reports that we saw before to the final report are that now they're asking for dotMail to be held back in addition to dotCorp and dotHome, they're going to the IETF for that. They're also asking the IETF for assistance in developing an IPv6 strategy around name collisions.

They've shortened the recommended controlled Interruption period to 90 days. Now we get into something that up until yesterday's meeting I thought that was going to be a very important topic for today.

The SSAC came back and they disliked the JAS Advisors' opinions on what it is they wanted to do around internal address - using an internal address as a method of controlled interruption.

And they proposed an alternative, a honeypot alternative. After a number of discussions we found out at yesterday's meeting that there isn't a good deal of support for the honeypot option and that it doesn't look like a viable path forward.

I felt as though if that was going to be something that was going to be hotly contested the ISPs were going to need to weigh in on this issue because the method of controlled interruption is something that is going to be on our network, it's going to be dealt with by our customers. Our customers are going to be saying, "What is this that's happening to my systems?"

Now that it looks like the internal address path is the path forward and we are not going to be considering the SSAC's alternative honeypot direction it sounds as though it's something we don't need to comment on.

I think that we can, just for the sake of moving things forward and opening it up to questions, we can jump to my recommended next steps here. The thing about the JAS Advisors' report is that it doesn't open up a new comment period. It is a final product.

We were hoping that the final product would be truly final, it's not. This is Part 1 of a two part report. The second part is being held back for some of the same reasons that we talked about in our last meeting. They are still waiting on - they've uncovered some information that they want to handle internally

within the name systems, the name server systems, before they can release to the public what they found.

So we are going to see a second report that further documents what it is they've seen. They're basically going to show us their notes in the coming months; they're not ready to do that yet.

But we can feel very confident I think that we have a technical solution that may be good enough to move forward. My belief is that we are not going to know until we start.

As long as we have an effective feedback strategy for name collisions so that we can determine how effective the controlled interruption strategy is and get better over time we can go ahead and say - go ahead and begin implementation; let's not slow down this process anymore and let's go ahead and get started. Let's gather data and make it a better process over time.

My belief is that going ahead and saying, begin implementation, is not - lobbying for beginning implementation is not - is an effective step forward. However, we also need to pressure ICANN to step up their work on outreach.

I feel like outreach has been an effort that has mostly happened within circles that are already familiar with ICANN, within technically proficient circles. I think that the people that need to know the potential - what potential is going on here are the system administrators, the network operations center admins who aren't necessarily inside ICANN circles.

And finding ways to get to them is an important next step of the strategy. If it were up to me there would be banner ads across the Internet on technical support sites talking about controlled interruption and talking about the internal address system and basically explaining what's going on.

I think that's where we stand and what it is we need to do moving forward.
Akinori, do you have anything you'd like to add?

Akinori Maemura: Thank you very much. This is Akinori Maemura (unintelligible) and in the technical side and what ICANN is now doing is pretty much covered by Christian. And then I - you know, the (unintelligible) within ICANN is (unintelligible) still moving. They are now in the process to have that - at this phase around just report to be approved by the NG, what I say, New gTLD Program Committee of the Board when we still need to write something about (unintelligible).

As Christian said we - if we had - if you - as we have something to do right now we can do right now then (one) the way forward is to do that. That will be a good idea, yes?

Christian Dawson: It seems to me that the end of yesterday's meeting that Cyrus Namazi was saying that even though there is no comment period there is still ample opportunity to lobby...

Akinori Maemura: Right. Yes.

Christian Dawson: ...ICANN for what needs to happen next.

Akinori Maemura: Yes, yes.

Christian Dawson: My firm belief is that - so in my company we have a saying that nothing is done until the people who need it done know it's done. And I feel as though our next step is to do our own outreach to the ISPs and to try and explain to them what is going on but to also ask ICANN to give us the materials with which to do it.

Akinori Maemura: Right.

Christian Dawson: So that we can explain this and we can lobby them to do as much explaining as they can outside of their circles and in ours.

Akinori Maemura: Right, and okay, another word from me. I have been pretty much involved in outreach activity within JPNIC and the - one of the problem in Japan is language and, you know, the - even the ICANN did a good job in doing outreach with a lot of study and material published. That is not really shared within Japan. JPNIC did some outreach program by ourself to have the additional report, which is within Japanese, to publish to the Japan market.

So I don't think the many people can understand Japanese but still you can have a glance by searching the JPNIC and the name collision then you can find - you can find our name collision page in the top (unintelligible) you can find we have some pretty - translation and have explanation of the name collision issues. That's one of the - please have a look at this as one of the case of that outreach effort.

If you - then for example you are from the Association of the ISPs then it might be informative as a way of the outreach then I'm really happy to answer your concern or question for that. Thanks.

Christian Dawson: The internal address, assuming that that moves forward, and it's very likely that the JAS Advisors report will move forward into action. The internal address being used is 127.0.53.53. I think that should be on banner ads and I think it should be on all our websites. It seems to make sense that we should do as much promotion of that as we can.

And it needs to be at the top of search results with practical answers to how to deal with issues that arise. I do have a fear that there will be people that step in to try to monetize 127.0.53.53. And we have to work on that.

Akinori Maemura: Yes, I'm not really sure how that, you know, 0.53.53 address solution will be working or will be accepted by the base of the community so I need some study on that. That is one very good idea.

Tony Holmes: Okay thanks. Just a couple of comments, Christian, and thank you for that. I think that was a really good overview. The other thing that I would like to say here is I'm well aware of the work you have done in JPNIC from this.

And I think the way you've tackled that and the level of information has been really excellent. So it's a really positive step. And I think we will probably need to refer to that and some of the other guidance when we do our outreach; it really has been helpful.

One of the questions I have - and I don't know whether, maybe Christian, you are able to answer this, but earlier in the week when GNSO Council had the session with the SSAC I asked a question about SSAC 66 and how that was being progressed because there was, as you quite rightly explained, that there was an issue that they felt their guidance wasn't being followed.

And the response I got back from Patrick, who isn't here, was that things were progressing to look in more detail to see how that work could be brought together. And I attended a session yesterday as well on name collisions. And one of the things that surprised me was that there was no talk about honeypot whatsoever.

I was expecting maybe - and maybe I've read too much into Patrick's remarks that maybe there was some reconsideration of that. And that doesn't appear to be the case. Were you aware that that had been totally ruled out before yesterday?

Christian Dawson: It was mentioned by Cyrus yesterday that it was something that ICANN had not put their - that they are putting their weight behind the JAS Advisor's report and not the SSAC report.

Tony Holmes: Right. So my follow on question then is when we do outreach, and obviously we need to do that in conjunction with ICANN, and you mentioned getting some support to help us do that. It's a really important element of this.

What is your view of referring to the actual SSAC report as well as the JAS issues that have been raised and the approach towards resolving this? Should we include that or should we not?

Christian Dawson: So the - the honeypot is a very interesting thing because the honeypot will theoretically provide better data but it is in many ways - I believe that the - it's riskier was my explanation. Better day but potentially riskier which is why I believe they were going - so far there hasn't been anybody but the SSAC who stepped in to support the honeypot. Of course that could be us.

Tony Holmes: Hence the question.

Christian Dawson: Yes, it's something that we need to, as an organization, understand better before we can decide how we want to advocate for or against. And that's something that I can do research on and get back to the constituency.

Tony Holmes: Okay so it isn't totally off our agenda now which was where I was sort of heading with the questions.

Christian Dawson: Okay, that's completely fair, yes.

Tony Holmes: Thanks. Wolf-Ulrich.

Wolf-Ulrich Knoblen: Yes, thank you. Wolf-Ulrich Knoblen, member of the ISPCP. I have a question, well, referring to the meeting yesterday and also from my understanding there was this procedural issue with regard to the commenting - the public comment period in these things. And you mentioned it was told that here might be opportunities enough to lobby the floor.

Christian Dawson: Yes.

Wolf-Ulrich Knochen: So I wonder what opportunities - what kind of opportunities these could be in case there is a necessity to refer back at first to the community and asking them question and then come back and then to the - to comment on. So I understood that the committee, well, the new gTLD committee or what their name is, they are going to have that on their agenda to decide upon and then that is over.

So I have my doubt. I wonder how the community input, communities which are not here, members of our associations and all these, could - this possible input could be referred to during that meeting on the floor by lobbying on the floor. That's my question. Rather than to - is it possible to - do you see a possibility that ICANN or the committee comes back and says, okay, well the case is too hot for us, let's go for a new public comment period.

Christian Dawson: So Cyrus's comments yesterday led me to believe that while this is being - before this is being considered that we had, through Cyrus, opportunity to lobby any comments that we wanted to be under consideration before this report was accepted could be directed through him.

I was thinking that we could come at this - from this meeting say, well let's take it as if it were a public comment period and let's send up a note saying we're going to take you up on your offer from the meeting and we're going to take our comments on the JAS report and tell you what we think is most important.

I was hoping to get material from the group in order to try and generate some of those comments. If that - if one of those comments is we really need another comment period on this, so be it.

So I think that we may need experts to give us more of an explanation of - my big problem right now is that I don't fully understand the honeypot. I do understand the internal control interruption strategy. I understand the - honeypots in general. The name is usually associated with security measures where an attacker is trapped unknowingly into a simulated version of a real environment.

In this present context it's been applied to the simulation of a collision but with a friendly environment so that an installed system at risk is notified of the impending delegation of a new gTLD. So in concept I understand that.

What I don't - haven't fully thought through is the implications of how in practice, in this particular context, it's going to be better or worse than the one that I have been familiar with now for months. And so given that lack of complete grasp of understanding of why the SSAC has decided that it's very difficult for me to give you guys today an - firm recommendation on how to move forward. And perhaps that's why - perhaps, you'll say, that means we need time for more comments.

Tony Holmes: Okay. I think there are a number of things that come out of this conversation. It's quite clear that as the ISP Constituency I think we need to get some comments back on the JAS report itself and that's obviously something we can't do here but we need to do quite quickly after the meeting.

I would also suggest, as part of that, we - on our next ISPCP conference call we have more dialogue with maybe one or two members of the SSAC around the honeypot issue. I think that would be really helpful because I'm similar to you, I'm just left trying to understand why it was cast aside in the way that it was. And I don't fully understand why that was now.

And that leaves us onto the third point which you did cover quite well and that was the need for outreach. So there's clearly three separate threats on that one. There's certainly a need that we need to put links in from our Website

pointing towards this issue and some of the measures that ISPs can put in place.

We will need to have some follow up help from ICANN as you quite clearly pointed out, Christian, in terms of doing more global outreach. And for instance I don't know, Malcolm, whether this has been an issue that's even gone down your (unintelligible) route as an example. But we need to get some information that we can get out through our organizations broadly across the globe and in South America and other places as well. So assembling that information we will need some backup from ICANN to do that.

And the third one, And probably just as important for everyone here who comes from an ISP or conductivity provider we need to make sure that the information that we've gathered here, particularly now that report is out, is disseminate it in our own organizations as well.

So clumps together there's quite a bit of work to do if we're going to stand up and make a difference here, which we obviously need to do. The very worst thing that can happen for ISPs is that we find - we've maybe got a slightly bigger problem than we anticipate today and it can't be ruled out. Nobody knows about it; nobody knows what actions to take.

And I think then they can justly point the finger at us for not standing up to this task and helping. So those three pieces of work really need to be taken care of. And I think part of it has to be following through may be on our next call which needs, as I say, to be fairly quick on this issue to try and make some ground on that.

Does anyone got any other particular points to raise more questions on this before we move on with the next agenda item? It is a big one for ISPs and one issue in ICANN that I think a lot of responsibility falls back on us.

Christian Dawson: Tony, I'm happy to try and draft something around those three points to try and get to Cyrus and - or to the group for consideration to send to Cyrus, and would be happy to talk to Patrick from the SSAC about pulling together - getting some (unintelligible) in our next meeting.

Tony Holmes: Brilliant. Thank you very much, appreciate that. Tony.

Tony Holmes I'd like to add that we - our constituency is working with ICANN on outreach activities. We have - we started this in the (LAC) Strategy group actually and we have three activities planned for Latin America, one is in Columbia at the end of September. We - I'm sorry, beginning of September.

We have another event where ICANN will actually have a booth and participate with speaking space which is the WITSA event in Guadalajara which is September 29 to October 1. The ICANN CEO will be there, Fadi Chehadé, and other people from ICANN.

And the ISPCP has - I believe it's a two hour slot to present any issues we feel are important. Since this will be a very highly attended event, it's the Information Technology Worldwide Association, I forget what the exact name is, but it is a huge event and it's an opportunity for us perhaps to present this type of issue to quite a large audience. And we can see how we can factor this into the other events.

The third event in Sao Paulo which is Futurecom we have (Eduardo Paraja) sitting here from (AberNET). And he has kindly offered to help us. I don't know if you want to make any comments, (Eduardo) on that?

(Eduardo Paraja): Yes, I spoke with (unintelligible) today and (unintelligible) also and they are trying to have a booth for ICANN at Futurecom and also we have probably (unintelligible) regarding DNS and new gTLDs at Futurecom. It is not confirmed yet. The problem is it will be the same week that's ICANN Los Angeles.

((Crosstalk))

(Eduardo Paraja): This is our issue right now. And I spoke with (Rodrigo) (unintelligible) maybe we can divide some people (unintelligible) and some people go to Los Angeles. We will decide in a few weeks I believe.

Tony Holmes: Thank you. Thank you for all your help with that as well. It is a pity that we have that clash but it's certainly an opportunity we shouldn't lose. Thank you.

((Crosstalk))

Man: (Unintelligible).

Tony Holmes: Okay so we're going to move on to that particular subject now.

((Crosstalk))

Tony Holmes: Okay, if you're quite happy there that's fine. It almost follows on by natural progression I think that - towards the next item. And again, it's a particular big one for ISPs because as I mentioned with name collisions if we don't stand up to help raise awareness of that and get the word out then it does impact our industry or has the potential to quite severely.

Universal acceptance of gTLDs is exactly the same point. And we have had experience of this before when the name space was expanded beyond the three-character set we found it was fine doing all the policy work, getting the new names out there.

But inherently it led to particular problems. Some of those were problems that were laid quite clearly at the door of software providers that use those different names.

Then again we haven't really been engaged in any outreach to try and spread the word to those organizations. And in fact there was no easy route. But again as ISPs when things go wrong with the network we are the people whose phones ring and we get the questions. We need to have the answers there. So this is really focused towards the universal acceptance of gTLDs to try and get some focus on some of those issues at this stage.

So who am I actually handing over to...

Ed Lewis: I'm on Adobe Connect, I'm showing him what they're seeing which is not...

((Crosstalk))

Ed Lewis: We're handling the display. I was going to look at mine and...

((Crosstalk))

Ed Lewis: I'll leave it there so...

Man: Make sure that that is working on Adobe Connect.

Ed Lewis: Yes, I'll leave that for you and...

((Crosstalk))

Ed Lewis: So my name is Ed Lewis for the transcript. I'm working for ICANN staff. And we've been working on universal acceptance. And I was asked to give me a 10 minute slides here and some discussion afterwards. We have a session coming up tomorrow which will be much longer.

And let me...

Man: I'm terribly sorry.

((Crosstalk))

Tony Holmes: Can I make a proposal?

((Crosstalk))

Tony Holmes: If I can just make a proposal? I'm aware now that we've been joined by the people who are going to help us with the IDN issue. So maybe this is a sign that we should tackle it in a different order.

((Crosstalk))

Tony Holmes: If everyone's okay, what we'll do is leave Christian to sort out the Adobe Connect and maybe move over to the issue of IDNs. So, Mark, if you could join us please? Please, have a seat.

Marc Blanchet: I'm sorry. We're good friends so.

Tony Holmes: Again, this whole issue of IDN variants it was on our agenda because, once again, there are certain aspects of this that are probably going to be specific to ISPs and ISPs interests. And we haven't paid enough attention to this. We're aware of some of the things that are happening.

But we haven't looked at it on what impact it actually has for our part of the Internet. And what I asked Marc to do was to come along, bring us up to speed with where we are in terms of the progress on variants and help us focus down on some of the issues we need to start talking about. So, Marc, over to you.

Marc Blanchet: Thank you. I haven't prepared slides; I was not sure exactly what you wanted to discuss about. So I'll do some talking and, you know, please ask any questions.

So we've been contacted from the LGR Integration Panel. So the LGR stands for Label Generation Rule so this is all keywords that says we're trying to define every code point and associated rules that will be in TLDs in the root zone so anything which is not ASCII or actually (unintelligible) to the ASCII we need to define so which Chinese characters, which Arabic characters are allowed in the TLD in the root zones.

So this is the major process that the IDN variant, you know, work is being done inside ICANN is to define all those code points. The way we are doing right now is there's a procedure that has been defined - it contains essentially two groups of people. One is the linguistic or, you know, people in each linguistic community, for example, the Chinese, the Japanese, the Korean, the Arabic, the (unintelligible) all those linguistic communities are actually looking into which code points they will propose to be in the root zone.

And then there is - what is called the Integration Panel which is composed of five people, I'm one of them, that will take all the input from the different linguistic committees and making sure that it's current and that there's no issue there then generate a file that destroys all the possible code points that will be possible within, you know, are locatable or for TLDs in the future. And that's called the LGR, the Label Generation Rule.

So that's the main thing that we're doing and that file is actually something that is documented in the IETF Internet draft, it's an XML file that describes - as not only just a list of code points but actually rules within it. And so obviously that has impacts on ISPs. But, you know, in some ways it doesn't and in some way it does so it depends so I'm - I actually here more for answering any of your questions than going into deep down into all this.

So, I don't know if I'm answering your request.

Tony Holmes: Well, we can get to the questions certainly, Marc. In terms of languages currently where are we in terms of the rollout of the work that you're doing?

Marc Blanchet: Okay, good question. So we - what I didn't say is the first outcome of the Integration Panel was to - so if you take a picture - a large - a larger circle is all the possible code points you can, you know, write using Unicode and so very large set of code points including, you know, space, for example, right?

Then smaller circle within that large circle is what we call PValid which is Protocol Valid. It come from the IETF definition on how to support IDNs so it's a smaller set of code points of characters, right?

Then the procedure that was defined for supporting IDNs into the root zone define a subset of this such as only the, you know, languages are currently in use. We don't want to interrupt, you know, (unintelligible) languages and stuff that are no use. For example, other considerations it should be only letters and stuff like that.

So a smaller set is, you know, based on that procedure. So the Integration Panel defined for 21 or, you know, 20 kind of languages that subset. It's called the Maximal Starting Repertoire. It has been on public comment like a month or so ago and closed and we actually issued the report of the summary of this.

So this is the set - the starting set of languages. What that means is only (unintelligible) which is we may add new languages as we go; it's not the fact that language is not in the initial set doesn't mean that it's excluded, it's just that we didn't have time to work on the, you know, the ones.

And that set includes all the languages that have been requested and applicants in the gTLD round so (unintelligible) all those thing that people are talking and considering about so.

Tony Holmes: Christian.

Christian Dawson: There are a number of reasons why I think this makes sense to track and follow from an ISP perspective some of them economic because obviously the more languages that we can make easily accessible on the Internet the more ISPs have ability to bring people online.

When I was in the GNSO Council meetings over the weekend and they updated us on IDN variants they were talking about how we can build all the tables we wanted and, you know, implementation is not ready. Do you know exactly what they were referring to - what is required to actually get these into the root?

Marc Blanchet: Okay so first point you said, does that impact ISP? Of course, yes. Being a consultant and having ISPs as customers I know that well. My first point at the beginning was more about which side of the ISPs because, you know, end-user support, DNS server cloud and all that stuff and all have a different perspective on the impact on IDN variants so.

So I'm not sure what you're referring to. You are probably referring to the fact that I said that there's a two-step process way or you start with that - the smaller circle of good points, right, to set of code points, then each linguistic community has to come and formed a group, an official group that is, you know, agreed on to work on the - their linguistic, you know, code points or scripts.

And then to submit theirs to us, to the Integration Panel, to make it to the root. So if some - and I think you're referring to that we are still waiting for some linguistic communities to come and to work on that thing. So until that became we cannot produce the LGR for that linguistic, you know, or those languages. Right?

Christian Dawson: Thank you for the clarification.

((Crosstalk))

Marc Blanchet: Therefore if they wait too much then we may have to issue a partial LGR which contains only the languages that we, you know, the linguistic community and the IP has worked on. Consequence being that the other languages will not be quote/quote supported in a sense that they were not propose and worked on. Right? So that's probably what, you know, people were referring to (unintelligible).

Christian Dawson: Yes, thank you. Appreciate the clarification.

Tony Holmes: One of the issues that's unclear to me on this and it remained unclear after the discussions in Council is that with each of these implementations there have to be - there has to be some form of policy development around the introduction of these scripts. Is that going to be done by local communities? Is that going to fall under ICANN's policy development? How is that going to work?

Marc Blanchet: So, you mean more about what you consider is policy for...

Tony Holmes: We had a clear example that I found quite frightening that was given in the Council (unintelligible) and is quite (unintelligible) that he was talking about Chinese character sets and inherent in that particular area of the world it seemed that there was - he described it as a reference to good fortune, you've probably heard this story, that the character strokes, if within a, let's say a set of characters that represents a particular brand name that's translated into characters, if the mapping of those character sets means that you have a number of character strokes that's considered unlucky his point was it won't go anywhere.

And if you do a strict mapping to mapping you have to take those things into consideration. It almost, lightheartedly in a way - maybe it's not lightheartedly

- it sounded as though you were at a stage when you developed policy for the implementation of some of those character sets you almost needed to involve a fortune teller so you got that element right.

But where are those...

Marc Blanchet: Okay.

Tony Holmes: ...parts of the discussion going to take place?

Marc Blanchet: Cool, why I was asking because there's multiple facets of policies and what we're talking about. And sometimes people come to us asking when can I request, you know, a TLD for my language set? I'm sorry, that's not part of, you know, the LGR business. What we're doing is essentially defining all the code points and associated rules of possible, you know, characters that could be in the root. Everything else is out of scope from us, right?

So that's kind of a larger policy question which is not our business at the moment. So the second part of what you're saying is that what we're - we are asking to the linguistic community is - it's about the variants which is not only the code points but also the variants. So when there is an equivalent code point or set of code points and there's a convoluted, depending on the language and the script, you know, then they have to take care of this in the sense of they have to define it.

You know, so which one is variant; which not - which one is not for which language. And obviously the difficulty is that some scripts are being used by multiple languages and they have some code points are shared within multiple languages and scripts. And then therefore you have to somewhat agree together what will be the use of those variants and those code points.

So what that means is depending on the language some of the people will have to work together in a common understanding of those views. The main

point here is because in the root zone you don't have the information about the language or the script; you don't, you know, you don't know the context which is different from a second level or third level. So that's why we need them to work together.

So back to (unintelligible) discussion is they have to work on this not at a fortunate level but at the code point and variants level.

Tony Holmes: So going back to that particular issue, is that policy development process that has yet to kick off in ICANN? In other words, is it going to be done by probably the GNSO working group because some of those policy aspects, as you rightly pointed out, they require different areas of the world to work together. So are they being done locally or is that...

((Crosstalk))

Marc Blanchet: That's not - we're not doing policy work.

Tony Holmes: Your group. What is the way ICANN are going to go on this, do you know?

Marc Blanchet: I would suggest not to answer that question.

Tony Holmes: Right.

Marc Blanchet: I would prefer. So we're not doing policy work essentially we're just - we're really at the code point level. We're really at the character level.

Tony Holmes: There seems to be a bit of the puzzle that's missing and I don't know who does it. And one of the...

Marc Blanchet: Well, another example of this is we're not talking about string similarity.

Tony Holmes: Yes.

Marc Blanchet: Right? So this is out of scope of our work. So this is something that is already kind of, you know, taking care of, you know, somewhere else, right? We're not dealing with those issues for example. It's another roughly policy thing.

Tony Holmes: I see it a slightly different aspect of string similarity from what we would know as string similarity when you get into IDNs but okay. So in terms of where we need to go with this obviously I think we need to get up to speed more which is something we do have to do.

And I think you agreed with us that there are certain aspects for this in terms of ISP involvement both as an ISP business and as a business that's looking after customer aspects as well. And we probably need to think about both sides of that equation. And we haven't done anything on this.

Marc Blanchet: And it's also related to what Ed will be speaking about because...

Tony Holmes: Universal acceptance.

Marc Blanchet: Right because...

Tony Holmes: Yes.

Marc Blanchet: ...the universal acceptance is not only about TLDs but in general...

((Crosstalk))

Marc Blanchet: ...IDNs and it's all, you know, we're having more and more IDNs in the root zone. And, you know, they are tied together; they are not possible to be used. They - however, one good thing is that the end result of the LGR process is to have a file that described all the code points that are possible. Therefore for software, you know, as in for provisioning software in ISPs and stuff or cloud

we could use that file to actually do sync-back check of domain names and stuff, right, at the TLD level.

So we would have a specification, you know, a file or, you know, a technical file that describes what is possible. So that is also something the will be a good use for the community in ISP for example.

Tony Holmes: Right.

Marc Blanchet: Which is not really the case at the moment.

Tony Holmes: Okay. Whilst Marc is here any other points to raise at this - on this? It's certainly something that we've never looked at and we really need to do that. We'll...

((Crosstalk))

Marc Blanchet: ...come back, you know, call us when you want to discuss more or...

Tony Holmes: Probably the way we should do it is to have some discussions on the back of this. And one of the things that one of our earlier members did was to produce a video clip that basically provided a quick learning curve on IDNs and I think maybe we need to think about revisiting that. We need to think about some of the issues that you've raised and then, I think, make a list of questions. And if you're open to that we would invite you back at that stage.

Marc Blanchet: We're all here to help.

Tony Holmes: Okay. Thank you very much for your time. Christian, are we back on track for...

((Crosstalk))

Tony Holmes: ...universal acceptance?

Christian Dawson: We are. The issue is that they don't seem to like - Adobe Connect doesn't seem to like full screen so we're going to go ahead and do it like this.

Tony Holmes: Okay.

Ed Lewis: My name's Ed Lewis, again, from ICANN staff and thanks for the opportunity to bring this up in this session. This is going to be a short introduction. I'm intending about 10 minutes of slides and then discussion after that so one, two brief.

Oh.

((Crosstalk))

Ed Lewis: Okay. Okay. So you can skip ahead to the - just title slide. And then skip that. What does it mean? Universal acceptance is - it comes from the notion that identifier's names don't always work on the Internet and this makes the TLDs that they belong to look like they're not working and that's kind of - that's kind of where the interests start coming in on.

The names are appearing broken to the users. A lot of times the reason why the name is broken comes down to either the TLD name being too long, it's not recognized as being active, or it's not really readable in some sense of readable, the IDN issue.

And also one of the other issues that comes along with this is internationalized email is not quite working. Internationalized email is different from IDN but they go kind of hand in hand in trying to get to universal acceptance. And the goal of this is to get rid of false positive rejections of names on the Internet.

So why is this becoming a big issue now? This has actually been around for a long time. This dates back to the first times that we added TLDs out there. But there have been increasingly more and more changes to the root zone besides just adding longer names, that was the first round of this, the IDNs coming in and now the recent - the rapid increase of TLDs that are active and internationalized email coming in here, more people are beginning to see that names are failing to be used correctly on the Internet.

And the result - the root cause of all this is going back in time we've built a lot of software with the old assumption in place and we're breaking all of them one at a time now.

Next. So the scope of universal acceptance is basically to get rid of bugs and errors in software that's built up over time or processes or any kind of (unintelligible) about this.

The big use cases that we see are Web browsers confusing TLDs with search strings. If you go to some of the popular Web browsers which have a - one bar for location, if you type in some of the new TLDs I think you're searching for that. (Unintelligible) search engine.

Software in many places will fail to display the IDN names out there; they will take the XN dash dash whatever and give you that and not give you the native script that it belongs to. And internationalized email addresses just aren't being accepted yet.

So the reasons for being interested in this and why acting on this is that with - when we have a universal acceptance in place, when we have names being accepted here, we allow people to use more of the TLDs out there for whatever the TLD's purpose was (unintelligible).

It enables the communities that are not using ASCII-based characters to use their native script, let's people do things in their own language. And ultimately

it enables growth of the Internet population beyond where it is now which, you know, we want that to grow. So I'll go to the next.

And so what's the impact on the ISPs? The points of impact that come to mind, and the first couple are the customer - the ISP (unintelligible) customer's point of view, the services like email, the Web and DNS are offered through the ISP and CPs. All of these have this kind of - the assumption is built in one way or the other and there are places to work - there are other places also, this is just the top of the list.

But also, ISPs and CPs have internal processes that are impinged by this and that is the operations staff. The operators who are - the people that you're hiring in the NOCs are going to need tools that are going to let them understand what TLD is someone complaining about.

And I've had the experience in my past where even if the TLD is all in ASCII sometimes if you read a certain language you'll read it a different way in that language versus English and I've seen that happen in a NOC environment where we forgot - we didn't know which TLD it was because people on the phone were - some were assuming it was in German, some thought it was in English. So that kind of thing has come up too already.

And then account maintenance beyond that. When you doing building accounts and other, you know, maintenance of customer accounts that software has got to be what people use - whatever address they want to use or we would like that to be the goal. If a customer says my address is this, you'd like to be able to use that for the billing too.

Next. So ultimately why does this matter? In some way universal acceptance is going to enable the growth of the Internet. It's going to help raise the amount of business you can do. It's also recognizing ISPs and the CPs are the first place customer's call when there's a problem. This can kind of help

lower your costs in having to deal with these tickets coming in here so both of these are important areas for the community.

Right now we have a draft roadmap out there. A draft is very important. It's open for public comment that opened up just before the meeting and there's a link there for that. On that page there are other links that I didn't put here giving more information. I wanted to keep - you're going to have one URL pretty much from here.

Also on tomorrow just in less than 24 hours we're going to have a longer session on the topic in the Balmoral Room there and the time and day is up there for people in the room here to see and a link there to the Webpage for that.

And for questions and answers I just have the same information here. There's a couple for questioning and the last slide is actually what else is going on in the meeting this week too. But so.

Ed Lewis: Tony.

Tony Holmes Ed, I have something which interests me a lot because I think we need to do outreach on this in a big way. Who would be the target sectors that have to be reached with this? I'm assuming they're not just ISPs. It's a much broader community, right?

Ed Lewis: Yes, there's - in the longer set of slides I actually enumerate the stakeholder groups, you know, we just go by groups of stakeholders, not just stakeholders. And top of my head, and I might forget one, there are the domain name industry, people who do registration, ICANN, registrars, registries and so on, and the DNS providers.

There are the user communities out there, people who are going to say this is what we want out of the Internet. We have the whole community of - when

you think of software development - software development, social media sites. And it's hard to categorize that because some people run software - run services as what they give out or they get software but that whole area of Web page, you know, Web browsers and so...

((Crosstalk))

Ed Lewis: Yes, all of that. And that's kind of a larger umbrella group that we have out there. We also have, you know, I may be forgetting one right now, I have them in the slides for tomorrow but there's also the IT departments, the people who are running IT departments, the Linux administrators, UNIX administrators, desktop administrators. And these are the people who were being mentioned earlier about the 127.0.53.53. They need to be educated there. They need to know this too because they're the ones that are going to be dealing with the people and if they're in an organization their users or their customers they're going to need help understanding that too.

And also we also have the security practitioners out there because one of the factors here is people make security assumptions all the time about the name of something. And down to - I know that somewhere else I had worked some people would look at domain names and decide whether there was a malware site based on what it - just by reading it.

And that heuristic works if you're thinking it's going to be a word but if it's this - if it's the Punycode result that could be a valid domain name. But it has a certain sequence of letters that they thought was going to be suspicious. So even security we have to educate some of the people building the rules - building the rules but also people back in the IT departments when you're configuring the rules, they have to be understandable.

So it is very widespread of the groups that we need to reach out to to educate about this.

Tony Holmes: Just building on that particular thing, I know before that we started from scratch when we had the initial problems around 2003. And we - I don't believe we came up with the list that was extensive as the one you've just gone through in terms of categories of people we need to reach out to.

But what we did find, and I think you're going to face the same problem, is that for parts of that community there was no common place to go. With ISPs we're a little bit more fortunate across the globe there are various regional and other types of organizations that bring together by ISPs so you can do them in one hit.

As soon as we got into issues about application developers, software developers, it gets really, really difficult. And some parts of the world it's far more of a challenge than others.

So obviously there's a lot of thinking needs to go into that. And ICANN is going to have to build relationships with other bodies to try and do that. Any thinking going into that at this stage?

Ed Lewis: Well, certainly. Actually that's the greatest challenge in developing the roadmap because there are certain parts of the industry that I can say, we can go to these places and these forums and we can talk to people this way. But you always get, well there's everybody else out there.

And we are looking into what's the most scalable way to reach these folks, you know, if cost (unintelligible) scalable, like, what's going to be the best way to get out there. And to me that's probably the biggest hesitation in coming up with a definite plan of action. In fact, we don't envision having a calendar of events because we don't have a hand on what's the totality of this space. It sounds like it's not hopeless but identifying all the different places people gather and talk - it's, you know - operators use tools and so the operators necessarily aren't - you go to the operator and say, "You've got to do something this way."

And they say, "Well the problem we have tools." So we go down to find the tool makers. And the tool makers will say well we write software and all this stuff but we're not the people who do localization, you know, software that does conversion into local languages. So now I have to go over there.

So it - we're getting into a much more interdependent world of the Internet. And that's kind of what's driving the complexity of what seems like would be just a simple project to me on the outset. Just solve all the bugs. Identifying who has the lever is getting, you know, harder. And it's not impossible. It's just that it's quite a bit of work though.

Tony Holmes

I think that's a fair comment. One of the things we will certainly do as a constituency is come back in the comment period on the report. We'll certainly pull together a response back on that.

But in terms of solving that bigger picture it appears obvious that I think everyone needs to work together and us as part of that. So the sort of things that Tony was referring to earlier in terms of plans we have for outreach, having some engagement through that link is probably appropriate. There's other groups around the table from the Internet industry and even from the mobile side as well where I think there's clearly a role to play there in spreading the word. So out of the workshop that you have, out of the report that you have, the ongoing work I assume is to map out some form of approach to this where we can actually have common material that we can take -- ideally produced by ICANN -- that we can take through our forums into the various discussions and conferences and things like that is the next stage.

And if we're looking at the rollout of detailed needs as they're going out it's almost so we should have started a couple years ago. So I assume that your group is sort of point group for this at ICANN and that's something we need maybe to come back and help with along with some other.

Ed Lewis: Certainly. We hope to, you know, we're still mapping out this and the draft comments will help us with the road map and size and scale of it.

But one of the goals would be to not only just have a message but also help, you know, make it understandable in each of the areas -- what is the motivating factor -- because every one of the constituencies has responsibilities in this, frankly. There's areas that can be worked on there. But they also all have benefits. And, you know, being able to express that will help build the business cases for each area to go forward.

But that alone isn't enough. There's the interdependencies that need to be worked out too. One of the things - one point - I worked in a company that was a competitor in this space before. And in general, whenever you want to be innovative -- if you want to solve this on your own and you have a really great way to solve it -- you end up losing because it's not common anymore.

And so it's very hard for individual actors to solve this on their own. You need to have a, you know, competitors get together and agree to go forward a certain way. And in some cases there's no forum for that. And that's one of the things that's got to be addressed somehow, you know, to do this. How are these competitors going to agree to treat, you know, for example, IDNs a certain way?

Tony Holmes: This is one of those issues where ICANN has an opposite responsibility here. But the scary thing is, some of the bigger things we're talking about during this meeting -- things like accountability -- there's an awful lot of people out there willing to throw stones. And this is the sort of thing, if it doesn't happen in the right way, you become a really easy target.

So I think it's (unintelligible) for all of us that we do try and make that work and accept that we have a role to play here.

I think there was some mention of this in our newsletter. But certainly in future ones it's probably something we need to (unintelligible) emphasize (unintelligible) it more and more.

Any other comments, experiences?

((Crosstalk))

Man: Did you raise your hand just now?

Man: Oh, sorry. I thought (unintelligible).

Tony Holmes: Marc, I know you had some role in getting the word out there in a previous life. Is there anything new you want to chime in on this one?

Marc Blanchet: One of the things - and I appreciate Ed's coming. I talked to Ed about this for another reason. But one of the things I'll reflect on is that it's a matter of history that ISPs face the greatest challenges as a result of the problem of universal acceptance in the early rounds -- both the beauty round and the 2003 round. And it was the ISP help desks that got the calls when you couldn't send mail to Marc at something museum, right, because software developers thought that three was the maximum number of characters in a TLD, right, and filtered appropriately.

There was, back in 2003 famously, an ISP called America Online that none of us are old enough to remember in the room. But I can just tell you from a historical viewpoint that America Online for many, many, many months did not support the addressing of mail to new gTLDs. Well now the scope and scale is much larger. And I agree with Ed that one of the problems is tools that - one of the things we found as ISPs -- as we attempted to solve the problem and do outreach -- was that it was not simply a matter of letting software developers know.

In fact, in 2003 one of the things that Tony Harris and I did was actually work to get sample code out into code libraries so that people could actually see what correct code looked like for validating TLDs and the fact that you didn't validate against static lists, et cetera and so forth. I think such an approach now is just the tip of the iceberg. And I appreciate very much that ICANN is taking this on. I agree with Tony that this is something that should have been started on a little earlier than now but better late than never.

I will say that from the period of 2003, one of the things that happened was registries and registrars were very upset with the ISP community for not supporting their new gTLDs. And we simply weren't in a position to hold up our hand and say, "It's not our fault," right, because the calls were coming to us. And so it's a problem that we will face as the new gTLDs become more widespread use in the next 6, 9, 12 months -- as they appear in marketing materials, as they appear in mailing lists and so forth.

Those phone calls will again start coming to the ISP community. There's no getting around that. And that's certainly a lesson we learned in 2003. I appreciate now that the problem is much, much larger this time than it was in 2003. And it's good to have Ed on board helping us attempt to do the outreach and solve the problems that are in front of us.

Tony Holmes So the key takeaway I take from that message is, as ISPs we're already in dangerous territory.

Marc Blanchet: Well if history will bear this out the lessons that we learned in the early 2000s are lessons that we're going to get to relearn in 2014.

Man: Okay, well, any other questions for Ed before we wrap this one up? (Unintelligible).

Man: Just a comment that not only do (unintelligible) systems that's the new (unintelligible) program is now bringing to the entire Internet users. For

example, the Trademark Clearing House which is maybe working for the trademarkers not really familiar with what is going on with ICANN.

(Unintelligible) a universal program which I can test that to let the whole Internet users know of what is going on with ICANN and that's - I think the problem is really hard to solve. And then I think I really hope that I can do the correct, you know, bigger scale of the outreach and the letting the users know kind of activity. Just comment.

Tony Holmes Okay, thanks. Ed, one of the things I'd like to do with this - obviously we need to have some much more intensive interaction with you. But if we could already add you to our agenda for the Los Angeles meeting where it should be a two-way thing. I'd very much like to know where ICANN is by that time. Hopefully a lot further along on the path. But hopefully we'll be further down the path as well. And maybe we can just do a rain check in that meeting if you could come and join us because this is going to be an ongoing thing for us. And as Marc said, we're the guys that get phone calls so we can't afford to drop it.

Ed Lewis: Yes, you always get the phone calls on everything. Yes, I will be available.

Man: And I will be in touch with you too, Ed. In our part of the world we're extremely concerned about this. And we want to be ahead of people complaining and ready in the trenches. So this is really useful. Thank you.

Tony Holmes Thanks for coming along. It's better to be forewarned very much even if it's a little late. Thank you.

Okay so we'll move on to the next item on our agenda and it's -- hey -- it's (unintelligible) stewardship transition. Malcolm, I think this was something you were going to lead us into (unintelligible). You can control from the rear.

Malcolm Hutty: Okay, well, for those who don't know me, my name is Malcolm Hutty. I work for LINX, the London Internet Exchange. I'm also Chair of EuroISPA's International Affairs Committee, (unintelligible) European Trade Association for Internet Services Providers.

And this is a presentation I gave in the U.K. that Tony has asked me to recap here that was attempting to identify for colleagues some of the issues around NTIA transition and to (unintelligible) awareness of the issue and (Tony)'s asked me to reprise it here. I'm very much aware that much of what I was presenting that was really quite new to the colleagues that I was speaking to may be completely old hat to most of the people in the room. But it will give it a perspective on the issues.

The first one from the title slide, being that I like to really call it, it's often called IANA transition. And I really think that it's worth focusing on this is not about IANA transition. IANA is going to continue through its NTIA transition. This is about the NTIA transitioning out of its special role. With regard to the DNS stewardship and what the implications and consequences of that might be.

So on the first substantial slide I have there and extract from the NTIA statement. And again, we have the question that raised, you know, is this just a narrow question about the narrow technical functions of the IANA or is this something broader? And from the NTIA statement they refer specifically to responsibilities -- the procedural role -- of administrating changes (unintelligible).

But they also refer to this notion of serving the (unintelligible) historic steward of the DNS. And in my view it is that last point that raises some broader policy questions.

Next slide please.

And so the NTIS sent out a list of requirements that they said would need to be satisfied before they were willing to complete this transition. And I think we can interpret from that that they believe that they have an important role in the stewardship that they need to ensure is properly discharged in turning over to some new arrangements that will continue to support the stewardship that it was previously conducting.

These elements that you see listed in this transition announcement, these are not the narrow procedural functions of administration. These are stewardship issues to ensure that these values continue to be maintained.

Next slide please.

So what was it all about? In my view, the key thing here is the IANA contract placement is in renewal. Yes, the NTIA has some administrative functions in the IANA process. But the overriding thing is that it (unintelligible) in the IR contracts. And that means that it really defines what the IANA function is. It defines what the function is in the IANA contract for placing that function with ICANN and establishes the criteria for performance. And of course it chooses ICANN as being the place to locate the IANA function and holding ICANN to those criteria.

And if you do the next slide you'll see the comments there defining what the IANA function is -- no, I actually meant that mini animations -- includes defining what it is and is not and allows NTIA to extract from ICANN commitments.

Now one question that I still am not clear on is, when the NTIA talks about transitioning out of its role does that then mean transitioning out of the notion of having a contract? Or does it just mean transitioning out of the NTIA being the person that is the counterparty to that contract? It's possible that their contract system might continue but with somebody else in that role.

Next slide please.

So moving through - because of this audience being much more adept I'm going to move much more rapidly. I've already deleted many of the slides related to this because I'm sure that this community will be very aware of all these issues.

Next slide please.

So as we said as we are aware, the IANA function is now only technical but it is critical. It's on the critical path for implementing the policy that ICANN has with regard to DNS.

So next slide please.

So to (unintelligible) protocol parameters, well, these are important and need to be maintained. They're not live operational but they are operational things. They are not normally the focus and that's because they're not really controversial in public policy terms. The policy relating to the protocol parameters are not set by ICANN and there is not much prospect of that changing or indeed they'll be much controversy over that changing.

So next.

Now address block delegation is potentially much more important and I believe the -- next sub-slide -- coordination is a better term at least for policy makers because the term delegation, though technically accurate, often creates the notion of a relationship in terms of power that is inaccurate.

Next slide please.

In particular, fundamentally the RIRs don't need to follow IANA delegation. Before the ISO was established, the RIRs created the body of the NRO -- the

Number Resource Organization -- which now acts as effectively the, sort of, trade union for the CEOs of the RILs.

And that was established so that it would be able to perform the function of coordinating which address blocks were assigned to which RILs outside ICANN the event that they could not achieve a satisfactory agreement with ICANN on that function.

So ultimately the RIRs are in a position to take over that function if they want to. LIRs, ISPs, need to listen to delegations from RILs in order to ensure that we have maintained universal reachability and to avoid address conflict. The RILs simply need to decide amongst themselves which blocks each of them are going to use. The IANA is not essential to that process.

Next please.

So ultimately, if the ICANN were to seek to change its role in the scope with regards to the RILs -- and in particular I'll note the RIL set addressing policy and other related policies -- ICANN does not do so, a major distinction between addressing policy and DNS policy. And there is an existing MOU with the RILs that protects their light set addressing policy and in the event there is a failure of that there is an arbitration clause and ultimately there is the practical capability of them to take that function back away from the IANA function and take that back amongst themselves in the NRO. And they could use the failure of agreement of the MOU as a justification for doing so.

So essentially the argument there is just protocol parameters -- really not that controversial -- and the relative roles and responsibilities and address policy is agreed. It's fairly firm. And the other party, the RILs, are able to enforce the current position -- next slide please -- which is why we always focus on DNS because (unintelligible).

And here is my little diagram for which I'm sure is completely old hat for people in the room. I used it to demonstrate to others how this actually works. You have a policy area within ICANN and an administrative area which overlaps between ICANN and the U.S. NTIA.

The policy part decides on the questions that are then implemented by IANA and passed through NTIA into the operational zone. And it is only in the operational area that (unintelligible) users on a day-to-day basis are actually affected by the outcome. And so this IANA function and the NTIA's role in there is on that critical path for ensuring that ICANN policy is translated into the area of the real world.

Next slide please.

So ultimately, the ICANN Board decide what goes in the DNS routes. There's a complicated process of providing advice and guidance and PDP towards it. But the ICANN Board has the ultimate decision-making authority. The IANA then translates that into the technical actions needed to give effect to it. The NTIA reviews the correctness of those and passes them to root name servers and the root name server operators -- in particularly (unintelligible) -- accepts the instructions from the NTIA and then it goes live.

Next slide please.

So, I mean, this stuff is all familiar to the people in the room. Here I was trying to demonstrate the difference between policy and the technical/administrative function. Remember we're in many other worlds being - ICANN is described as being a narrowly technical organization itself. I mean, you go to an IT meeting that's how in terms in which ICANN is described.

Next slide please.

The technical things - and I actually deleted some slides that actually explained what kind of technical things IANA is doing but I'm sure you all will be very familiar with that.

But if we move on forward through the slides and the next one.

The transition then, is this about -- as much of ICANN communications say -- about making sure that this function can be done without the NTIA technical checks as the policy is implemented and passed out to the root name server operators to become live? Or is it about making sure that ICANN as a whole is fit for purpose without the threat of the NTIA potentially moving the IANA function away from ICANN because that is the ultimate check that the NTIA has -- to ensure that ICANN remains fit for purpose?

The fundamental governance position is (unintelligible) they had no intention of doing so but they had no desire to do so. They ultimately have the capability to just take it away because they will own the critical path of implementation and they could substitute some other body for ICANN as the source of policy (unintelligible).

Next slide please.

So what's at stake in policy terms? I think that it's the policy-making authority and how this is constrained.

Next slide please.

So looking at ICANN's policy authority, ultimately ICANN has the power to decide what TLDs should exist and who should run them. Now in the case of ccTLDs this is heavily competitive. ccTLDs assert a sui generis right -- or most of them do -- to be the operator of that ccTLD. Now most the ccTLDs refuse to sign a registry agreement with ICANN -- not all. But that could actually change over time particularly if their governments actually

encouraged, as you could see, the possibility developing in the longer run future an agreement to be reached with ICANN relating to the respective obligations.

Where gTLDs are concerned is basically uncontested. ICANN is the source of authority for gTLDs to A) interest and B) to be operated by any given person. And therefore the registry agreement also includes what terms people are allowed to operate gTLDs.

Next slide please.

So the ICANN terms - the RAA -- most people in the room I'm sure will be very familiar with -- allows ICANN to impose terms on end-user domain registrants. And the chain of contractual agreements provides for the direct enforcement of that. So the registries have a registry agreement that requires them to use accredited registrars. The registrars have the registrar accreditation agreements and that requires them to impose the domain registrants.

This ultimately gives ICANN the policy authority the ability to impose policy on end-user registrants and do ultimate registrants of domains. And the last analysis, it rests on the fact that in order to operate a gTLD you have to sign a registry agreement. And the IANA function is the thing that basically allows ICANN to enforce that agreement.

And so next slide please.

And there are two major areas where this is actually has an effect in the real world (unintelligible).

Next slide please.

And the UDRP, I'm not going to go into the details of the controversies around that -- which I'm sure we could spend all day on. But let's note for a second what the UDRP does. It's there for a reasonable purpose in making sure there isn't trademark abuse. And it approximates ordinary trademark laws.

But it's not ordinary trademark law. It's an approximation of it. And it's effectively supersedes national law because domain registrants must submit to the UDRP. And trademark holders have the right to go rather than to court to the UDRP and the domain registrant doesn't have the chance to say, "No I'm not willing to do that."

And then the UDRP has its own standard -- the bad faith standard -- which is not known, not a proper trademark law. It's something that is created as ICANN policy and registrants must abide by this.

Now I'm not necessarily saying this is wrong or bad but it is significant. This is the creation of a social and economic policy enforcement mechanism according to its own policy standards that have direct effect on end-users. That is significant.

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(Unintelligible) is just the other one and we're familiar with the controversies around that. But again we're talking about a policy which has direct effect on end-users according to standards that are not national legal standards but are ICANN policy standards.

Essentially my argument here is that these show that ICANN has significant policy-making authority that has an impact in the real world that almost supersedes national law.

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So the question is, where does that stop? How far could ICANN go to come up with new such policies in the future? And if so, what would define the scope of how far ICANN could go? And what could stand in the way? For example, if ICANN were to introduce a new (unintelligible) -- similar to the UDRP sort of thing -- that said that domains must not be used in support or in connection with unlawful activities and then created some mechanism for determining whether or not the use to which a domain had put supported unlawful activities, that would be a major sort of extension of ICANN's authority.

Question is, what will we do about it?

Now next mini-bit of red text please.

In my view the main thing, I mean, we have checks internally in terms on the (unintelligible) but ultimately the Board is the ultimate decision-making body within this organization. And it is relatively empowered to say, "Well we've heard all the points that have been raised in the (unintelligible) controversy but we decide that this is the outcome." The only real external check that exists, and the only check outside of the community for which ultimately the ICANN Board is (unintelligible) what the community process has decided, has been the U.S.A.

The U.S.A. has been in a position ultimately to say, "ICANN you've gone so far beyond the scope of what you originally envisaged. You're not really functioning as the technical body that we considered." And in my opinion the fact that that was even a possibility -- that the U.S. could've done that -- is a major check on what the ICANN Board has done over the years and how it has extended its (unintelligible).

Now in the future we can well imagine -- maybe not tomorrow but maybe in 5 years or 25 years' time whatever it might be -- you know, some new CEO

coming along and saying, “Well it’s time for a big strategic review of what ICANN stands for in the world and what we can contribute to the Internet for the good of mankind. And we think we want to be doing these new things.” And the question is what will we do about that? In the world where the NTIA stood on that critical path, there was an outside body that was actually able to say, “No, you’re acting (unintelligible).”

The question is, what will happen in the future? In my view, without the U.S.A. in this, we need to look very closely at whether we are satisfied with our own role within this and particularly the role of the ICANN Board or whether we need to establish some standards and maybe mechanisms for ensuring that ICANN continues to act within what we would consider to be the appropriate constraints.

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So, okay, if we walk through that. I’ve kind of spoken to these slides already, really. In effect the NTIA power was heavily constrained by political considerations of other people (unintelligible). So it was only feasible to use it in extreme circumstances.

But if you just click through the little animation as well. I’ve already rather spoken to that. That is basically the threat that the U.S. had to keep ICANN within reasonable limits.

Next slide.

So could that ever really have happened? Well in a sense it’s actually improbable. But it’s clearly implied I would argue by the notion of placing the IANA contract. And certainly I would say it was reaffirmed when the NTIA cancelled the RFP for the last IANA contract and required ICANN to rebid. The fact that it was only realistically ICANN on the table and the fact that

ICANN got it again does not in my view undermine the fact that ICANN was required to rectify its bid which is a substantial exercise of power. You know?

And again, actually even now, the fact that we are having this discussion again shows that the NTIA is asserting that these requirements need to be fulfilled. In order for the NTIA to actually agree to finally complete the transition out to its role again is an assertion of this. In my opinion in saying that a credible backstop (unintelligible) is not the same, saying it would be used lightly. And conversely, that fact that it could never have been used lightly does not mean it did not exist or have value.

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So clearly the NTIA was constrained. Their use would be heavily politically costly and so forth and there were lots of good reasons why it wouldn't use it lightly.

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But basically the NTIA could have used it in dire extremis if really we were all agreed that ICANN was going heavily off the plot and if there was strong support from the technical community to put in place some alternative arrangements -- in other words, just how we like it. We like the idea that this multi-stakeholder community can do things that aren't necessarily in line with the United States' preferences. Yes? We didn't want it to be run by the NTIA. We wanted it to run by ICANN but nonetheless with the opportunity if it all went heavily wrong that there would be some backstop that could only be used in dire extremis. That was actually quite a comfortable position for us as operators.

So next slide.

So how do we go about ensuring that that fundamental role is protected? I don't know, really.

Next slide please.

You know, there's a quick reminder of what we're aiming for in the words of the U.S.

Next slide please.

How do we keep ICANN in a narrow technical policy role and prevent it from leveraging the technical control it has for much broader ends, bearing in mind that ultimately all unconstrained bureaucracies tend to expand their role? And given the controversies around all these issues there will be plenty of people that will say, "ICANN, we'd like you to take further steps in this area or that area," because different stakeholders have different interests and everyone's got an agenda to advance.

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And of course, if we need to underline any further just how important ICANN is, it doesn't have the constraints that most companies have.

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And it doesn't have the sides that inter-government organizations have either, in particular -- and one thing that we fail to acknowledge -- is that most inter-governmental organizations depend on governments talking up the budget. And the budget is actually a significant checker for those. ICANN is effectively self-financing.

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So these are my suggestions for objectives -- or first couple suggestions -- that we should have. There was the affirmation of commitments. That's an affirmation that was made with a counsel party at the NTIA. How do we ensure that that role continues to exist with someone? Who should be the counsel party -- so asserting and requiring that? How do we prevent scope creep -- not next year and the year after but in ten years' time? How do we even define what are the limits of ICANN's appropriate scope? And if we have some new body for oversight of these issues -- some supervisory board and all the various ideas -- how do we stop that just being the thing that becomes the bit that gets lobbied and results in the outcome that we would actually fear? Do you just trace it up a level and then that becomes the problem -- even worse than potentially the risk of an unconstrained ICANN Board?

Not an easy question to answer. I'm afraid I did not come here with a nice pat solution to suggest to you tied in a red ribbon. What I've done is summarize a personal view as to the significance of this process and that a lot of the way it's been framed by the strict division that is being present between IANA for the transition and the ICANN accountability is in my view misplaced. Ultimately it is the IANA or the NTIA role that gave the accountability that stands at the moment. And we need to ensure that adequate accountability is maintained before that transition is complete.

Thank you.

Tony Holmes Well, thank you Malcolm. And this is where the last items on our agenda, they get somewhat interweaved -- the whole issue of IANA stewardship transition - - which is exactly where we started. But also on our agenda were accountability and Internet governance.

And there are a number of reasons I asked Malcolm to present this. It certainly shows some overlap of those issues. And primarily one of the things I thought came out of his presentation when I first saw it was there were

various hooks in there which were really, really specific to ISPs that really brought out the issues. And you could go through these slides and you can filter what those issues are. And from that if you then have a discussion in an ISP constituency, I think you nail down exactly the things that we should be concerned about.

So before I actually point to some of those things, just open the floor up for any questions or any comments that may have been stimulated by this. Good to see it. So, Marc, go ahead first.

Mark McFadden Thanks, Malcolm. And I'm glad when you finished you said that it was a personal point because certainly there's much in here that we could go and have a beer and argue about. And I'd buy the first beer by the way. But it's the second bullet here that I'm going to point to and talk to ISPs.

I'll just make my three-minute pitch that scope creep is not a bad thing and actually shouldn't be prevented. So I would submit to you that the ICANN of 2000 is very, very different than the ICANN of 2014 and that the scope of what we thought -- and several of us in the room were there in 2000 -- the scope that what ICANN did and had on its plate and its agenda in 2000 is much different and much more limited than the scope that we have on our plate now. It affects a broader range of shareholders. It has a much wider variety of both technical and policy implications. And I would submit that that's not a bad thing -- that the issues that we deal with, things like name collision, things like universal acceptance, are things that weren't even envisioned in 2000 and results from the natural evolution of -- in this case you're focusing mostly on the DNS but -- the natural evolution of the infrastructure on which we work.

I think it's perfectly appropriate to have a common, central place to do that work. And that will evolve again in 15 years very much. And I doubt that you and I would argue about that. And so I think scope creep isn't something that should be prevented but actually welcomed as the Internet evolves and

changes in the coming years. I think that's true of all three missions. And it certainly happened in the protocol assignment area.

And full disclosure -- four years ago I worked in the (unintelligible) and I have a U.S. passport. So I'll get that out of the way.

But I will say that I think that we have to be careful as ISPs not to recognize that the infrastructure of the Internet is changing dramatically and that with it come new policy and technical issues that need to be addressed. And ICANN seems to be an appropriate place to do that. So while I agree with some of your things about having checks and balances in place, I find the idea that you would prevent scope creep to be sort of an anachronism and it doesn't fit well with some of the rest of your conclusions.

It's just a comment but thanks for the rest of the presentation.

Tony Holmes So if you were to insert unacceptable scope creep, you'd buy that?

Mark McFadden No because I'd make you define the word unacceptable.

Tony Holmes Right. Well, before we got off, did you want to respond on that at all?

Malcolm Hutto I gave an example of one of those things that I would consider to be undesirable scope creep -- in my opinion, the idea that ICANN should ultimately be responsible for vetting the use to which domains are put against a general standard of unlawfulness that it then interpreted. And I raised the question, you know, if it were to go into a route like that or (unintelligible) then what could be done about it and how would the checks and balances be done?

Now I never intended to suggest that there shouldn't be natural evolution in what I actually consider within the bounds of the existing scope but dealing with new circumstances that arise within the existing scope because of the

way the technology has evolved as opposed to broadening it out into areas beyond keeping things running. I mean, name collision is an example of a technical failure that's caused as a direct response to the introduction of new domains. I think that would be quite different from expanding into the social consequences of the use of the network and so forth. And that's the kind of distinction I was making. So I don't really think we were that far apart.

Man: Thank you. One comment and a question. I find it very, very useful, the presentation -- at least the first part where you come and explain, you know, what is it about. That is really important, that entire discussion here because, you know, from the different mailing lists and the different forum what is going wrong with this item, you know, what people are discussing what kind of crazy ideas they may have about the future of IANA, NTIA, ICANN or what else. So it's very helpful to have such a presentation to see, you know, what is really - what are the parts, you know, and what are we talking about with regards to the transition of the stewardship role. But the consequences, they have to be discussed, really.

But at first, well, it has to be brought also to those people -- the information -- who are supposed to discuss, and that is coordination committee, you know, this is just not yet convened. It's just - and they're starting all to be convened and there will be an amorphous set of people sitting together and discussing. They're coming from different kinds of (unintelligible) not understanding what is really IANA doing. Even that - so if you think about as we as operators we understand. You are asking us (unintelligible) so let's think about what is it, how much is it, what kind of business is it behind it, how many people are behind that? I guess I would say about, today - how many people are working at IANA? Twenty? Thirty? Not that much. Less.

Mark McFadden No, less.

Man: Yes, less. So if that is the case -- 20 people -- how many people are overseeing the IANA role, you know, from NTIA. I wouldn't guess so. If you

think from a business point of view you think that is to be transferred so and now it's a convention coming together of 50 people thinking about what kind of organization we should establish well to take over that role and which dimension. So we have to keep that into consideration, all these things.

So nevertheless we have to take into consideration what you pointed out as well -- that it is a kind of procedure aspects, contractual aspects to think about, and how this is going to be (unintelligible). That's very helpful. And this is Ed to have a question to you. I missed Verisign in that. Isn't there anything with regards to the relation between IANA and Verisign or ICANN which has to be taken into consideration as well from a contractual point of view?

Malcolm Hutty So just a clarification on that as well. Marc, when you said less than, less than 20 was what you were referring to.

Mark McFadden Yes I think the head count at IANA right now is 14.

Malcolm Hutty Right. Because the issue that (unintelligible) phrased about how many people doing oversight -- as regards to how many people doing the IANA functions -- is a relevant one except whatever comes out of this discussion has to be acceptable globally. And I think that may have some bearing on that balance as to who does what on that.

Mark McFadden Yes I think you'd be surprised. Out of the 14, the largest number actually work in the protocol management area. And then the second largest (unintelligible) roots on management and then there's only one person who works on addressing management. And then there are really two people have what we call administrative roles.

So it's a surprising - if you look at the work load it makes sense. There's not much work to be done in the address management area. On the other hand, the protocol management area is actually extremely active. It's surprisingly active.

Malcolm Hutto Which doesn't surprise me at all, actually. If you look at how many protocols have tables that need to be maintained and the frequency of op-eds and new policies being developed within (unintelligible) NTIS, that doesn't surprise me at all.

But in terms of your question, how many people involved in oversight, well, from the NTIA side the oversight to which I'm speaking, is oversight is the questions of whether or not ICANN has lost the plot, whether or not ICANN is considered fit for purpose. How many people were involved in that at the NTIA, I don't know. But I would think that was not something that you would expect to be doing on a day-to-day basis. That's something that comes up when there's an issue. And were there to be an issue I'd imagine there'd be quite a lot of people on it at the time. Yes? But only at the time. Yes?

With regard to the Verisign, to be honest I glossed over the distinction. But I just had a box of root name server operators and I didn't go into the distinction between Verisign's well and the others. It wasn't necessary for the argument that I was making. But there's to be honest a lot of detail that you could add to my slides (unintelligible) and to add further in greater accuracy if you wanted to. I think I made my point though.

(Azumi): It's me, (Azumi) (unintelligible). I think there's two aspects that we want to look at. One is the accountability or how ICANN will continue to be neutral even without the contracts.

And another point is ensuring smooth operations of the IANA functions after whatever new model that week comes up. And as an ISP we really want to see what, I mean, which prop we want to put the priority. And for me it seems that accountability is important but we also want to equally make sure that the IANA function runs smoothly. And for example in the DNS function area, if the accountability focus gets too strong, that there are too many checks and balances for the root zone to be changed or deleted/updated, then that's

going to be a strong concern for the network operations. So I think we want to bring out those issues.

What would be the kind of things that we would be concerned from network operations perspective? And that's something that I think the ISPs (unintelligible) can, you know, add additional, like, original values.

Mark McFadden I just say that I completely agree, (Azumi). But one of the things that's important to know on the smoother running of IANA is that IANA in each of those three areas uses service level agreements to determine how effective and how smoothly they run. And each one of those three areas has service level agreements. For instance, protocol management area has service level agreements with the Internet Architecture Board and the address management area has a service level agreement with the RIRs.

The service level agreement for domain name management is with a particular organization. And in fact it speaks very well to Malcolm's argument in that service level agreement is effectively with NTIA. And what IANA is responsible for doing is reporting monthly on how well it's doing against those three service level agreements.

What's important for ISPs -- and I completely agree with your point -- is that those SLAs remain in place and are affectively enforced even after a transition takes place.

Tony Holmes One of the reasons I wanted Malcolm to present this was because - I think it was almost his third slide. I think you listed of things that needed to happen -- requirements to actually move this forward -- that were set as part of the proposal from NTIA to move away. And it never used the word accountability but it suggested all the way through those points that that was exactly what it was -- that accountability was the real focus.

And a lot of the discussion we've had here earlier in the CSG discussions have been around that whole issue of accountability. So they're clearly woven together as, yes, exactly this. It doesn't say accountability anywhere but, hey, it spells it -- for me, anyway.

And the two elements that came out specific for me for ISPs in addition to the point that (Azumi) made, was the whole issue of looking at where the ultimate authority for where these things are.

And whilst we clearly need to worry about maintaining the SOAs -- making things work in the right way, the oversight of the IANA process -- one of the things that I've wrestled with when I saw Malcolm's presentation was making sure that whoever has that authority of oversight -- and I assume will be moving forward with future MOUs -- that we would be comfortable that the MOUs that they crafted covered off all of the concerns that we have as ISPs. And I don't think that's received any attention whatsoever. How do you ensure that future MOUs -- when whatever the next one is comes to and end -- that the MOU that's crafted is going to be along the lines that it currently operates on and isn't going to veer off in one direction that we wouldn't want? How do you do that? So I don't know the answers to that.

But the problem I have and the problem I've struggled with in ICANN is, getting to a stage where we're comfortable in terms of putting in place the accountability of this without having the full big picture of accountability. So in other words, whatever group is going to provide the oversight I assume they will set the terms of any future MOUs.

Malcolm Hutto It was kind of in my original almost first slide there the statement that the placing of the contract defines what it is and what it is not.

Tony Holmes Right.

Malcolm Hutton Yes. If we go if in looking at that list, you know, that list of bullets the, you know, one way I could characterize that as being NTIA's view of what's important and therefore runs through the various things, whether it's the MOUs, whether it's the service level agreements, so forth. They are all in support of achieving these objectives. If you want to be honest, that list from the NTIA accords pretty closely with my view of what's important. And, you know, I've been saying, well, how do we ensure? How do we ensure essentially the NTIA's requirements are met? What happens if my question really was, what happens if the ICANN in some future point decided that that wasn't a good statement of what's important but something else was more important or needed to be added to that? Or some part of that needed to be downgraded in comparison to something else that they had developed as being important to them?

This essentially is almost a statement of fundamentals of a constitutional purpose or mission. How do we ensure that ICANN remains true to that mission when there is no outside party -- or when at least the NTIA is no longer and outside party -- to hold it to that? That was my...

Tony Holmes Yes, I think you explained it better than I put it. And that's exactly the thing I wrestle with because you can look at the accountability for the actual IANA function but that bit there is just as important. It can go wrong at that level just as easily. And that's the bit that I struggle with in trying to segregate those things and not lock accountability in the round.

And I fully appreciate and understand the reasons why (unintelligible) is very keen to pursue this and get a resolution out of this that enables this to happen for IANA very quickly. But doing it in that manner I think leaves this area as a risk. And that's the bit that I'm not particularly happy with at the moment.

Man: Thank you (unintelligible). I fully agree to that. These are the criteria against NTIA is going to check in the future as long as they have this role if they are

fulfilled or not. And right now already the discussion is going on with regards to that. It's coming from both sides.

One side is that ICANN has provided a scoping paper -- let me say call it scoping paper -- we had a discussion over the weekend and it was said by (Teresa Sweinhart) (unintelligible) so that is fully open to the community and (unintelligible) discuss that it's just an outline. It's not a guideline. It's an outline of ideas and to structure that a little bit.

It's important to rely on these criteria because and this is -- whatever the coordination committee has to do with it -- it has to be checked that this group goes along those criteria.

And on the other hand so that means that the group shouldn't be under time pressure as we discussed this morning as well and with ESG and I'll be sure to point that out again and again. So and it was also told we have heard that when (unintelligible) was first telling us, well, there might be a chance that the IANA contract is going to be extended. So it could be it's not going to end next year. Well there's a deadline for that but sure it could be extended as well -- the existing one the existing agreement. So there is no real time pressure to hurry up and to forget to take into consideration all these important items. Thanks.

Tony Holmes And that's a really important point because we need to decide whether we all agree on that principle. I mean, we heard quite clearly from (Larry Strickland). And he said time and time again in terms of the ability to extend the MOU, he's not saying get it done by now.

And I think for us as ISPs that the right thing is to get the right answer, not to get it done by a date. And if that's where we're heading, we're almost going down the path that the next issue that I wanted to bring up and it does fall under the issue of accountability. And it stems from a discussion we had this morning in the commercial stakeholder group. And one of the interesting

things that came out of that discussion is potentially a proposal that's emerging from this meeting where probably if not the first time it can't be more than the second time that all of the stakeholders within the GNSO are coming together with a common message from ICANN.

And there were a number of points that were being drafted out of that to go into a common letter that we could all agree to. Now some of it gets down to a lower level. Some of it is high level. But what I wanted to do is to put up on the screen the points that we were specifically asked to discuss this morning in our constituency meeting which go towards having a high-level statement. That will be -- if everyone signs up to it -- will be given to the ICANN Board probably as part of the public forum which is a common message from the stakeholders so that the print is quite hard to see.

Christian Dawson: I can turn this into two slides or I can read.

Tony Holmes: Maybe we should turn it into two slides because what we need to do here is to decide if we're going to sign up for this common statement with the other stakeholder groups.

And if we are, which of these elements we would support through that mechanism. So let's get into a bigger form, so everyone can read it.

Christian Dawson: No problem.

((Crosstalk))

Christian Dawson: (Unintelligible).

Tony Holmes: Yes please, please.

Man: Do I need a mic?

Man: Just use this one. You're welcome.

(Larry): (Larry) from the Spamhaus project and also informally representing (Mogg) who had a conference two weeks ago. And some of this actually did come up at the (Mogg) conference, which is a large ISP and other's conference.

And a couple questions for Malcolm. Great presentation by the way. Thank you. You used the word backstop. And something we were talking about, when this new entity or whatever happens, happens, what do you feel the new backstop would be in case your worst-case scenario?

We try to figure out what it could be. The word chaos was used, rude operators doing things on their own. That's one question I have.

Malcolm Hutty: Well as I said, I didn't really come with a solution, with a nice little ribbon to tie around it.

(Larry): Not a solution, but an opinion...

((Crosstalk))

Malcolm Hutty: If the principal issue of major concern we're addressing (with a numbering site), then I think there is as readily available thing. You could say that the RARs could collectively place the IANA contract. And it could just continue as before with the RARs as the contracting counterparty.

But it is - that's not the issue. That's not the thing that is the most tricky, although I would never under value the fundamental importance of addressing an address policy. You know, almost it's more - potentially at the more important than DNS.

But to be honest, that side of the house is much - as I said in my slides, in my introduction was it's much more covered already. So, you know, I think the

first step that we need is to actually decide (enormous) I mean really the - if you are looking for some governance check, I think you're looking for two things.

You're looking for yes, a body to enforce the accountability, enforce the sense that ICANN is still fit for purpose. But you also need principles according to which it will be deciding it.

And actually you need to produce those principles first really. Decide what is it actually that we consider fundamental. What allows for reasonable evolution of ICANN's work and practices in the way that Marc was referring too that I would consider to be not actually a scope extension, but actually is a proper and natural evolution of the work that needs to be done within the existing scope according to new circumstances.

And what is veering off into a new area that we believe is not really what we've created ICANN for? And is simply exploiting the bottleneck of one control - one (bench) control to exert how in other areas that are not really fundamental to the issue at hand.

How would we come up with such a statement that could - can, you know, gain consensus? I don't know. I think I suspect really that the NTIA has quietly or without shouting about it has started us, giving us best helping hand saying that this actually is what we believe you should be aiming for. So how do we ensure that?

Well for (Rick), I take what you said there. Thank you for the agreement that those principles are the things that we need to make sure in this process are maintained. If there is something I'm adding to that, it's how do we make sure that they maintain not just at the point of transition, but in enduring fashion?

(Larry): Second quick follow-up to that, sorry, is how - in preparing this you talked about a new entity would be heavily lobbied if you couldn't get what you wanted to ICANN or ICANN was doing something different.

How do you feel the NTIA has not been lobbied? It's been lobbied in certain ways, but - and how is there any way to replicate that in the future? I can't think of an answer and we couldn't it neither at the (Mogg). So any opinion?

Malcolm Hutto: Well I wasn't directly proposing that there should be a new entity per se. I was pointing out that the simple - simplistic suggestions of a new entity that would sit outside would potentially just cause the same problem in that area.

Why is NTIA not being subject to that? I do have an opinion on that. And as I said, I think it's because ultimately we're there with so many people pointing at the US and saying that's not fair. Keep out of it.

There was strong political pressure as to why the NTIA would not wish to intervene lately. That ultimately the risk of splitting the roots was a greater geostrategic concern to the US government than the desire to win its way on any particular points a policy.

So it was willing to allow policy issues to be decided against its preferences and only use that backup power and extremists when fundamentally the main geostrategic interests are of preserving and opening interoperable Internet was fundamentally a threat, which happily it never has been.

(Larry): I've been going up to Capitol Hill and talking to Congressman who have been asking me for their insights on - my insight on this to figure out whether they should try to stop it.

And the way I've been describing it is that the power - then NTI has handed over the IANA transitions very similar to the kind of power that the Queen of

England has over Canada. And this should she actually try to exercise that power, bad things could happen.

((Crosstalk))

Malcolm Hutty: I'm not sure it's quite as weak as that. Yes. Ultimately...

((Crosstalk))

Malcolm Hutty: The NTIA ultimately did have the ability to just simply cease taking instructions on re-delegations from ICANN, from the IANA function within ICANN. And to take them from some new source and feed them through to Verisign.

(Larry): And that there are genuine towers in the example that I gave you as well. I was actually alluding to the exact same example that you just...

((Crosstalk))

Christian Dawson: I'm sorry. We've got this now down to four slides. So it should be easily readable. So happy to read it aloud if you'd like.

Tony Holmes: But we do need to step through this before we do that too.

Malcolm Hutty: Yes thanks, Tony. I think I can - going back to something Marc said earlier though saying that evolution is a good thing. And perhaps not having - sorry?

Man: (Unintelligible).

Man: (In some cases).

((Crosstalk))

Tony Holmes: I think whether or not you have the oversight, I don't think the decision is possible to take. But I think it's something - the words that Malcolm used was principles. Having a set of principles or criteria to understand not how you would - not who would control, but how you would control and under what circumstances. Because listening - and I can understand where Marc's coming from.

And it's - will be forwarding to the way in which the Internet's evolved. And it's evolved in a way that has almost been self-fulfilling. But if you don't have that oversight function or be seen to have that oversight function, there is some group in the world that is willing to step in and take control of that.

And that's what you've got to avoid because otherwise it's gone. And that's the worrying thing. And that's where I think having the principles and the criteria is important.

Man: So we do agree on that one Mark.

Mark McFadden: Thanks Tony. And germane to this slide actually, I have a problem understanding the discomfort about moving quickly for - in our accountability. And so let me pose sort of a thought exercise for you is can you imagine an IANA accountability mechanism that was different from an ICANN accountability mechanism?

Can you envision them separately? And it's the confusion that's illustrated in the last bullet that's on the screen here is that somehow ICANN accountability and IANA accountability are one in the same. And that doesn't seem to be from an ISP perspective even close to being right.

I don't even understand how you would have that confusion that the accountability mechanisms for IANA are relatively, I think relatively easy to define, relatively concrete. And Malcolm actually started us on that track.

I think the - the suggestion that you wait on IANA transition or the IANA accountability transition until you have a general purpose overview of how you do Internet governance and accountability for ICANN as an entire organization is - doesn't make any sense to me. I don't understand that.

And it's built into this last bullet. Accountability mechanisms need to address more than just the IANA-specific operator's role. I apologize for doing a dramatic reading here. It's much more about replacing leverage over ICANN currently and place the possibility of a rebid of the IANA functions.

It's absolutely confusing. These two separate things is that the NTIA component is an accountability function for the IANA. And now you're confusing at with an accountability function for all of ICANN.

You can imagine, at least I can imagine that the IANA function is administered by an organization other than ICANN someday. And so the accountability function for IANA needs to be a separate and distinct and discrete conversation from general accountability for ICANN. And I think that will help you with your discomfort that they are actually separate tasks.

Malcolm Hutty: Well actually if I may, I'm afraid we may have to agree to disagree on this because I'm basic - really, I put my fundamental disagreement with the point you made on the title slide, where I crossed out IANA transition and put in place NTIA transition.

When you refer to the SLAs that the ICANN - that the IANA functions SLAs for processing, yes of course that shouldn't wait on this stuff. But that's already in place. And there's no real suggestion of any basic change there except for the question of who is - who are those SLAs with?

And if one of - if one key one, as you pointed out, is with the NTIA then who should that be with? But the - what is - what we are talking about here is in my view a complete misnomer to call it IANA transition.

Now it's - a lot of the ICANN documents actually on the subject is the thing and they're popularizing that term. And it does play into of view of what you might want the outcome to be. It seems to lie with the senior executive. But the - if you - the whole thing is started by the NTIA announcement. They will be transitioning out of their role.

Mark McFadden: And Malcolm, you and I, we definitely need to have that beer now. But I didn't use the word transition. I used - very purposely I used it the word accountability.

And so that's the distinction I would make here is that the mechanisms for accountability for the IANA function are a very different thing than the accountability - the tools and techniques that you would do for providing accountability for all of the things that ICANN do.

And that's the - and maybe we do have to agree to disagree, but that's the distinction I would make. And I offer that as an attempt to provide comfort for people who are bothered by this third bullet.

Tony Holmes: Yes and just to clarify, I do treat them as separate things. But I can't separate out one from the other in terms of being happy about just doing half the picture and leaving the other half sort of flailing in the wind because I'm not so sure the answer to the second part at this stage would be something I'd be very happy about.

And that impacts the first part. So they are different, but there's that relationship that I still worry about because you, if you get the right people at the control level, you can actually change the bits below. And the IANA part fits below the overall accountability level.

((Crosstalk))

Mark McFadden: Let me finish this thought. Because the IANA function could be clearly administered by another organization.

Tony Holmes: Yes.

Mark Mcfadden: So as you, and this is taking up way too much bandwidth on this particular topic because we obviously don't agree. But if you can imagine that the IANA is administered by another organization, then the accountability functions for ICANN don't play a role at that point in the accountability functions for IANA.

Tony Holmes: I think you can argue that point both ways. And just add me to the list of people you are buying a beer for...

((Crosstalk))

Marc Holmes: That would require further evolution.

Malcolm Huty: Again, disagree because part of that - the contract placement function in that point is really the who does IANA accept instructions from. You know, that's the key accountability point. You know, it's a channel. You know, and this is a critical point on the channel.

And it does help provide the ability to swing. And it's that element of it that drags then the accountability of ICANN as a whole because that is the only external accountability that ICANN as a whole has.

Okay, good debate. And I'm sure we'll have it again. But for the sake of coming out with something from this meeting that we've got to go back to the other fellow constituencies with, I just want to focus on this and work through this list.

And hopefully there might be some point that we can agree on as a common approach. But we should take each one at a time. So starting from the top.

Klaus Stoll: I have a question or clarification. The status of that document...

Tony Holmes: The status is that...

Klaus Stoll: This input are they from the registries?

Tony Holmes: Correct. This is being considered by the other constituencies in the commercial stakeholder group by the registries, certainly, the contracted parties are looking at this.

And my understanding is that so are the CCs, the CCSO. So I'm sure what we'll come out with is going to be something that's - yes, a lot of it is going to be pinged right back as part of that process.

But the intent was to find aspects of this, points within this where there would be common accord that could be put forward. So we're running out of time fast. But I want to work through this quickly, taking each point one by one.

So on the first one, the issue of question of IANA functions themselves. And it says it's reasonable for ICANN to continue administering the IANA functions as they are today. Are there any challenges to that statement?

Man: Who is they?

Christian Dawson: Keith Drasek from Verisign did the original draft.

Tony Holmes: Yes, so forget that. This statement will come from all of us if it goes forward. So we should look on that as us in that realm from here if we sign up to it. Yes, what's your point? Do you think it's unreasonable?

Malcolm Hutto: I guess just the fundamental thing that's been - that's in question there is the - and there was one point if you are seeing advanced on some of the made the

list by well, (Vince Surf) in particular actually who says that you cannot divert - divorce the ICANN functions from - the IANA functions from ICANN. That they are fundamentally inseparable. And I list directly opposite to the point that I was making and that others made that no, it's a function that is placed by virtual contract.

Now this point is addressing should ICANN continue to do the IANA functions? But it's not clear as to whether it is coming down as this is a - something that we would expect to continue in the future. And that's what we'll work towards, which I could certainly sign up to.

Or whether it is actually suggesting that from this point forward there is no question of the IANA function ever being moved from ICANN.

Mark McFadden: Right. Yes. So I read this a little differently. I read this as well we're having this conversation about accountability and transition, the status quo should remain. That's the way I read this.

And that, you know, after the accountability and transition activity has taken place, then things might change, right. But, you know, we're preserving the status quo in the fact that IANA is running in an excellent way right now and in the midst of our having this ongoing conversation about governance and certainly I'd be comfortable with that.

Tony Holmes: Indeed. May I suggest that that is a desirable reading of it, yes. And potentially we would suggest let's exclude other possible interpretations. Right, the way it reads now it's open to interpretation.

Mark McFadden: Yes.

Malcolm Hutto: So I would suggest for moving on we shouldn't support that because their - it's fine. I think we'd all subscribe to the way it was put. Let's put it in the sort of way that Marc just said. Okay.

I don't know what leeway we've got to change the approach. But if it's left as it is, the fact that it's open I don't think we would support it. (Bill).

(Bill): I'm not sure what (process).

Tony Holmes: Well you can read it two ways. So what do you agree to? What are you supporting? There is no timeline on that. Your interpretation was one we'd all subscribe to. Yes, for now that's fine, but forever?

Mark McFadden: Well I would have never read it that way. But that's because apparently I have rose-colored glasses on. But I think the point's well-made. I think that the way that I read it is I think the way it's probably intended by the authors.

And I think as ISPs we don't want something that's - I agree that we don't want something that says and forever and ever, right at the end.

Man: I think I've read it (narration of other theme). What they see is that right now it is reasonable for ICANN to continue administering the IANA functions. That's it. It doesn't say anything else so.

Tony Holmes: Thanks guys.

Man: I'm very sorry to say this, but I'm not sure what is original proposal intention from these three (group) items. So can you go through at the end?

Man: Yes, I have to say I read it as Mark did. But I think if there is a tendency to say you could misinterpret it, and to therefore you shouldn't support it. Then you should say why you don't support it. I don't know what your process is.

Man: Okay we'll make a note of that I think and go back...

((Crosstalk))

Man: Minutes could record if people are willing to this, a general support for the sense. Focus on the sense that this is a reasonable position to maintain for the time being. And that that does not include a belief that it could never change under any circumstances.

Tony Holmes: Okay point made. Thanks. Point check.

Mark McFadden: I hate to be the one here, but it's a larger community than the ICANN community, right? So the community that we want to actually develop the accountability mechanisms replaced NTIA's current stewardship go far beyond the ICANN community.

Tony Holmes: Yes. It's wider involvement, and so the answer is no.

Mark McFadden: Yes.

Tony Holmes: Okay. Now your favorite one Marc.

Mark McFadden: I couldn't accept this even if you brought the beer.

Tony Holmes: And that's not going to happen. Okay. Let's move onto the next step.

((Crosstalk))

Malcolm Hutto: We've got the fundamental disagreement between the proposition than I've made and Marc's disagreement with it because actually I think that previous bullet to which Marc just objected and this one that follows are essentially very close to the position that I've been maintaining and that I've been placing.

And I'm very comfortable with them and will advocate them. Now they may not be the perfect phrasing. But if you look at the way this whole things

written, this is written as musings by someone. This wasn't intended as a final, formal draft. And I think we need to understand that.

Mark McFadden: That's correct.

Tony Holmes: Yes. Any disagreement?

Man: (Unintelligible), Malcolm.

Mark McFadden: Yes, I'm actually struggling to parse it actually. The community has one chance to secure newer enhanced accountability from ICANN. I don't know what accountability we get from ICANN as it's just - this one's very hard for me to parse. It's hard for me to tell whether I agree with that or not. I just don't really even understand it.

Man: Okay.

Mark McFadden: I think what it means - I think what is the intent, and I'm looking at Malcolm here is the intent that there is a global discussion right now about Internet governance as a whole. We're going to have this conversation. And it involves ICANN. And we have one chance to get it right. Is that what this means?

Malcom Hutty: Yes. That's the way I understood it, although I would broadly agree, although I think it's narrower than the full scope of what some people refer to as Internet governance, but does encompass the full scope of -- for example -- the NTIA requirements. That ICANN should uphold that list of requirements.

There is one - this community has one chance now to ensure that those requirements are met in an enduring fashion. And the mechanisms to ensure that, whatever they might be, must be put in place before the NTIA disengages.

And with - if that were the reading of it, or with the alternative wording (that do that). So I would strongly advocate.

Man: And I would, but I don't think you would...

((Crosstalk))

Man: Right. And if that were the reading, I would have problems with it. But I wouldn't stand in the way of this because I actually don't read it that way. The - and that's the tough thing about these bullet points because first of all, I'm not sure that it's true that there's just one chance.

I think that something is going to happen now. But there will be an ongoing dialogue about accountability and governance for a long time. And I don't think there is just one chance. This is the important moment. I completely agree. But I think that over time this conversation will continue.

And so the things - words that actually occur to me in this phrase is that the community has one chance. That seems wrong to me.

Man: I think one chance is a bit hyperbolic. But there is a difference in quality. And remember, this is just from somebody's (musing). It was mentioned as a formal statement.

And my reading of this is that it's pointing out the letters of qualitative difference between the chance available before NTIA pulls out and after it has done so.

After it has done so and the only body that is ultimately in charge is the ICANN Board. And any new mechanisms would have to be approved by the ICANN Board exclusively.

As things stand right now the ICANN Board has an external constraint on it that it must satisfy. And that is potentially going. And that makes a qualitative distinction between the opportunity that we have now and then the opportunities that we might have in the future.

Mark McFadden: So I'm thinking a 12 pack now. The - I think that that presumes a model for Internet governance that might not take place. Like there might actually be an organization that acts as an umbrella over the ISTAR that is actually different than the ICANN board.

And what occurs to me when I read this, and I don't want to use up any more bandwidth, but I see the words ONE in capital letters, one chance, only one. And I think that's wrong.

I think there - that this is an evolutionary activity while this moment is different -- and I completely agree with you on that Malcolm -- this is a different moment. And it's...

((Crosstalk))

Malcolm Hutty: I mean if you're asking me to put, you know, my corporate logo...

((Crosstalk))

Malcolm Hutty: ... yes, then no. Yes, okay. But that's - but I think we need, what we're being asked to do here, given the way that this has been written, we must agree on it all. The only reasonable way of approaching this is, that I would say this to see this as being asked for feedback on whether we support the sentiments, not the exposition.

Man: Yes.

Mark McFadden: So, and agreeing with that, my sentiment here is that it's not one chance. It's an independent moment.

Malcolm Hutty: Tony, you haven't said anything yet.

Man: I'm sorry, (unintelligible) think so. Very briefly can I suggest compromised waiting would be unique opportunity?

((Crosstalk))

Man: Compromise, no that does not express what that says.

Man: Yes.

Man: One chance if there's time. It's another type of (unintelligible).

Tony Holmes: Okay. I'll go back on that one with that remark that we wouldn't support this, but could support the other.

Man: (Unintelligible) what the outcome is here.

Tony Holmes: Yes.

Man: And we're just (casting out details).

Tony Holmes: Yes. I think the sentiment that the author is getting at here is the idea that the chance that we have to secure accountability from ICANN at the point of transition from the NTIA when the NTIA is the arbitrator of whether or not to make that transition is fundamentally different from any future opportunities that we might have.

When they have to be approved by the ICANN Board with no external accountability.

Malcolm Hutto: Unique opportunity...

Man: Yes.

Man: (They would cover it up now).

Man: Rare, critical.

Tony Holmes: Let's move on. I've got that.

Mark McFadden: The next slide will show that in detail.

Tony Holmes: Yes, let's go back to the other one. Yes, the one below, second bullet down.

Man: (Unintelligible).

Tony Holmes: The full remit of accountability, in other words ICANN's accountability. Because I sat in the room where I've been discussing this for the last two days.

Man: (Hard for something just coming in).

Tony Holmes: Right.

Man: (Unintelligible).

Tony Holmes: Okay. So in the context that (I can't) get around and you'll have to live with me that that's how it was put forward. Then are you okay with this or not?

Man: Well no, I mean (unintelligible) I think the IANA functions are similar.

Malcolm Hutto: Right. I think we're kind of getting the point that you don't agree with any of it.

Man: (Unintelligible).

Tony Holmes: Let's go down to Bullet 3. So this is if ICANN gets on - yes Marc.

Mark McFadden: This suggests that the ICANN community just somehow has no power whatsoever. For instance, don't have any power over the board or contrary to what the board, right.

It has no power over the policymaking. Now you would argue this, but the GNSO does make policy. And so I think that we'll never again be pressurized to evolve and mature.

I think ICANN as an organization will be continuously pressured to evolve and mature its accountability mechanisms. I think a commitment to continued ATRT process will be part of that. And so I think this is false. We'll never again be pressurized?

Man: Okay. Is that - I have two people who struggle with this.

Man: Never use an absolute word like one or never.

Tony Holmes: Yes, yes. This is the thing, I still think that this is just another thing that is making - essentially the author is repeating the same sentiments. The basic sentiments is that this is a fundamentally distinct kind of opportunity.

And we will have opportunities in the future. Of course there will be, but they will be ultimately determined by the ICANN Board alone, not by the ICANN Board as having to satisfy the NTIA.

That is a fundamentally distinct opportunity that must be treated differently in the author's opinion. And that we as a community should act firmly to insist that we need to do the things that we believe we need to do at this time, you

know, and should not agree that the NTIA should step back until we are satisfied that we have done the - made full use of this opportunity.

((Crosstalk))

Man: Is being expressed. And I would comment it.

Man: Never have the similar opportunity.

Mark McFadden: I wish, so Malcolm, if that were actually the reading, I really wish the author had written that.

((Crosstalk))

Mark McFadden: The author did not write that. And instead the author used the words will never again.

Tony Holmes: Yes, You are struggling (minutes) because you've not been part of that earlier discussion. And I accept that. And I take your point if you've (ruined) it coldly, then in can come over that way.

But that wasn't the way it's pitched. And we need to be a little bit careful there because of the wording. We can go back on some of the words (and issues). But the principle of what needs to be got across, it probably needs some tidying up, some strength to the language that may make it acceptable. And if that's the point...

Mark McFadden: Well I think the principle that's in play, right, is that this is an important moment. It's probably a unique moment. But the evolution of accountability, the evolution of the ability to evolve and mature the organization is a continuing and ongoing dialogue, not a one-off, right.

And if that's the understanding, again I wish the author had written that. But certainly I think we wouldn't have this argument at all.

Tony Holmes: Okay. And I think that's fair and (Bob) can reflect that back rather than accepting the words. So the principle of what we have told you is acceptable, the wording isn't it seems. And I think that goes for others as well and others. What about the last one on this?

In other words it can't be accountable just by measures it puts in place to look at itself. It determines summations and it determines its performance against those measures.

Mark McFadden: This is absolutely true.

((Crosstalk))

Malcom Huty: Because I this I actually would tend to disagree. The reason is this. The reason is this. What that is the thing is that we will - there is no possible version of a mechanism that doesn't have some outside...

((Crosstalk))

Malcolm: ...organizational structure.

Man: Yes.

Tony Holmes: That could be acceptable. And be careful what you wish for. And I don't - I'm not ready to rule out any possibility of that, yes. Now one in which the ICANN Board always as being judge and jury in its own course, certainly I don't think that that could be anything that could be considered.

And as long as ICANN is structured on the basis such that the ICANN Board is ultimately of the ultimate arbiter of everything, you know, could not meet that standard.

But the idea that there is no other possibility, no way that we might - could possibly engineer that things could be reorganized certainly was satisfied. I mean it may be true that there is no one that presents itself or that is feasible or (social). But at such an early stage I wouldn't want to rule this out as a matter of principle.

Mark McFadden: Okay can we go? I feel like I should never speak first. But this seems right to me as well is that and yes.

((Crosstalk))

Mark McFadden: In Internet governance there ought to be as a principal checks and balances of some sort. And that the organization that makes terminal decisions can't be the organization that provides reviews of those terminal decisions. This seems absolutely right to me.

Man: (Unintelligible).

Tony Holmes: Yes okay, we've got one. Next one.

Mark McFadden: Malcolm's not going to be believe this, but I agree with him on this that we can't limit the range of possibilities for the solution of Internet governance to say that maybe it is just ICANN with a different governance structure.

So I think an external or independent accountability structure is not the only thing I can imagine that would solve the accountability problems that we had before us.

Tony Holmes: So it might be that this - I mean if it were just external to the board, outside, not subordinate to the board, as all the other ICANN structures are subordinate to the board as they stand, you know, well the GAC is slight - well the GAC is the GAC.

But anyway, but we need a structure that is not - that is external in the sense and not being subordinate to the board.

((Crosstalk))

Malcolm Hutty: And that's implicit in the previous (really) to bounce the board not being in a position of reviewing and certifying its own decision, you know. But that doesn't necessarily mean external to ICANN, the ICANN community as a whole and around.

Christian Dawson: But this doesn't say external. It says external or independent.

Malcolm Hutty: Indeed, which is why I'm not sure that this is unacceptable. It's just, I think we need, you know. Does that give you more comfort?

Mark McFadden: Yes, actually that's a wonderful point. I sort of read the second phrase a little more closely and say, one that's identified and created by the community that would hold the ICANN Board accountable and potentially have final say over disputes.

Well that's what I think accounts - that's part of what accountability is, right.
So maybe I am okay with that.

Christian Dawson: I mean that's an overarching goal, not a structure.

Mark McFadden: Right, right. Yes, good point. Yes.

Man: Yes.

Man: I think we've got two...

Mark McFadden: Got two in a row.

Tony Holmes: Well okay. Next one.

Mark McFadden: Well you might get three in a row here.

Man: Third party independent.

Mark McFadden: I would certainly support this.

Man: Third one?

Man: Yes.

Christian Dawson: (Unintelligible) perhaps is not a good sign though.

Tony Holmes: Yes, okay so now we're down to the last one, two bullets.

((Crosstalk))

Man: It's just an idea, yes.

Man: Yes.

((Crosstalk))

Malcolm Huty: The merits of it should be looked at, yes. The idea behind why you would want such a thing needs to be looked at just as the demerits of it needs to be considered as well.

And how you would - whether those drawbacks are rectifiable with appropriate rules and structures, yes. Or whether some alternative means which even the same thing might be done some other way, yes.

So with it just an idea actually I'm behind it. And so I'm supportive as this point because it does not say we should have two boards.

Man: Yes.

Man: Yes it's...

((Crosstalk))

Man: Move on.

Man: (Unintelligible).

Man: Okay, surely agree.

Mark McFadden: I'll let Malcolm speak first on this.

Man: I do support this one. I'll speak first. Yes.

Man: Here we should have the opportunity. Its responsibility is (unintelligible).

((Crosstalk))

Man: I'm sorry, I'm not calling you out.

Man: We do have to (unintelligible) the opportunity.

Man: I, and I will rehash what I said before. But I do think we have the opportunity and I believe we have the responsibility to do both. I think they're separate things.

Man: And agree on both of them. So that's good.

Man: And I certainly...

((Crosstalk))

Man: Okay. That's a yes. The middle one.

Man: So I'll just take this and say no.

Man: Well actually (unintelligible) I do not currently subscribe to supporting a target effective of 2015 for transition.

Man: Yes.

Tony Holmes: Now I accept as a description that the ICANN leadership very much desires it, yes, as a description of their release. But...

((Crosstalk))

Tony Holmes: I don't support it.

Mark McFadden: And my problem is I don't think...

Man: (Unintelligible).

Man: (Unintelligible). This is in process. And it (unintelligible).

Man: I agree with that. And it was discussed before.

Man: As it says here, as a target.

Man: Yes.

Man: As a target, yes.

Man: Yes.

Man: It was (one of the excuses) in San Paolo as well, the community, so.

((Crosstalk))

(Dominique Rozanski): Yes, it was discussed. And I think, I mean sorry, I'm (Dominique Rozanski) from the GSMA. I was also on the executive stakeholder committee at (Met Mondeal).

I think the important thing - we've been discussing this a lot internally among our members, all our member operators. And I think the important thing is it's a stake in the ground. It's a point at which we can sort of plan to.

But if things happen where it's going to go beyond, which personally I believe well. I don't - I think it's going to take much longer. Then that's obviously going to happen.

We can't say we have to stop at September 2015. We have to get the mechanisms right. We have to get the mechanisms right. And yes, exactly. I mean and we can discuss it. But, you know, I just wanted to bring that up because this is a really big point among our members.

Man: Yes.

Man: Last one.

Mark McFadden: And maybe I can ask Malcolm. This seems like a counterfactual to me because I don't believe that ICANN staff are the ones who chose to lift the scope. I think that that was handed to us by NTIA.

And that, well the scope that's in the NTIA announcement is a very narrow, right. It's just the community has said, well this is a good time for the ISTAR community to have a discussion about Internet governance.

I don't understand this first part, very small (right). I'm completely in the dark suddenly. The words, the fact ICANN staff chose to limit the scope of the ICANN transition discussion and top-down manner, I don't find that to be true. Do you?

Man: I don't think it's written in stone.

Man: I don't think so either.

Man: No, I don't think it's NTIA. As I say, if you bring up the NTIA, or the paragraphs that I quoted from the NTIA statement, which I can't even get into my own laptop, so I can't...

Man: Want me to put it back up?

Man: I can certainly read from it. It talked about - the NTIA statement talked about transitioning its role. And then went on to describe its responsibility. NTIA's responsibility includes non-exhaustive statement, yes, the procedural role of administrating changes to the authoritative roots end file, the database containing the names and addresses of all the top-level domains, as well as serving as the historic steward of the DNS.

Now between the non-exhaustive nature that some includes, together with the expansive term phrased historic steward of the (BMS). I don't believe that

the NTIA limited it down to the narrow procedure aspects of the IANA procedural roles at all.

Man: So that regrettably is one more thing we disagree about. The second part of it is, although it sounds like Malcolm might also agree that it wasn't ICANN staff that chose to limit the scope here. I think you and I probably agree to that.

And then after the comma, I'm currently more focused on the opportunity to secure real account - ICANN accountability that protects us all for the next 15 plus years.

Well of course we're all interested in that, right. That's an important goal. But that's one of many. And I don't see the conclusion coming from - my problem is the conclusion doesn't follow from the...

((Crosstalk))

Man: I don't actually think this bullet adds much to...

((Crosstalk))

Man: Here again, I completely agree with Malcolm. Let the record show.

Man: I also don't think the author intended us to approach the language in this way.

Man: Yes.

Man: Absolutely.

Woman: And I find it helpful to think again just about the goal and the audience because, you know, if we're trying to make a point, if we're trying to start a discussion, a lot of this is okay if we're trying to come up with a credible document. And the absolute and then maybe don't work so.

Man: I agree. And I won't go back on that point. I think the language is (unintelligible) is the sentiment in some cases. We would be closer to it. It could be in a different way. But then the (admins) will struggle that way. But it's worth making up and I will go back.

Man: This will be a statement from the community on the...

((Crosstalk))

Man: Yes if it gets anywhere. I'm really interested to know where the others are going with it now.

Man: Well surely the first step in any such thing if you're wanting, you know, all the different constituencies to be supporting a whole...

((Crosstalk))

Man: Cross community statement. If you're doing such a big thing, the first thing you have to do is - did something just broke - is circulate, you know, some general sentence and ask, is there any point in working on the language, you know, because there's no point in working hard on the details of the language if we fundamentally don't agree about the sentiment.

So is the first cut of the basic sentiments. Are you onboard with that as an exercise? And if so, then we can start work on the language.

Man: Yes.

((Crosstalk))

Man: Yes indeed.

Man: And it's time now to just focus on...

((Crosstalk))

Man: So if we can see that we are broadly supportive of the sentiment that we have problems, and in some cases it's significant problems with the language, but would be willing to work on improved language. That broadly reflected the...

((Crosstalk))

Man: I think it's heading for some recounting of the top-level principles. And it's against this. So I'm thinking...

((Crosstalk))

Man: Yes it's way too long. I mean...

((Crosstalk))

Man: Three or four bullets, yes.

Man: But the elements of this that we pulled out and suggested, we could support the elements of that towards a high-level.

((Crosstalk))

Man: The elements of this report out can build towards a top-level statement that basically reflects those views at the right level. This is too much detail in too many places and too much vagueness.

Man: But as ISPs can't - we're almost to the point here where we could craft that. I think we have enough agreement in the room to say, look this is an important

moment. We have several things that - at this moment that we can accomplish.

Accountability for IANA is one of them. General accountability for ICANN is another one of those. We think that while this is a very important moment to make significant progress on those issues, this won't be the last time we have a chance to do it.

It's a case of continuing improvement in the organization. And that the ISP community is an essential part of that dialogue to bring accountability to both the IANA and to ICANN.

Man: And instead - I would agree with everything. But it's all of it, it's not just (icebergs).

Man: I was just - yes, if you were going to make a proposal and say, well we had this conversation. We found that we had general items where we could agree. Okay, wouldn't those be cl - well I'm looking to Malcolm here.

((Crosstalk))

Man: Yes, I mean I think really my guess is that the - circulating this around. Really they're looking, are you onboard with working on this? Yes.

Man: Yes.

Man: Is it going to be something that you think is likely to lead to a productive outcome? Do you have - do you think it's worth the effort to try and do this?

Man: And so my answer would be yes to that question.

Man: Yes. So thank you. We do have to vacate this room within about three or four minutes. So thanks for that input. I'll follow up. I'll feed that back and I'll make everyone aware on the list of exactly where we're going with this beforehand.

So thank you very much. It's been a good discussion, a little challenging at times.

Man: Before you all leave - hello? There are ISP brochures here. We have a lot. And it would help us if you'd like to take some with you for us to distribute them. Otherwise Tony and I will have to carry them home. And there's an awful lot here. So they're quite well done actually. And I think, you know, you could put them to good use.

Man: And we are closing Adobe Connect.

END