SINGAPORE – NCUC Roadmap for Ecosystem Evolution: Globalization
Friday, March 21st 2014 – 10:00 to 18:00
ICANN – Singapore, Singapore

PANEL: Roadmap for Ecosystem Evolution: Globalization

AVRI DORIA:	So, I'm Avri Doria. Let's start the next panel since we're a couple minutes over already on the Roadmap for Ecosystem Evolution: Globalization. Now, it's actually interesting because I think we've sort of been talking about it on and off all day so perhaps this one ends up a continuation of the conversations we've already been having. This panel was set for four questions which, of course, they can take or not take or go beyond. But the questions were about globalizing ICANN and/or IANA functions. And very much lately we've been talking about the IANA functions and perhaps less so about the ICANN globalization.
	It asks what are the roles of the various stakeholders. It asks -- it's interesting, it asks about governments and then it asks about the rest of us. But it asks about what are the roles of the stakeholders. It asks about where does accountability come from when -- once the U.S. oversight is eliminated? And so that's another question that I hope that we can touch on. And then it asks sort of the same question again sort of in a different way, should the IANA functions be linked to political oversight, which I assume means government, although I'm never quite sure that that's what we mean by political oversight. Or be made a purely clerical function. And perhaps that's -- that's two sides of the

issue and there's space in the middle between pure politics and pure clerical functions.

So anyhow, I've got -- there's a wonderful panel up here, there's Chuck, there's Milton, there's Keith, there's Steve, there's Paul, and there's Fiona, and I'd like to start with Chuck. I've asked each to give a 3- to 5- minute or quicker initial statement. I really want to get quickly back to the discussion with the participants in the room. So thanks. Chuck.

CHUCK GOMES: Thanks, Avri, and thanks to the NCUC for hosting this event. My name is Chuck Gomes. For those of you who don't know me, vice president of policy for VeriSign but speaking in my -- mostly in my personal capacity today. I'm going to at least briefly address each of the four questions. The first one is what might it mean to globalize ICANN and the IANA functions. First of all, I'd like to point out there are two different functions, the ICANN functions and the IANA functions. That's a fundamental fact that we need to keep in mind and we should talk about how to global -- globalize ICANN functions separately than globalizing IANA functions. And as all of us know, the IANA performs multiple functions. So in -- in determining how to globalize IANA functions, it would be helpful if we think about okay, do some of the functions look differently when they're globalized than others? Not necessarily package them all in one -- one bucket.

Number 2, question number 2, what should be the role of governments in a globalized model? What should be the role of civil society, the technical community, and the private sector in a globalized model? I think the role of each of those groups kind of depends on the function

that we're talking about. From the point of view of governments, I fully understand that they want to have some control over their own national assets with regard to the Internet, in particular their country code top-level domains including their IDN country code top-level domains. Especially regarding delegation, redelegation, and a term that we haven't talked about too much, undelegation. I don't know if that's a word. So it may be worthwhile to consider ccTLD delegation functions separately to more effectively deal with the concept of globalization.

Question number 3 is, if U.S. political oversight is eliminated, how do we ensure the accountability of ICANN and VeriSign? So in my opinion, accountability is probably the most important issue in this whole topic. It's absolutely essential, if we expect to ensure that there will be no degradation of service and no new risks added. It's insufficient to rely on the good intentions and even a good track record. There's too much at stake for all of us in the Internet. Both now and in the future. Is ICANN suitably accountable at this time? Well, I think there are two accountability mechanisms for ICANN right now. The U.S. Department of Commerce has the agreement with ICANN to perform the IANA services so that agreement is one accountability mechanism. There's also the Affirmation of Commitments that the two organizations have. If USG oversight is eliminated the only continuous accountability forum is the ICANN board. Now, the Affirmation of Commitments Accountability and Transparency Review Team number 2 that just finished its work, gave us a report card on ICANN, and I think that's a measuring stick that we have and there's -- there are definitely some needs for improvement in that. Let me go to the other part to have question, is VeriSign suitably accountable at this time? And by the way,

I'm not here to defend VeriSign but I'm just trying to share some areas of accountability that exist. The cooperative agreement that VeriSign signed with the Department of Commerce actually goes back to an agreement with the National Science Foundation in the '90s. That provides for contractual accountability, for the duties we perform with regard to the root servers and the zone files. Also our reputation as a company is at stake. That's a big issue for us. So there's a lot of accountability with regard to that. And as a publicly-traded company we also have accountability there that most of you are familiar with with regard to publicly-traded companies and that applies to everything we do including the Root Server functions that we perform, that are totally independent of our performance as a registry. I think the community can evaluate whether both ICANN and VeriSign are accountable in those regards, and certainly make good decisions going forward with regard to what accountability mechanisms should be there in the future.

The last question is should the IANA functions be linked to political oversight or made a purely clerical function? As noted previously, in dealing with ccTLDs I think there's a possibility there in that area that some political oversight may be useful. But it's critical that such oversight doesn't result in less timely responses, poorer customer service from that point of view. Some of the IANA functions can be termed as clerical. But I don't think they're all clerical. Some are also technical in nature. One example of that is the iterative technical oversight that's needed for the root zone with regard to DNSSEC and those requirements. And extreme care needs to be taken in cases like that with regard to the technical requirements that are fulfilled. I

believe that clerical and technical functions should be performed by different organizations and that the technical functions should definitely be performed by a very experienced organization that has the right track record and the applicable experience to do that.

So in conclusion, I believe that any framework, whether it's new or existing or some combination thereof is -- that is considered, must enhance confidence, reliability, and accountability and avoid the introduction of risk. Any entity's task with IANA functions must be fully prepared to assume these critical responsibilities and must be fully accountability to the global multistakeholder community. Thank you.

AVRI DORIA: Thank you. Milton, would you please like to go.

MILTON MUELLER: Thank you. Yes, I'm Milton Mueller, Syracuse University, Internet governance project. So we've been looking at the problem of U.S. control of the DNS root for a long time. Mainly as academics and people concerned with the justice and efficiency of global governance. And we've always believed that it's not sustainable and not a good idea for one nation state to have control of something that's part of a global infrastructure.

We've reached the point post Montevideo statement where we had to decide okay, if we are going to globalize IANA, how are you actually going to do it. Somebody had to seize that problem and deal with it seriously. And that's what we tried to do. We thought about it very carefully. We poured over the actual IANA contract and tried to figure

out what parts of it were useful and which parts of it were not. And what happens when the U.S. government actually isn't there anymore.

So we came up with three basic principles that I'm going to relate to you. We started out actually thinking that this should all just devolve into ICANN, by the way, and we changed our mind. We believe now the first principle is that you should structurally separate the DNS-related IANA functions from the DNS policy-making process, that you have to establish a structural separation between them. Secondly, we supported ending governmental oversight, not multi-lateralizing it. And third, we wanted to put root zone changes in the hands of parties with the strongest incentives to do it right. I don't believe in oversight or a bunch of committees telling people what to do. Whoever is doing this has to be strongly incented to actually do it right the first time.

So based on these requirements we came up with an organizational blueprint for the IANA reform, the essential elements of our plan are this. First, take the DNS-related IANA functions away from ICANN, take VeriSign's root zone maintenance functions out of the cooperative agreement, and put them in a new organization independent of ICANN which we call the DNS authority. The DNSA would be a nonprofit controlled by a consortium of top-level domain registries, ccTLDs and gTLDs. We see no reason, second, that we cannot complete this transition by September 2015 and we believe that people who overemphasized the need for delay probably don't want to make the transition.

Finally, we think it's important to leave aside reforms in ICANN's policy process, once you've separated them, and ICANN's incorporation to another day. That will take a long time. That is extremely complicated.

So this plan has received a gratifying level of support. Let me try to address a few elements of it. I hope we'll have greater discussions about it.

The first two principles seem to be widely accepted. Indeed, the existing IANA contract already tries to implement the first principle of structural separation. So some argue that we don't need to do anything, just give IANA to ICANN. But an IANA inside ICANN is an imperfect implementation of the separation principle. It is a functional separation, not a structural or organizational one. And once the NTIA contract is gone, the accountability framework collapses. Nothing would prevent ICANN from mixing the two up. If we want to maintain a separation principle in the post NTIA Internet, we need structural separation. In the absence of a governmental contract, we need a balance of power move. And ICANN in complete control of both policy and the root zone would be a highly centralized global authority with the ability to impose policies rather than simply develop them and achieve consensus on them and pass them on for implementation. The bottleneck power of the DNS root could be used to impose forms of control that would be harmful to the public. And structural separation is not a complete safeguard against this but it's an important one.

As for principle number 2 relating to the role of governments we thank the NTIA statement on March 13 for pretty much settling that issue. It's been taken off the table. The idea of replacing NTIA with a multilateral

or an intergovernmental authority is now off the table. We think this is the right thing to do.

It's principle 3 that's taken the most flak. We stand behind the idea that root zone data changes are changes in data about and mostly made by top-level domain registries. No one has a stronger interest in secure and accurate management of their own data. People who talk about adding new committees or bureaucracies to the process of making highly technical and clerical root zone changes strike me as people trying to use a hammer when the proper tool is a saw. That is, they're applying the wrong tool to a problem, it just doesn't apply to. But I'll leave it at that and open that up for discussion later. Thank you.

AVRI DORIA: Thank you, Milton. Actually in five minutes. Keith.

KEITH DAVIDSON: Good afternoon, everybody, and just for the purposes of clarification, my name is Keith Davidson and it shows on the schedule that I'm the chair of APTLD and I haven't been that for two years but that's probably symptomatic of me not replying to Bill's questions as to what roles I have or haven't got in a timely fashion. But I am the vice chair of the ccNSO council and ICANN I also serve on the ISOC Board and I think my strongest interest in today's discussion is through the work that I've done chairing working groups within ICANN on issues relating to delegations and redelegations of ccTLDs, which is a subject that's very close to my heart.

And I think just to pick up on a couple of comments so far, Chuck was mentioning the -- the issues of governance versus the ccTLDs, and I think it's a bit more sensitive than just portraying that governments have an interest in their ccTLDs.

There's a very delicate balance between the sovereign rights of nations and the obligations under RFC 1591 to serve as the best interests of the local Internet community and quite often those interests are separate and discrete from each other. And also noting that in the United Nations there's about 193 countries and there are 246 ccTLDs in the database. So quite a few ccTLDs don't have a government as well so who do you go to. Or disputed governments like Antarctica has about seven governments vying for control and they can't agree on anything, let alone what a ccTLD should do. So I think -- and on the basis I think historically of the U.S. government's role in terms of IANA, I think you could -- it would be fair to say that mostly their role has been as a custodian of IANA rather than the owner of IANA. And so I think they've discharged their responsibilities quite usefully along the way, at least as it applies to ccTLDs.

And so that then takes us to the point of what might replace this, and, you know, what is a function that might be useful? And so I'm stuck in this mind-set of thinking how can you allow governments to have fuller control. The U.S. government's already expressing some distress around the idea that they would hand on to a multi-lateral organization. So I think it behooves our community in particular for probably the more sensitive areas of the IANA database in terms of delegations and redelegations to come up with a plan that covers off those broader

interests. And whether that's inside or outside of ICANN, I'm not really sure.

I think there's four discrete parts to the IANA contract. There's the clerical function and the technical function and the policy function that Milton has referred to but there's also the authority who stamps the form to say this is approved and who responds to that in terms of pushing that finally out. And I see extreme dangers in the concept of a single organization being responsible from top to bottom of those functions. So I think the -- the principles encapsulated in Milton's model resonate very strongly. I can fully subscribe personally, and (indiscernible) said, the organization that contracts me also subscribes to those principles. We may have a bit of a dispute about the structure of the organization that you're proposing as a straw man but notwithstanding I think there's a lot of merit in entertaining what you've written, Milton, and it's quite useful.

So in -- and I think it's also very important to have a -- to structurally separate the debates of the globalization of ICANN and the globalization of the IANA database. I think they are two very separate topics, and in terms of the globalization of ICANN, I think there's a -- there's a bus that's moving very quickly and people who've been able to run beside the bus are probably following that process and in touch with it. But it's going through a process and it seems to be moderately accountable and transparent along the way. I'm a little bit concerned with the apparent haste to get the IANA globalization complete and I think given that it's taken, you know, 16 years of ICANN for us to even be able to mention the word "redelegation" of a ccTLD with governments in the room, to being -- you know, having an 18-month program in front of us to -- to

achieve a new structure is quite ambitious. So perhaps there's an opportunity for us to step through the changes to the IANA function in an orderly fashion and those organizations like the RIRs or the IETF who might be ready to move shouldn't be held up because of us, but hopefully we won't be dragged with them to have to act too quickly and potentially make mistakes along the way. Thank you.

AVRI DORIA: Thank you, Keith. Steve, please.

STEVE DelBIANCO: Steve DelBianco with NetChoice speaking for myself on this. The first question was, what was it meant to globalize ICANN and with respect to ICANN, I mean, I thought we were on the track of globalization with the Affirmation of Commitments in 2009. It was an amazing document, creating the global public interest as the standard and calling for these affirmation reviews. And when they signed it, both ICANN and the commerce department wrote in 2009, quote, this completes the transition of the technical management of the DNS to a multistakeholder private sector model, quote. Well, I guess it wasn't complete all the way as we're learning today because there was one more shoe left and that was the shoe to drop of IANA.

So that was affirmation 1.0 in 2009, just three and a half years ago. I think to globalize ICANN we need an Affirmation 2.0. I think that the first thing you need there is for all governments to sign. Every government that has a framework agreement, for instance, Keith, should sign it. And Alejandro Pisanty mentioned the ecosystem high

level strategy panel, and when you read their report they too recommend on this roadmap, they recommend the notion of all governments signing a version of the affirmation they can sign. I think that we -- in affirmation 2.0 we should make sure there's a way to retire an obsolete review that was in the affirmation. Think of the WHOIS review. There ought to be a way to modify reviews and create brand new ones, like modifying the new gTLD review.

Now, for IANA, to accelerate the globalization of IANA, think about IANA in two ways. It's an operations day-to-day and it's a contract award decision that's made every three years. So I think that the operation of IANA, it could go to a new entity like the one that Milton and Brenton have suggested, like DNSA. If IANA functions stayed within ICANN, however, we should add a new affirmation review to review IANA's functional performance over the previous period. That's something that Fiona and her group do every three years to review how well ICANN did at IANA functions. But we would want to put it into the Affirmation. And I don't propose tearing up the contractual part of IANA just yet. And I'll explain in a minute.

Now the second question was what would be the role of governments in this new model? And I say two things. It should be broader, and that's what I talked about earlier, about all the governments should sign, not just one government, the U.S., and it should be deeper. The role of GAC advice ends up being one of the key aspects of government participation. Currently GAC advice -- and we really refined this on the new gTLD program -- is based on consensus. Remember the GAC operating principle 47? It says that consensus is understood mean the practice of adopting decisions by general agreement in the absence of

any formal objection. And that was what the governments have used in the GAC to give us formal advice on the new gTLD. That's very different than a process where most governments are used to at the U.N. and ITU where the simple question is the majority rules. The simple majority would carry the day. And we're all familiar with what happened at the ITU last year with respect to the ITR voting.

The third question was on U.S. political oversight and ensuring accountability. And by political oversight, I think you meant by a government because the IANA contract is really a point of leverage more than it is oversight. And I now it's done by a political body today, the USG, but it isn't leveraged for political purposes. The leverage has been used for securities, stability, and resiliency to protect free expression, the private sector model, and the global public interest. That's what it ends up being used for, and I cited this morning the example of the 2012 RFP for IANA where the U.S. government forced ICANN to resubmit its bid because they weren't responsive enough.

And the final question was, should the IANA functions be linked to political oversight or made clerical. Well, I believe they should be purely technical and clerical. In the moment when they're approving root zone changes it's got to be done in realtime and a clerical basis. But here's the but, I think we need a way to rescue the root operations from ICANN. If there's an episode that a review or another -- some kind of an issue surfaces. Now, think about this, we've talked about principles all day long but as an engineer, when I design systems, I would most often design not some starting from principles but I'd start with use cases. I'd think about all the -- a couple of programmers nodded already. Because when you have use cases, knowing the problems I have to solve, it turns

out when I've solved several use cases and problems, principles emerge. So I'm just going to list five or six use cases that I believe should guide how we design the replacement for the contractual leverage exerted by commerce department today.

One would be well, the failure of ICANN to implement the commitments in the Affirmation of Commitments including the implementation of recommendations. What would be the leverage to get them to do that and to live up to an affirmation that they can currently quit with 120 days' notice. What about performance failures with IANA? I mentioned the review. ICANN, what if ICANN avoided legal jurisdiction in countries where it had contracts that were adjudicated. That would be a use case we'd need to solve for. What if ICANN were overwhelmed by lawsuits and injunctions and becomes unraveled. That would be a use case we should design around. And then governments -- what if governments moved away from consensus to a simple majority voting. Because the GAC can rewrite its own operating principles any time it wants. And if it moved to simple majority -- it's one thing for Turkey -- on the previous panel, you remember there was discussion of facebook.com being blocked in Turkey. It's one thing for Turkey to block youtube.com or facebook.com for purposes of suppressing what they feel is offensive speech. But those offending pages they were worried about were still visible to the rest of the world and to any techies in Turkey who know how to get through the firewall. But when dot Youtube is a TLD in the root well then a majority, say 65 of the 130 countries who show up at the GAC, they could drive GAC advice that would threaten the removal of the entire dot YouTube TLD if offending domains weren't globally taken down.

So I don't think it's too much of a stretch to suggest that the root control in a simple majority of GAC votes is a use case we need to work around. So who would rescue the root? I don't know, but for now it's the USG, although I doubt that Fiona actually knew all the ways that I was hoping she would rescue if the time came. But we've got the replace that with something's and we'd better get busy.

AVRI DORIA: Thank you. Paul, please.

PAUL WILSON: Good afternoon, I'm Paul Wilson, the head of APNIC which is the RIR, the regional IP address registry for Asian Pacific. I think a lot of what needs to be said has probably been said, at least from the panel, and there's hopefully plenty of time for interaction from the floor. I won't say too much at this point, but one thing that does keep cropping up is what exactly does globalization mean and I've heard that question many times and I don't think there's a single answer. It's a single word that was chosen. I think quite significantly in the Montevideo statement to -- reference to a couple of different changes needed for -- we felt were needed for ICANN and the IANA.

So globalization is sort of a placeholder for a number of different changes, but they're actually quite different changes. And I agree completely that we've got to separate very distinctly the need or the process of globalization of ICANN from that of IANA. So in my view the globalization of ICANN as it was used in the Montevideo statement simply refers to the replacement of the AoC with another mechanism

which doesn't have an individual government in a special role, a mechanism of accountability of global community which could involve agreements with multiple governments as an option. Multiple organizations including not limited to governments of course.

In the case of IANA, the term "globalization" was a reference to the replacement of the existing contract between ICANN and the U.S. government for IANA services with some other mechanism or mechanisms that under which ICANN could continue to provide those services. So -- and the common thing is that in both cases globalization refers to removing or replacing a document or existing agreement which happens to be with the U.S. government. The similarity ends there because those existing agreements are very, very different in their nature and they serve very different functions.

The other thing to mention about this, though, is there's also nothing new about this call for globalization. It may not have been phrased in exactly that way but I believe this is exactly what's been expected of ICANN since ICANN was formed. And at least in the case of the RIRs we've called publicly several times for globalization, as I've just described it, to happen. So we've made statements through the Number Resource Organization calling on the U.S. government to continue with the process, to take more steps, or at the very least to give clearer, firmer indications of what's coming up in the future. So finally, this has actually been achieved I think very clearly and I think most of us should be very happy to see that, which is not to say that there's not plenty of work to be done. It is just to say though that this is not by any means a new thing that we're looking at.

On the question of role of governments in different stakeholders there, I think as has been said, the situation for ICANN and IANA are very different. So in the case of ICANN and AoC this seems to be the -- a likely mechanism to continue there but one which involves multiple or many governments or others who wish to enter into that. In the case of IANA I think it's worth subdividing further to look at the roles of particular stakeholder groups because IANA is a kind of a historical collection of different functions which happen to be done in the same place but, I mean, to be -- to be clear, they need not necessarily be done in the same place, although in our statements in the past we've been -- we've expressed -- the RIRs have expressed satisfaction with the fact that they're being done by ICANN and with the way in which they're being done. But it's some -- they are very different, and most of the IANA functions don't -- with respect to the question about governments, most IANA functions don't operate at a national level at all.

So I think we've already heard that it's the delegation of ccTLDs which do have a special relationship with nations or economies and which might carry some sovereign issues or whatever and there's a clear possibility of government interest there. But in the case of others, particularly the protocol and parameter functions in the Internet address registry functions for v4 and v6 and for autonomous system numbers, there's no obvious national connection at all. I don't expect the governments have any special relationship with IANA with respect to those functions.

I think I'll leave it there and hope we have plenty of discussion. I'm happy to comment more later. Thanks.

AVRI DORIA: Thank you, Paul. We've heard a bunch and now I'd like -- Fiona, what do you think?

FIONA ALEXANDER: I'm sure where to go now after all this. There's a couple of different ways to go and maybe I won't speak too long as to have a broader conversation with the group. But maybe -- I find that providing a little bit of history is helpful. People tend to forget where we've come from, just focus on the issue of the day. So this idea of globalizing ICANN and the IANA functions has been on the table since '97. So this idea that we've just started globalizing in the last year, year and a half is incorrect.   We've been globalizing the system since '97.   Our relationship with ICANN and the United States Government as steward of the system started with a Memorandum of Understanding and the IANA functions contract.

The MoU was modified seven times, I believe, and culminated in the Affirmation of Commitments. And I think it's important to keep in mind what the Affirmation of Commitments actually has, there's three parts to it.   One, what the U.S. government commits to as a part of the system which is to participate in it. Two, what ICANN commits to. And I believe that almost all the parts of the Affirmation that ICANN commits to are reflected in their bylaws in some fashion or another. And then the third part of the Affirmation, the operational part, is really these multistakeholder reviews that provide accountability and allow the multistakeholder community, including the Department of Commerce as a part of that, to actually evaluate ICANN's performance to date. And

I would hope that everyone would recognize and acknowledge that evolution, which took a good 12 years, really was a huge step in globalizing ICANN. So the question about what's the next step for globalizing the affirmation I think is a fine one to have. I think Steve put forward a couple of good ideas. It would be great to hear what people have to say. We wouldn't want to pre-judge that. But I do think it's important that we do, you know, maintain the sort of reviews and accountability tool that's in there.

On the IANA functions, it's a slightly slower trajectory. But I also think people tend to conflate and aren't necessarily sure what they are. I think Paul's presentation just a second ago probably came closest to actually articulating what are the IANA functions. There are three primary functions of which there are three different sets of customers, direct customers of the service. So the protocol parameters which is really the distribution of something developed by the IETF, the allocation of IP numbers which really something that goes to the RIRs, and then the processing of root zone changes which are requests that come from TLD registry operators. Three distinct customers in the service. With different policy structures.

So when we did this last run of the IANA functions contract we went to great lengths through an NOI and a further NOI to take a step to globalize this. That was our attempt to do that, to ask for stakeholder input, to ask what kinds of new changes wanted to be in the system. I think Milton's referred to one of the changes that's in the current contract which is functional separation and this is to deal with the fact that of the three services the policy authority for protocol parameters and IP allocation is not ICANN. It's the RIRs, IETF, IAB or the IETF. With

the root zone process, the policy authority is within the ICANN family of policymaking. So the IANA functions operator is functionally separate from that policymaking process. And that's the current construct. And again, this was our attempt to globalize the system and make it more robust. So I won't speak at length as to what we said last week. Our statement is ready available. You guys can take a look at it. But what we've done with this announcement is to sort of put forward in cooperation with ICANN what's the next step in this evolution. And I think it's really important that people keep in mind, what's on the table as we're moving the USG role in this space. And that role with respect to the IANA functions is twofold. It's the role we have in clerically administering the root zone process and it's the confidence that comes with letting of the contract. Keeping in mind that these three categories, protocol parameters, IP addressing, root zone processing, we are not the customers of those services. So maybe it just helps to frame it a little more factually.

AVRI DORIA: Thank you. I want to thank, first of all, all the panelists for staying so close to the time and so close to the questions. I think it was really quite interesting, we actually got some principles laid out, several of them, whether they were the primacy of accountability, the three principles that Milton's proposal put out, the 1591 principles which is always really good to hear, and such. One of the things, though, that we haven't quite gotten to, though Milton's presentation got close, is sort of the roadmap. Milton gave us principles and gave us sort of an end goal. The rest of us have sort of talked about the principles, how we want to go, perhaps even where we want to go. I had -- thanks to

Sam Dickinson, I had the -- Samantha Dickinson -- I had the privilege of reading all of the IANA contributions or the IANA-related contributions to NETmundial yesterday and it was really quite expansive, from one extreme to the other extreme and just about everything in between. And yet, even there there was very little of roadmap, of how we actually make this happen. And one of the things we do need to remember was in a blog by Emily Taylor is, we have to succeed at coming up with this plan in order for the U.S. government to have the ability to pull back. So there's -- there's a lot to be done.

So in terms of calling on the participants in the rest of the room, I hate the word "audience" but calling on the participants in the rest of the room, I'd sort of like to ask you to look at the questions, to perhaps look at some of the implications of the questions, but if you have really good ideas about the roadmap part, about how we actually start this, how we actually do this and get it done within 18 months or what have you, it would be lovely to hear those recommendations, and I'm sure the people from ICANN who are here who are sort of responsible for orchestrating or -- this whole process would also love to hear that part of it. So I'd like to invite people to come to the microphone. I'd like to ask them to do pretty much the same thing I asked the panelists to do, which is keep it really brief. Make a single point, if you can, get back into line later to make a second point. Get back in the line later to make a third point. But please, if there's anyone that has a comment, a question, a solution, a principle, please. Please introduce yourself and if you have a person that you're directing your comment to, please mention that.

Hi, Mikey.

MIKEY O'CONNOR: Hey, Avri. My name is Mikey O'Connor, for the transcript. And I'm speaking on my own behalf. So I represent none of this bling around my neck. I started walking when, Avri, you started talking about the how do you get this done thing. And I want to do kind of a working group plug. I always plug working groups. And I sort of feel like I'm interested in defending the working group brand. Because we've started diluting that term a little bit here in ICANN land. We started calling a lot of stuff that isn't really working group based working groups. And I think that really true working group work is a good approach to getting this done, which means a really good charter that because this is so broad probably has to be a cross constituency kind of charter. So we're sort of racing against the clock. Chuck and I and others have been working on how do we do cross constituency stuff and there's working groups working on that. We'll just have to work through that. But charter it fairly quickly. Try not to solve all of the problems in the chartering but put some fence posts in there. And I think that the NTIA announcement sort of did some of that. It did some cool things in terms of putting out some dates and so on. I like that a lot. But use that kind of a process and try not to spend a whole lot of time inventing the process.

AVRI DORIA: Thanks, Mikey. Before you go away, one of the comments that's come up in some of the NETmundial contributions has been this has to be wider than ICANN. So -- and I'd think obviously ICANN building on its -- its working group model and its working group plan is probably a good start. But how does that extend beyond -- I mean, how does -- we've

not succeeded in doing that outreach to working groups as well as we would like. So how would we do that?

MIKEY O'CONNOR: Well, I'm inventing on the fly. I'm a guy so I make stuff up to fill the void.

AVRI DORIA: That's why I asked you.

MIKEY O'CONNOR: I think the working group model is pretty extensible. You know, I have to stay in the GNSO model because that's the one I work in the most and understand the best. But that model is not closed. Anybody in the world can participate in a GNSO working group. And if we used a model like that, accommodating the other -- you know, we do have other working group models within ICANN, the ccNSO and the SSAC and so on. Some of those -- SSAC is probably the best example of a not as open one for obvious reasons. The nature of their work needs to keep that a bit closed. But use that extensibility model -- part of the GNSO model and to the extent the other ones have, as the basis for something like that.

Now, there's another edge to what you were talking about. One of the problems with the working group model is that it takes a long time to get ready to be an effective participant in that model. And so if you recruit 10,000 people and try to get them into that model in one go, that's tough because there's a lot of knowledge and connection that

needs to be built. And that can't be done in 18 months. There's going to be some trade-offs in there.

AVRI DORIA: Thank you. Steve, you want to comment?

STEVE DelBIANCO: Yes, Mikey. You're presuming that once NTIA asked ICANN to develop a transition plan, that ICANN would rely upon the cross community working group model and there's no -- there's no way to presume that.

MIKEY O'CONNOR: No, I'm not --

STEVE DelBIANCO: Let me finish real quick. Over the past several months the inclination of ICANN is the opposite. It's to handpick outside experts and convene them into a strategy panel that makes its recommendations directly to the board. And as you know there's already a fifth strategy panel looking at the evolution of the ecosystem. Their report is in, but there was yet another one that was formed more recently that's going to look at coming up with it. So I don't know for sure if the Board of ICANN will let the community do anything more than comment on what the high level experts put into the process. So we may need to spend the week not only defending the working group model but asserting that it actually is the model we're supposed to use.

AVRI DORIA: Thank you. Milton, you wanted to comment on that?

MILTON MUELLER: Yeah, I'd like to amplify Steve's comment. I think that it's a real issue here, the fact that ICANN has been given such a -- I guess a blanket mandate to convene a process. It's not clear exactly whether that means that ICANN is absorbing all of the IANA functions into itself or whether it would actually entertain other models. It's not like the ICANN management and staff don't have a vested interest in that outcome. So we do need to talk about a working group. In our plan we did talk about a -- a working group that was beyond ICANN, that involved the IETF and IAB and a multistakeholder working group that would be developing an MoU, but we do have to ask, if it's a GNSO working group as you've described, does that mean the Board approves it? So we really need to ask questions about that. And I agree with you, we shouldn't waste a bunch of time inventing a process, but we do have to worry about who controls the process.

AVRI DORIA: Thank -- did you want to give one more --

MIKEY O'CONNOR: Let me come back. A couple of clarifications. I think that I always use the GNSO as a model. I mean clearly the GNSO can't be the only participant in this. Steve, I am very cranky about top-down versus bottom-up, as you know. I think that one of the -- there are two things. That's part of the reason I want to defend the working group brand. But the other thing is that it's my experience that on the international -- I

know almost nothing about what's been said in this room today. I'm absolutely a clueless newbie when it comes to Internet governance, but my sense is that ICANN is held up as this bottom-up multistakeholder thing when in fact it's not. And that illusion, that marketing, that use of working groups, that use of the bottom of the bottom-up process as the fig leaf that covers up essentially what is becoming a very top-down, very administration directed process, that's not going to last much longer. Because the world is watching now. And they're watching folks like us at the bottom saying we're becoming marginalized or almost irrelevant as these royal panels get formed to dictate the direction and at some point that fabric's going to tear. So this is an opportunity to make that choice. Either we go that way and we face it, we say it's an administration that's top-down, et cetera, et cetera. Or we reembrace the bottom-up stuff, take the best parts of the bottom up model, not just the GNSO but the good stuff, and use it as an example and as a test case to show the world that this works and that it's really good.

AVRI DORIA: Thank you. I see a line building up now. I see a line of usual suspects, which is great, they're all very -- yes, even you. You were the chair of the last panel. How could you not be a -- moderator of the last -- but anyhow, I just wanted to take a chance and sort of say anybody that's never stood at the microphone before? It's a great experience. And you really should take the opportunity, if you've got something to say, to get in the line. By the time you get to the front of the line, you're so used to standing up there that it's easy to say something.

Adam, please. Introduce yourself.

ADAM PEAKE:

Adam Peake for the record and the reason I'm not used to this is because I hate these microphones and I think this is the most unfortunate way of trying to communicate with an audience, but there you go. Because I find it nervous and by the time I've got here, I've got confused by all the interesting things that you said in response. Because what I wanted to say was that as I understand it, NTIA asked ICANN to convene a global process and this procession or this meeting is about NETmundial and beyond, right, Sao Paulo and beyond. It's not about ICANN working groups. Working groups perfect. But you have an opportunity now perhaps in this time in ICANN to help create a charter. Milton and others have said we have an end goal. We know what the end goal is. What's the roadmap? And so perhaps take a charter, a draft charter from the ICANN community into NETmundial where that have been internationalized. Because the problem with ICANN is we're not representative of anything.

Looking at you lovely panelists, not very geographically diverse always, so that's a problem. And this is a problem with the -- no, it's North American and two Australian. Australian and New Zealander. You know, we don't do this very well. NETmundial hopefully will globalize in a way that will be more important. So please, a charter. Think of a charter. How can we get this roadmap going with a goal. We know what the goal is. And use NETmundial perhaps to itself charter a working group on this going forward. That's what NETmundial might be able to do. We may be able to get some basic agreement on a charter that can be then globally taken forward towards the end goal of September 15, 2015. Thank you.

AVRI DORIA: Thank you. Great idea. Thanks. Please.

PHILIP CORWIN: Thank you, Avri. Philip Corwin. On the issue of what should be the role
                               of governments in a globalized model, I don't have a firm view of what
                               that should be at this time, but I do believe that we will see proposals
                               that involve governments in some way in this role. I think ICANN will be
                               hard-pressed to keep the discussion of what replaces the NTIA role just
                               confined to within the halls of ICANN. It's clearly going to be, we heard
                               this morning, that many of the NETmundial submissions talk about
                               ICANN and IANA. It's being co-hosted by a government. There's a
                               substantial government presence. I mean, those same governments
                               participate in the GAC will bring those views back here.

                               I do -- Milton, I must respectfully disagree with you said something that
                               the NTIA statement precludes any government role, and I don't believe
                               it does that. I've got the press release here. It says -- and the key
                               sentence is NTIA will not accept a proposal -- and I agree with the basic
                               statement it makes personally -- will not accept a proposal that replaces
                               the NTIA role with a government-led or an intergovernmental
                               organization solution. And I know from all my years in Washington that
                               statements like this are heavily vetted, that words are chosen very
                               precisely, and as I read it, the phrase "government-led" does not
                               preclude some type of organization that includes some -- some
                               government participation in it without a control relationship. So I think
                               the issue's very much on the table. I would never ask Fiona, you know,
                               hypothetical, would this organization pass muster or not, but -- I would

invite any response on whether the phrase "government-led" precludes any government involvement at any of the organizational solutions that may be proposed to replace the NTIA role up to now.

AVRI DORIA: Thank you. Milton, did you also -- Fiona.

FIONA ALEXANDER: Sure. I think just from NTI's perspective we wouldn't want to pre-judge the discussion that the community is going to have. My understanding is the Monday morning session, I don't know what time it is, 10:30 or whatever, is going to have a -- I guess a version of this conversation it seems in terms of getting community feedback on the process and maybe someone from ICANN wants to provide some details on that. But from our perspective, you know, the words are very clear. We would not accept a governmental-led or intergovernment solution. But the details of a replacement -- again, someone suggested that the scope of this is broad, I think it was Mikey. It's not. It's a very narrow scope. Our role is very narrow. It's not broad.

PHILIP CORWIN: Thank you.

AVRI DORIA: Thank you. I had both Milton and Keith wanted to add a comment and then I'll come to --

MILTON MUELLER: Yeah, so for example in our proposal, the ccTLDs would be involved in this DNS authority and many of them are government owned or government -- actually they're under government legislation including dot U.S., for example, one of those evil governments, again. So I don't see any way that you can not have governments involved. I mean, governments are involved in GAC currently and I think Steve was expressing some very valid concerns about the strength and role of the GAC that could happen with the change of their procedures. These are more valid concerns, actually, than an ITU takeover or these kinds of strange scenarios by which somehow Russia or China takes over the Internet because the U.S -- this is junk. But when we talk about the threat, it comes from a corruption of ICANN's internal processes through these strange combinations of processes in which governments are playing a sideline or parallel role to the bottom-up process and we have to be very careful of that. So it's good for you to focus a spotlight on what is meant by government-led and how a solution would deal with the role of governments. But I think the straight out face plausible interpretation of what they say is okay. It's not going to go to the ITU and we're not going to have the NTIA role transferred to 192 governments. I think that's all quite good.

AVRI DORIA: Thank you. Keith.

KEITH DAVIDSON: I think just also for a bit of clarity, too. I think, you know, for a lot of the changes or a lot of the things that happen on a day-to-day basis in the IANA database, things like, you know, dot NZ, dot dating, it's technical

context, phone numbers or something. I'm pretty sure the New Zealand government or the U.S. government or any other government is not interested in those changes in the database. The sorts of things that will interest governments are things like delegations and redelegations or in gTLDs in country or territory names or capital city names. So when it gets to that stage there is the issue of sovereignty. But I think if we remember the WSIS principles on Internet governance that a multistakeholder group that has equal participation from all stakeholder groups including government, then you start to get to something that is probably workable. But in some instance where the governments are all powerful, we've got to exclude that very early on. And I think the U.S. government has done a really good job to have painted that pathway for us. Thank you.

AVRI DORIA: Thank you. Olivier.

OLIVIER CREPIN-LEBLOND: Thank you very much, Avri. Olivier Crepin-Leblond. I'm going to wear the hat of the co-facilitator of the cross community working group on Internet governance which for some of you haven't been in the morning has been looking at the -- especially what this specific question and especially looking at the actual framework by which this should be achieved. The working group did say that there was a preference for all of the ICANN community to be involved in the future of the IANA function and the designing of the overall goals. And so effectively it -- I totally understand Adam Peake's view which is to say well, let's include the whole world into the whole -- the design of where we're going next.

But the concern I have is we -- we do have in ICANN this extraordinary amount of knowledge about how to run working groups, how to reach consensus, how to do bottom-up multistakeholder work, how to actually get input from remote parts of the planet, and I think that this is not something which is commonly shared among the rest of the world. You can see some other fora out there that when they need to do Policy Development end up being totally highjacked, I would say, by some constituencies or some vested interest in some cases. So I would say that the ICANN community certainly has to be key to the future of the IANA function and also the future of ICANN with regards to globalization.

Second small point I'd like to make, this is wearing no hat whatsoever apart from being myself. I think that with regards to working groups there need to be more than one. Certainly one function is going to be the legal location of the actual framework by which the IANA function can work. If it's not going to be under a U.S -- under U.S. approval then it's going to be under some other kind of system, whether it's going to be in Geneva or somewhere else. So legally speaking some framework has to be built on that. But there also needs to be a framework of accountability that needs to be built. And I think that this cannot be a framework of accountability on the public interest because it's not something that is actually defined as such. We've been told that many times. However, the human rights framework has been defined and is something that a lot of governments, I'm not saying all governments but a lot of governments has signed up to. And I would say that most people would resound to and agree with. So a human rights framework, in my point of view, is something that would really be

higher than any other framework of accountability with regards to the IANA function and perhaps further in the future for ICANN.

AVRI DORIA: Thank you. Yeah, I don't think anybody was suggesting that ICANN wouldn't be part of it. That's obviously a given. But thank you. Okay. Please.

DESIREE MILOSHEVIC: Hi, Desiree Miloshevic with Afilias. Already forgotten why I'm here but -- standing long in the queue. But I think what has been said is worth repeating, this work has been -- you know, this work has been in the -- in the -- been done for more than 15 years. I think this is something that we've all been expecting will come to an end at some point, the NTIA's transition of IANA functions. So there's no surprise there. And I think if we ask ourself technically what would happen tomorrow if the NTIA is no longer a part of the IANA agreement, technically nothing will happen. ICANN would continue to do the IANA role and it would tread carefully and so on. I'm trying to stay positive here and say we have 18 months but we do not need to use these 18 months to actually decide on this. I think things can move more quickly. The issue is not with the IANA customers, the ccTLDs and gTLDs and IETF and RIRs. I think where we need to tread carefully is this inclusive of global community and use the opportunity like Adam has said. Use NETmundial and use other fora to get some basic agreement.

And on the point of structural separation, that doesn't have to happen on day one, and I think one of the biggest concerns we need to address

is probably GAC's response. Not the 250 ex-ccTLDs but to some ccTLDs that have more direct control of. So I can see various working groups being formed between ccNSO, like a fast track working group and GAC, trying to address some of the concerns that every sovereign country state may have that nobody would ever take them out to a root zone file and you can come up with a principle like that. So some ideas for the charter. Thank you.

AVRI DORIA: Thank you. Give it to Keith in one second. I've heard a couple of times that we all knew that this day was going to come and I would say yes, we all knew that just like we knew Godot was going to come. The one we wait for.

KEITH DAVIDSON: Okay. Just in terms of structural separation and reemphasizing the importance of structural separation, I think we all paid the price in the early days of the establishment of ICANN of not having a structurally separated concept for IANA and ICANN spent much of its early years in trying to sew and twine the IANA contract into its everyday business as to make it unseparable. And it was probably only after the further notice of inquiry where there was the opportunity to actually reject the contract that ICANN probably realized that there was some risk attached to their ongoing right to the IANA function. So I think if we don't start out with a very clear understanding of where separation of duties and responsibilities is, we will -- we could easily walk down paths that have been walked down before that are not useful to any of us. Thank you.

AVRI DORIA: Thank you. Okay, please. Do you mind letting the remote go first? Okay, please.

REMOTE INTERVENTION: We have a question from Don. Milton talks quickly about ccTLDs and government involvement. This is true for some ccTLDs. Could Keith use his knowledge to share some idea of how extensive this is?

KEITH DAVIDSON: That's a really good question. I don't have any statistics, but can I just say that in terms of the ccTLD world we -- you know, there are a number that are controlled directly by government. There are some that have some input or some mechanism of seats on the board of the ccTLD. There are some that are at arm's length but friendly with their government and there are some that have very hostile relationships with their governments. And some that don't have a government at all. So it's a mixed bag.

The developed world probably has a tendency to be less government-controlled than the developing world perhaps but there's no general rules in that regard. And, you know, there's no one size fits all in that regard. Thank you.

AVRI DORIA: Thank you. Next, please.

JORDAN CARTER: It's now on. That's better. My name is Jordan Cater from InternetNZ. A couple of points on the roadmap and then one point on the functional separation issue, if I could. It's quite clear from the energy behind NETmundial and so on that a lot of these IG questions are attracting interest from well beyond the ICANN community, and I think that if ICANN is going to be responsible for designing the transition it needs to be pretty clear that interest is broader and if we as a technical community turn away from that broader interest and say this is our thing, we're going to design the transition, we're only going to do it at our meetings, you have to come to us, we'll be in trouble of our own making for no good reason. So I think the people in ICANN, the staffers and so on who are thinking about the process need to make sure it's an open process with other ways for people to get involved that go beyond just showing up to an ICANN meeting and just remote participating in ICANN meetings. There are five of them between now and the deadline.

>>   Thank you. Is that one on?

>>   Yep.

>>   The second point to make is that as we do this, there's a lot of talk about bottom-up grass-roots discussion and there's a bit of a habit of ICANN in recent months creating, you know, presidentially selected working groups that then provide inputs. I think that we need both

expert inputs and grass-roots discussion, and the process that gets designed has to reconcile these two things and make sure that professional or expert inputs come early enough that they can have proper community debate. So I just urge those again, design the process to allow time for that.

And I wanted to make a point about functional and structural separation and note our support generally for the paper that the IGP and Milton have put together. A structural separation of a DNSA seems to be more similar to the status quo with the NTIA contract and with the functional separation obligations it imposes than a sudden move back to an integrated IANA function within ICANN. So I don't think that those who are critiquing the idea on the basis that it's a big change or shake-up have got legs to stand on. If they want to make that argument, they really need to substantiate the point. Because I'm not an expert. This is only my second time on this microphone at one of these meetings. But it seems to me quite clear that with the absence of NTIA control the obligations that were developed through the NOI and so on.   And absent that we have to create a situation where we don't have to rely on good will, we don't have to rely on good behavior, we don't have to rely on appeals to trust ICANN. We're not trying to design a system that relies on nice people doing the best that we would like them to do. We're trying to design something that's a robust way to govern critical internet infrastructure, and so to do that, functional separate has to be part of the mix. Thank you.

AVRI DORIA: Thank you. Any comment? Yes, thank you. Yes, please.

ELIOT LEAR:

Eliot Lear. I guess we're hearing a lot of the same thing and then throw a slightly different spin on it. There are certainly a lot of conversations that have gone on outside of this room and outside of the ICANN context. As we heard from Fiona and also from Desiree, there are various different constituencies in terms of the ICANN function -- I'm sorry, the IANA function and so for instance, in London at the last IETF meeting, there was a session on how to develop principles for how we want to see the IANA parameters go forward. And I'm pretty sure that the RIRs, for instance, when it comes to address space, are thinking about these things, too, and are going to their communities. And so vis-a-vis the last point that the gentleman made, the previous gentleman made, there are the affected communities and there are the experts. Sometimes they're the same, sometimes not. But all have to be reached out to. And I would also reinforce the point that discussions should occur where those constituencies and those experts are and not just at ICANN meetings.

AVRI DORIA:

Thank you. We seem to have an empty microphone line. And what I'd like to do -- okay, no, Steve, if you want to respond. What I was going to suggest is that we take turns starting with Fiona -- oh, we got somebody at the line again. Good. Please.

MARTIN BOYLE:

Thank you very much for that welcome, Avri. It's Martin Boyle from Nominet, the dot U.K. operator. And I've got two points. The first one

is to echo what I think Chuck said about certainly when looking at the root zone file that you've got different issues that you're dealing with when you're dealing with the gTLDs and the ccTLDs. Although I would actually flag that you've probably also got a separate issue for those that are regional or geographically -- geographic community based. The reason I sort of put that one in, though, is that we've got three fundamental conditions for ensuring the good operation of -- that's right, oversight of the IANA. Accountability which needs transparency. But you need to have an enforcement mechanism. And I'm struggling to see how functional separation is different to structural separation in that your new organization from structural separation can go roque in the same way as ICANN could go roque. The current mechanism as it operates following the statement of work I think gives us a very, very good basis for accountability and transparency. My feeling is that the policing function ought to be that which is the direct responsibility of providing what is essentially a service for maintaining the operation of different top-level domains, whether or not that be a redelegation and it's exactly why you're -- why you would argue to introduce a functional separation to cure the problem, which I can't see wouldn't be solvable through a structural separation -- sorry, I'll get that around the right way. Why you want to introduce structural separation when actually a functional separation is probably no different but in fact you've then got all the right people available in the community which you wouldn't necessarily have with a structural separation.

AVRI DORIA: Thank you. Milton wanted to make a reply to that and I want to declare the line closed at this point so I don't get surprised again. Thank you. Milton.

MILTON MUELLER: Yeah. So two things that Martin said I want to respond to. One is the -- and I think also Chuck, the idea that country codes and gTLDs have different requirements at the IANA level I think is actually incorrect. Those are policy differences.   Yes, there are completely different policies about how you would redelegate a CC compared to a G, but the information that goes into the root, the operational implementation, there is no distinction between ccTLDs and gTLDs. That is purely a policy distinction.

Now, what about functional versus structural separation? I think there's a vast difference between the two and the difference has to do with accountability. With functional separation, again without a contract, no authority saying you have to maintain this, just a promise or something, you -- we're very familiar with this from attempts to separate AT&T for example in the telecom field. We literally during taped lines around different parts of the same office to decide who you had to talk to when you were doing one role or another role. Functional separation within the same organization is a joke. I mean, most antitrust economists have totally given up on that idea. If you're going to separate, you do it structurally.   And think about the -- the way an instruction from the policy process would move into the technical operational process. If it's a different organization, it's inherently transparent. There has to be an objective communication from one to the other. If it's internal, what do

you know? What do you really know about what happens? Now, you could say this operational entity could go roque, the same way ICANN could go roque. Well, let's think about that for a minute. Of course anything could go roque. But let's suppose there is a DNSA and it just completely goes roque. Number one, it's very clear that it's gone roque. Okay? It can't say oh, that was the policy we all decided on and we're just implementing it. It's clear that they don't decide policy and they suddenly are deciding policy, so it's very clear that they're going roque. And secondly, if they are going roque in a way that has for example, competitive effects or operational effects and they're very liable legally for all kinds of damages and I think it would be easier to constrain that than it would be to try to constrain something that mixes up the policy and the implementation. Sorry.

AVRI DORIA: Okay. Keith, you wanted to add something, and then we're going to start with a quick minute each going down the line.

KEITH DAVIDSON: Okay, just a little build further I think to Milton and Chuck's earlier comments. You know, currently IANA is functionally separated and it currently prepares the edits to the database, and some of those edits when it's a delegation or redelegation are approved by the ICANN board and then sent on the NTIA who do their checks and balances and then authorize the change to the database to be sent to VeriSign who do their check and publishing of the database. I'd be really interested how often VeriSign is receiving an error at that point and returning the entry for further work.   But it strikes me that in that instance you've got

essentially IANA functionally separated from ICANN with NTIA and VeriSign, so four discrete parts of an organization approving the changes in the database and not always getting it right. So if you're going to -- you know, abbreviate this to a single organization doing everything, we might not find that the output is the secure and stable Internet that we have today. So checks and balances is a wonderful thing and the only way to achieve that is structural registration. Thanks.

AVRI DORIA: Thank you. Now I'm going to ask each one of us to give a quick summation, less than a minute, so we can get people to coffee in a timely manner. So Fiona, this time I'd like to start with you and move down with Chuck having actually the next to last word because I will say something after Chuck.

FIONA ALEXANDER: Sure. Thanks, and thanks again for an interesting conversation once again. Maybe just to remind everybody that this is something we've been doing collectively for the last 17 years so we need to keep that in perspective. This is the next step in that process. And also just to sort of keep in mind what we're talking about clearly in the facts of the matter in terms of the three primary functions of the IANA functions, where the policy is made in those three processes and that the IANA functions contractor is just implementing those policies. So the issue at hand is what happens when NTIA is no longer there. I think people need to sort of continue to always look back at the facts of the situation. That would be helpful I think as the discussion moves forward.

AVRI DORIA: Thank you. Paul.

PAUL WILSON: Well, it's been a long process so far and it's -- it's not over, yet. But I'd like to keep it moving and bear in mind that the perfect is the enemy of the good. I think a path of least resistance through the coming 15 months or so is going to be fairly important with a pragmatic view that we can actually get things done without getting everything done is what is actually a pretty short space of time. From APNIC's perspective, and this is partly in response to Jordan Carter that I -- we understand that ICANN has been asked to coordinate community consultation but also to encourage or to work with others to extend that consultation to new communities and to other communities and I think in the APNIC community the board, the executive council of APNIC will be, I hope, launching a consultation which will go out through a community of people who the very large part do not attend ICANN meetings but we will do our best to bring their messages in and their priorities into -- into this process. It's actually quite a challenge within a -- a largely very -- very largely technical community to take this up and to express this priority that we have that we -- that we feel here to get these -- these issues resolved. And I think as speaking as the Secretariat -- from the Secretariat of this organization, APNIC, I think it's actually quite important that we work together with other organizations who are trying to facilitate the same process to work out really what are the best ways to get -- aggregate our stakeholder views and to create so-called regional views or community views that can actually be heard and

aggregated into this process. And this is really non-trivial, there's not a lot of time to get a lot of consultation done. So again, I think we need to set our sights fairly pragmatically on -- not on the perfect but on something that keeps this process moving forward. I think -- I can't speak for the NRO but we have -- the RIRs have said in the past that we are happy to see ICANN continue running the IANA function. We support that. We're happy to see the bundling of that function as a -- as a perfectly proven effective implementation of what needs to be done. And so those -- those again are things that we can -- we can -- we can accept. If these things aren't broken, we can go on and get on with the job of actually moving forward and there's plenty of time to keep evolving after that. Thanks.

AVRI DORIA: Thank you. Steve, a few words. Please.

STEVE DelBIANCO: Yeah, the metaphor was a roadmap, and a roadmap doesn't imply a map to a single point of arrival or destination, like September 2015. A roadmap implies an evolution because the journey goes on after the 17th. Now as Fiona said for 17 years the key to the car -- to stick with the roadmap analogy -- the keys to the car were held by NTIA and they were able to pull the keys back, which they did in 2012. But in September 2015 NTIA will peek in the windows of this car, look under the hood, and as long as governments don't occupy the entire front seat I guess they're going to turn the keys over to ICANN forever, no cord attached. And at that point, what I mentioned earlier is that as soon as that car heads down the road, governments could get in the front seat.

They can vote themselves simple majority powers for the GAC to give advice. ICANN could run into problems. The car could crash through legal problems and all those situations we should map out how it is we get back those keys into responsibility hands. And if the U.S. government isn't there anymore, we need to replace that mechanism.

AVRI DORIA: Thank you. Keith, do you have some last words?

KEITH DAVIDSON: I'll be very brief.

AVRI DORIA: Thank you.

KEITH DAVIDSON: I think -- you know, it has been a long road to kind of continue with the roadmap analogy, and I think probably one of the milestones on that path was the fact that Milton and I actually agreed on one thing. That's probably the only thing we've ever agreed on along the way. And that was with the IANA contract renewal and the inputs that we made during the notice of inquiry and through the notice of inquiry that achieved a lot of the functional separation of -- of the IANA function. And thank you, U.S. government, for taking note of those inputs and reacting.

But I think it would be fair to say that the point we've reached right now is probably the end of the beginning. It's been sort of 16, 17 years in the making. So it's the end of the beginning. And so therefore we move to

the beginning of the end which is another long stage of work to be done. Thank you.

AVRI DORIA: Beginning of the end or beginning of the middle but anyhow. Milton, please, a few words.

MILTON MUELLER: All right. More roadmap analogies. So from my point of view the U.S. government was stuck in a rut for about 15 years and was spinning its wheels and announcing that it was stubbornly moving forward and it really wasn't going anywhere. And what we have now are things are changing for the better. I mean, this is great.   We should all be extremely optimistic because really this is -- it is a big change. And it represents a renewed flexibility and vision on the part of the U.S. government to try to do things. Now, I think we can do it. That's my other message, is that we can actually do this. We can figure out how to do it. And we can implement that. The only question I think we have to keep uppermost in our minds is, you know, what is IANA absent the -- the NTIA contract.   You know, what is it really?   And how do you maintain a separation of that function without a binding contract between ICANN and the U.S. government. Now, you think of a way to maintain the accountability of ICANN without that contract and without structural separation, let me know what it is. I'll be happy to do that. Let's enter into this process with optimism and capability because it really is a great movement forward.

AVRI DORIA: Thank you. Chuck, a few words.

CHUCK GOMES: Sure. I'll probably take a little more than a minute because a couple of people raised some issues that need to be clarified, I think. First of all, I want to make sure that everyone understands that what VeriSign does with regard to the propagation of the root zone file does not involve any subjective decisions. We don't decide whether a change is right or not. Make sure you understand that. We do do technical checks to make sure security, stability, resiliency are taken care of. And then we follow orders.

With regard to the root zone propagation, I agree with Milton that that's not a political process. But as part of the IANA process, a decision has to be made whether a change is authorized and properly approved. So that's what I meant when I said there's some political issues involved at that stage.

With regard to separation, whatever kind of separation that we're talking about, that provides checks and balances that are critical in this essential process. And interestingly enough, in the IANA world, a couple of the processes already have some separation that's working very effectively. Protocol numbers, the IETF develops the protocols, they're implemented by IANA. With regard to Internet Protocol numbers, there's a separation there in terms of the work with regard to that and the implementation of it. Separation. So there's -- there's two good illustrations in IANA already and those kind of things probably are changes that can happen fairly quickly.

I disagree, though, that all of the changes can happen quickly. And so if you'll permit me, I'd like to survey the audience. One question. How many of you, raise your hand, if you think that a basic principle of this process going forward and the ultimate solution should be a multistakeholder bottom-up process of the whole world? Raise your hand if you believe that. So most people don't believe that it should be a multistakeholder process, is that what I'm hearing?

AVRI DORIA: You said of the whole world. You did say of the whole world.

CHUCK GOMES: I was trying to be inclusive.

AVRI DORIA: I raised my hand.

CHUCK GOMES: Thank you. Anyway, if you do, you have to recognize that a multistakeholder bottom-up process is slow. But if you speed it up, you compromise. Now, there are lots of things we can do to make it go faster, but people get very frustrated in the multistakeholder process. This is such an important exercise that we're going into now that we have to have some patience, otherwise we will compromise. It's not enough, as several people have said, just to throw out comments, ask for comments, get comments in, and then have some group of people make the final decision. That is not a multistakeholder process. It can

be done that way and it will be faster, but don't be surprised if it takes a little bit longer, maybe a lot longer, to -- but let's do it right. Thanks.

AVRI DORIA: Thank you. I want to thank the whole panel. I want to thank the participants in the house, especially the ones that came to the mic. And the last thing I want to say is, the one word that was missing, though Milton did whisper it in my ear at one point, is we are all the stewards of this process going forward. And I think it's important for us to keep that in mind, that what we're really trying to do is preserve something that works and steward its progress going forward. So thank you all.

                                    [Applause]

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