SINGAPORE – Board with At-Large
Tuesday, March 25th 2014 – 08:30 to 09:30
ICANN – Singapore, Singapore

OLIVIER CREPIN-LEBLOND: Okay, everybody.  Could you please take your seats?  We're going to be starting in 30 seconds.

STEVE CROCKER: Good morning, everybody.  Let me apologize on behalf of the board.

We had a -- we have an unusual accountability mechanism that is not heralded very much.  We meet -- I meet, along with whoever -- whatever other board members who wish, with our predecessors, with former directors, to give them a chance to tell us how badly we've screwed up, from their perspective, of having laid out the course that we're now following, and it ran over and I apologize, but we're here, we're happy to be here, and the general orientation that I have on these encounters, these engagements, is that we're here to listen to you, and with that, I'm going to simply turn things over to Olivier.

OLIVIER CREPIN-LEBLOND: Thank you very much, Steve, and good morning, everybody.

We have a few new members of the ALAC leadership joining us, since this is the first meeting of the year, so next to me is Holly Raiche.  Then we have Evan Leibovitch, Tijani Ben Jemaa, and at the far end of the table, Dev Anand Teelucksingh.

We also have following me all day a few NetMission.Asia ambassadors, if they can put their hands up. They're young people who are looking at coming into replacing us in a few years from now --

[ Laughter ]

EVAN LEIBOVITCH:      A few days from now.

OLIVIER CREPIN-LEBLOND:      -- which is a relief. Did I say day or -- no, I said years from now. A few days maybe as well --

STEVE CROCKER:      Well, the record says "years."

OLIVIER CREPIN-LEBLOND:      "Years." Well, I guess that was wishful thinking from Evan to be replaced a few days from now.

So I think that we can start immediately with the questions that -- two questions that the ALAC has submitted. Two topics.

I don't know whether the board wishes to discuss any topic in particular.

STEVE CROCKER:      No. I think -- we used to, some time ago, try to have a balanced agenda, and without belaboring it, I think this is much better that we focus on what's on your mind.

OLIVIER CREPIN-LEBLOND:   Okay.  Thank you, Steve.

So the first topic is the issue of the PICs, and the topic is actually public -- well, public interest commitments, the PICs, and the question starts with:  "The ALAC has supported the policy advisory board model to ensure that the PICs are meaningful."

But to expand on this, we -- I will ask Alan Greenberg to please take us through this.


ALAN GREENBERG:   Thank you.  This is getting to be a repetitive topic with us.  I believe this is the fourth meeting in a row that we've met that we've mentioned it.

As you are aware, no doubt, since we've put something out to public comment and I'm sure you all read those religiously, the at-large is interested in seeing what the community reaction is to the concept of a public policy advisory board, and I wanted to try to make our position clear.

We are not necessarily advocating that this is the perfect model, but we're saying that there is a problem right now which, to date, although we've heard intents to address, we have not heard any real movement or seen anything documented.

The PICs, as they stand, include in some cases terms that the registry says they can unilaterally change them if they wish.  That doesn't make them really strongly enforceable.  If they can simply erase them, then there's nothing to enforce.

For regulated industries and things like that, we believe that there needs to be a relatively strong mechanism. We don't think ICANN can just stuff it off on every one of the countries to do it privately. For better or worse, our TLDs are global things and we need at least some mechanism to do something a little bit better.

The answer that we've gotten recently is "It's too late," and given that we've been talking about this for over a year, that's a somewhat distressing answer.

Essentially we are looking for ways to ensure that, number one, PICs are enforceable.

We have now been told, as of this meeting, that compliance has a form which you could fill out, and I'm presuming it is a form other than the one to start a DRP. That is, you don't have to show personal measurable form. I haven't looked at the form, I'll be honest.

But to be candid, a form sitting there without any words from ICANN saying under what conditions it is enforced, on what conditions it will be acted on, doesn't have a lot of meaning.

We've been told in these sessions before that there's a strong concern of large numbers of frivolous complaints, of being overwhelmed. Fadi mentioned the term "crowdsourcing" as a mechanism to trigger it. But we need words to say just what the parameters are, because otherwise, there's not a lot of faith in the community.

So it's really a two -- a two-pronged issue. One is that PICs themselves, you know, have to be enforced and there needs to be a mechanism to get them enforced if they're even without measurable harm. That is,

governments, consumer organizations, you know, like -- we need some words and we haven't seen anything to date.

On the regulated industries, we believe that something stronger needs to be done. The PAB is a model. It may be a bad model. It may have some fatal flaws. But let's talk about it at that point and try to put something in place that doesn't just say it's a free and open market.

We really don't want ICANN to be literally embarrassed and maybe even sued, I don't know, but we're putting things out there. We have a strong worry of -- you know, that these things could be used maliciously.

A report was released -- which you may or may not have seen, but we'll be glad to send you a pointer to it -- looking at obsolete TLDs for U.S. banks. U.S. banks, as you can imagine, over the last number of years have become defunct, they have merged, and a significant number of the TLDs are still there, having been purchased by someone, and a significant number of those are being used for fraudulent purposes.

That's in our current world today.

If we have something like a dot bank or a medical-related one and we're in that same world, you're going to see it in spades because it's going to have a semi-stamp of approval on it and we just -- I understand it's late, I understand it's difficult making changes now, but we've got to do something. I'll stop talking.

OLIVIER CREPIN-LEBLOND:   Thank you very much, Alan, and we already have, I believe, Chris Disspain.

CHRIS DISSPAIN:   Yes. Thanks. And thanks, Alan.

Look, a couple of things. First of all, the board is -- the NGPC has discussed this, and in fact it's discussed it fairly recently, so you shouldn't assume that we're not alive to the issue.

However, we have gone through in significant detail with staff the methodology in use. We have -- we've talked a lot about compliance and what needs to happen, and I think it's slight dismissive to say, "Oh, there is a form."

I mean, there is a significant effort being put into beefing up the compliance department to enable this to happen properly.

Now, on the PICs specifically, these tend to get mixed up.

There are two types of PICs. There are mandatory PICs and voluntary PICs.

The mandatory PICs are enforceable. The voluntary PICs are enforceable while they are there, but they are voluntary.

The reason for this is because the idea of PICs came before the idea of mandatory PICs. At the beginning, what we said was, "Please provide us with a list of the things you are prepared to do," and then came along the GAC advice and we created mandatory PICs and those are now totally enforceable.

There is overlap. So what has happened is, for example, some people have read the voluntary PICs in a particular applicant's application and said, "Well, these shouldn't be voluntary, they should be mandatory." And they are because they're listed in the mandatory list as well. But they haven't been removed from the voluntary list because no one's gone through and sifted.

So that's the -- that's an important point to remember.

This is policy, it is late, and you would need to get it embraced by the people it affects as well as yourselves. It affects the GNSO, it affects all of the constituencies of the GNSO, and if you can go out there and achieve that, that's fine, but trying to push it up to the board without actually having had the community, you know, saying that, "Yes, we would like you to make this change," is really a bit of a -- of a difficult "ask."

Not only that, finally -- sorry -- just to finish, from a timing point of view, we have over 200 new gTLDs that are out there already and they are already contracted and it's going to be pretty hard to enforce something against them, which we can only do contractually because it's the only relationship that we have with them.

Thanks.


OLIVIER CREPIN-LEBLOND: Thank you, Chris.

Fadi Chehade.

FADI CHEHADE:     Thank you.  Just to clarify, every PIC is enforceable.  It's in the contract.  That's it.  So I want to be very clear on that.

Secondly, there are forms so that the community can flag PICs that are not being followed, but that's not all that's happening.  We are also, on our own, proactively going to be conducting reviews and audits.  I've just approved a pretty big growth in that department of compliance next trimester so they can start proactive checking of these PICs.

So I just wanted to be very clear.  We're not just sitting back and waiting for someone in Peru to call me and say, "Somebody in Cairo is not following a PIC."  We will take an input, we will follow it, we will make sure it's not frivolous, that it's true, and if it is, it is enforceable.

OLIVIER CREPIN-LEBLOND:     Thank you, Fadi.

We have Cherine Chalaby and then Evan Leibovitch and then back to Alan.

Cherine?

CHERINE CHALABY:     So I support everything Chris and Fadi said.

I also want to make a comment on -- you mentioned the PAB.  There's been a recommendation or ideas and requests from individuals to the board about establishing a public accountability board as a mechanism for monitoring.

To repeat it again, we don't make policy. You have to give us consensus advice on this, but to send us a private initiative, we're not going to react to it. We need a consensus policy because we do not make policies.


OLIVIER CREPIN-LEBLOND: Thank you very much, Cherine.

So we --

Fadi?


FADI CHEHADE: Yeah. One more thing that I just remembered.

You mentioned that a applicant can voluntarily unilaterally on their own say, "Oh, I no longer will abide by that PIC."

Not true. Once it's in the contract, it's in the contract.


OLIVIER CREPIN-LEBLOND: Thank you very much, Cherine.

Fadi. Sorry.

Evan Leibovitch.


EVAN LEIBOVITCH: Hi there. Two points.

Fadi, this isn't about what's enforceable and what's not enforceable. We've actually seen, and in fact in the public comment that we've posted there are links to, examples of PICs where the applicant says, "We reserve the right to modify at our whim or even withdraw parts of this PIC whenever we feel like it."

And so, yes, it's enforceable, but if what's enforceable doesn't exist or it's been withdrawn because the applicant is allowed to do that, then there's not much left to enforce.

And on the issue of getting community support or, you know, getting the wheels in motion, part of the problem with this has been one of process. The public comment that's out there on this issue right now is only the third time the ALAC has had to put out a public comment in its existence, and the reason for that is because a request was made to the board to make a public comment period.

That was rejected.

And so we, on our own initiative, did that.

You asked about, "Let's get consensus, let's get community support." We tried to do a public comment period specifically for the purposes of doing that.

And in the rejection of the board's willingness to accept that public comment, we initiated that on our own.

So you're asking us to try and gain consensus. You're trying to ask us to start a public policy process in mind.

The public comment process was an attempt to do just that, and the only reason that the ALAC is doing it right now is because a request was previously made and it was previously rejected. We're trying to do what you're saying but it has to start somewhere. Starting somewhere is with that public comment process. Thanks.

OLIVIER CREPIN-LEBLOND: Thank you, Evan.

So I've got Alan Greenberg and then back to Chris Disspain. Alan?

ALAN GREENBERG: Thank you.

A couple of points. First, as Evan said, yes, the PICs are enforceable. We're not claiming they're not. But if a registry has a provision in the PIC saying, "I may erase it, I may change the provisions or erase it," then there's nothing effectively to enforce left.

Yes, you're enforcing a blank PIC.

So yes, we understand that.

The issue of whether a PAB is policy or not, we can debate that. I don't want to start in this venue what is policy and what is implementation today.

The PICs, however, were introduced by the board without going through the process, and if the PICs were made sufficiently strong with an appropriate mandatory PIC for regulated industries, you know, forget the whole other part.

You know, clearly we don't have two years to go through a PDP right now, and none of us have the stomach for that, and, you know, I would question whether a PAB is really policy or not or implementation, but I don't want to go there.

I've had that discussion far too many times.

And, yes, we -- the issue of compliance and you're ramping it up, we're delighted. And yesterday we met with Maggie and she said there is a process that if someone submits a form saying that someone is in violation of PIC, that action will be taken. But we know there is concern about being overwhelmed by frivolous ones and you -- and you don't want to make compliance an infinitely large department. That's not to anyone's benefit.

So all we would like to see is something published describing how is it you plan to enforce the PICs.

You know, if you're doing it already, just tell us about it and we've been asking that, sadly, for a year now and that's part of the important part.

It doesn't address the regulated industry issue, but it does address a large part of our original concern with the PICs.

Thank you.


OLIVIER CREPIN-LEBLOND:    Thank you, Alan.

Chris Disspain.

CHRIS DISSPAIN: Thanks. Two things.

One, I'm happy to listen to a discussion about the PICs and so on, but it's -- you cannot -- it's really important, I repeat myself, to make a distinction between a voluntary PIC and a mandatory PIC.

The fact that an applicant has voluntarily agreed to put some PICs in place is entirely their decision, and if they have chosen to say in their contract -- and so far as I know, there's only one applicant that has -- that they can withdraw those at any time, then so be it. They are the voluntary PICs. They chose to put them there. They weren't asked to. They have nothing to do with GAC advice. They just chose to put them there.

The mandatory PICs cannot be withdrawn. They are there. That's it.

So really, that's the key.

So if you're going to start talking about --

It implies that PICs that have -- that come from the GAC advice, et cetera, can be withdrawn, and that is simply not true.

And finally, in respect to regulated industries, we have safeguards in place, negotiated through the GAC advice, that protect, supposedly, quote-unquote, regulated industries. That's what we have. The GAC provided its advice. We've worked with everybody. We've come up with these safeguards.

So again, characterizing the situation as if regulated industries are not covered by some form of safeguards -- you might not think they're enough, but the GAC seems to agree that they are, so, you know, really,

it's not correct to suggest that the regulated industry TLDs are out there with a free rein, because they're not.

OLIVIER CREPIN-LEBLOND:     Thank you, Chris.

Fadi, do you want to jump in before we --

FADI CHEHADE:     Yeah.  I just want to commit to all of you that by ICANN 50, we would have published a complete document describing how we will enforce the PICs.

OLIVIER CREPIN-LEBLOND:     Okay.  Thank you, Fadi.

Ray Plzak.

RAY PLZAK:     Thank you, Olivier.  Alan, you said something and I know the context in which you said it, but I think it's worth noting.

You said that you didn't want to go through a PDP because that was painful.

[ Laughter ]

The day it is painful to make policy is a very dangerous day for ICANN.  Like I said, I know the context in which you said it.  So it is not an aspersion at you, but I think it is something we need to remember.

Sometimes the most difficult policies to enact are the ones that are the most important, the ones that require the most discourse amongst people, the one that requires the most compromises to be met so that you can gain a broad consensus. So we should never, ever be afraid to embark on a course of a difficult policy process to get to a good end.

Again, it was not a personal aspersion to you. But you made a comment. I thought it was worth commenting on.

OLIVIER CREPIN-LEBLOND:     Thank you for this, Ray.

With the gala last night, everything feels painful this morning.

We have Evan Leibovitch.

EVAN LEIBOVITCH:     Hi. I just want to respond briefly to the assertion that the GAC is satisfied with the status quo. Based on conversations that was -- took place in a meeting with the GAC yesterday, I think we may beg to differ. So we'll be having a look at the transcript of the meeting the GAC has with you a little later on to see whether or not things are as satisfactory as you seem to think they are.

CHRIS DISSPAIN:     Can I just respond to Evan?

Evan, the key -- you can have whatever discussions you would like with the GAC, as do we. The key with the GAC is the communique. It is what they say in the communique that is the only thing that really matters.

They have provided us with advice. We have responded. We told them how we are going to implement their advice. This was two meetings ago.

At the last meeting that we had, we went through it with them again and their communique was fine.

So whilst I'm more than happy to accept that individual GAC members might have concerns or you might have concerns, et cetera, the point I'm trying to make is the GAC has responded to us in its communique in a way that indicates the way we are proceeding is fine.

OLIVIER CREPIN-LEBLOND: Thank you, Chris. So we first have Bruce Tonkin and then Alan Greenberg and then Cherine Chalaby.

Bruce?

BRUCE TONKIN: Yeah, thanks, Olivier. I think we need to be very careful that we separate the development of the rules for the operation of the industry from the enforcement of those rules. And I think we've been in danger of blurring those things. And there seems to be the perception that we have this New gTLD Committee that does both, that creates policy and it enforces the policy and it does compliance and it does everything apparently.

I think what you're starting to see is that the new gTLD is starting to -- it is coming to the end of the first round of the new gTLDs, and now we're

talking about how we manage the rules of the whole industry going forward.

So I would really encourage it. It is actually time to come back and start using the policy process because that's where the rules of the industry are developed.

The ALAC actually has -- there is a provision in the bylaws that the ALAC can actually start a policy development process, starting with an issues report. Use that. Because this whole area of regulated industry, categories, it is very complicated and it is absolutely what the policy development process is designed to do to address those issues. That's where that should go.

Enforcement, completely agree with you. The staff should actually clearly explain what the enforcement mechanism is. That is the job of the compliance department.


OLIVIER CREPIN-LEBLOND:     Yes, thank you, Bruce. Thank you for these thoughts. I think that's very helpful.

Alan Greenberg?


ALAN GREENBERG:     Thank you. Two replies. One to Ray. I've carefully never tried to calculate the number of hours, days, weeks, and whatevers I have spent in policy development working groups, including the two PDPs that the ALAC did request issues reports for and then did follow through to successful completion.

So, yes, I don't think I'm afraid or any of us are afraid of the PDP process.  All we're saying is we probably don't want to do it now and delay the whole -- you know, this whole process.  There is certainly no intent to say we don't either understand or plan to use the policy development process.

My original comment was basically saying if, indeed, PABs are policy -- and that's a question I don't want to have the debate about today -- then let's try to find a way that has a smoother path forward on this particular issue.  That's really all it amounts to.


>>                              (off microphone).


OLIVIER CREPIN-LEBLOND:     Thank you, Alan.

Cherine Chalaby?


CHERINE CHALABY:        Well, actually Bruce said what I was going to say very clearly.  The NGPC is not an enforcement body.  You have to understand that.  The other thing I would like to do is we got to kill this notion once and for all that PICs are not enforceable.  They are enforceable, as Fadi said, and he'd publish something.

And on the other issues, we have to follow a process at all times.  And we're just not going to divert from that.  So if you want us to implement something, we need to have consensus policy.  It is as simple as that.

OLIVIER CREPIN-LEBLOND:     Okay.  Thank you very much, Cherine.

Evan Leibovitch.


EVAN LEIBOVITCH:     Sorry.  My only answer to that, were PICs created specifically as a result of a PDP?  I mean, if this wasn't created by a PDP, you're saying they have to be replaced by a PDP.  This, I guess, is something I find a little strange.


CHERINE CHALABY:     I wasn't talking about that.  I was talking about the PAB.


OLIVIER CREPIN-LEBLOND:     Chris Disspain.


CHRIS DISSPAIN:     We can parse this as deep as you would like.  There is a difference, I think.  What you are talking about is creating an authority that has the right to enforce as opposed to us.  You're talking about creating an authority that has the rights to enforce, and that is -- that is something that is an additional policy piece over and above what is currently in the contracts which talks about using contractual to enforce, using -- what's it called -- the PIC DRP to enforce the PIC.  So there is a difference.

Let me also stress that the PICs, whilst people might have gotten upset about them, we got -- we got the GNSO community to accept that these

were necessary pursuant, first of all, voluntarily, which was never a problem because they were volunteering, and then mandatorily through the GAC advice.

So they came in through a process. The process was the GAC advice, going out talking to the community, coming back, the board, the NGPC working on it, and then going back to the GAC saying this is how we propose to implement. There was a process for that.

It's not correct -- I mean, yes, it wasn't policy. But I don't think that means you can then insert a whole new mechanism in there without going through the policy process.

OLIVIER CREPIN-LEBLOND:    Thank you very much, Chris.

I think we can probably move on to the next part of our agenda, Number 2.

So the next topic is the globalization of IANA function, next steps. And just to introduce this, as you know, this has been one of the hot topics at this meeting so far. It is interesting. Initially, we had this as "internationalization of the IANA function." Then it became "globalization of the IANA function." I think it's now "transition," or "IANA function transition."

The reason why we've put this as a proposed topic is because there is a genuine concern from the community that looking at the different diagrams and the different avenues which are currently being proposed

on more than one case is the end users don't appear to be fitting somewhere, somehow in the whole thing.

So, yes, Steve?

STEVE CROCKER: So I listened attentively to multiple questions or comments focused on that. I'm puzzled.

What precisely does it mean to have the end user involved in this? And I ask not because I'm opposed to having the end users involved. The whole purpose of running the net is we serve the users.

But the IANA function is a publication of key parameters for the operations. Those parameters are generated by the operators, the root server -- I mean, the TLD operators give us their parameters to publish in the root zone. The Address Supporting Organization, we have the address space that's published. And the IETF creates protocol parameters we publish on their behalf.

Where does the end user come into that? And what does it mean for them to be involved in a substantive way? As I say, I ask for information not because I'm opposed in principle but I don't -- I don't understand where the traction is.

OLIVIER CREPIN-LEBLOND: Okay, thanks, Steve.

First, I think Kuo-Wei put his hand up and, them I got Sandra Hoferichter right in the back and then Ray.

Kuo-Wei.


KUO-WEI WU:          Thank you.  I would like to comment about this IANA function, globalization that you are talking about.  I was the IANA Committee chair for two years.  First of all, I think in general in the community, I don't know how many of you never read the IANA Committee reports in the past several years.  I think in several years in the ICANN community, most of the energy we emphasize on the new gTLD but not many have ever tried to read the IANA Committee report.

I would also like to admit, part of my responsibility, supposedly we should make the IANA and all the operations more transparent, open to everyone.  But I promise you, I will actually -- as I know, we are working right now.  We are expecting the IANA office to come out with a regular report.  And we try to make that report as much readable for the general public because in the past, most of the IANA reports is very technical, to be honest.  It is very difficult to read.

And we try to work it out, to make the report really easy on the list so the general public can read it in what they're doing.

There is several reasons for doing that.  The first one is letting people really understand what is the IANA operation doing.  Without IANA function you understand, it is really difficult to -- we are talking about globalization of IANA, what is the purpose of how we can, you know, oversight it or whatever.

I think the first job we need to do is make the IANA function and operation very readable for the general public.

Second of all, I think we begin to talk about instead -- in the board, as Steve mentioned, we try talking about is it possible -- actually, we already are looking at the possibility to make the IANA report regularly. And then I think the next stab is to make the report public so all the community can read it.

And so this is the first step that make IANA report readable and transparent and also in public. And then we can begin to talk about the globalization issue. I think that is something what I think we can do.

OLIVIER CREPIN-LEBLOND:    Thank you very much, Kuo-Wei.

Sandra Hoferichter is next.

SANDRA HOFERICHTER:    Thank you, Olivier. Sandra Hoferichter speaking. There is a demand to organize this transition process in a multistakeholder manner. What ICANN makes different to other organizations is that it includes the end user to every key process to a very big extent. And I think we should follow this -- this way of -- we should follow this multistakeholder here as well.

Of course, the end user or the At-Large community will not be involved in the operational issues of the IANA function; but I could imagine that the At-Large organization could observe the process in terms of accountability and transparency. And, also, it was mentioned yesterday in the session that we can actually expect national consultations all over the world. And I think here the At-Large community can collaborate, for

instance, with the GAC to organize such national consultations and bring the message to each country, what's going on here in ICANN and what's all about it. And I think that's a very important thing doing when organizing the international reachout besides being involved in the setup of the process, so to say, as a watchdog. Thank you very much.


OLIVIER CREPIN-LEBLOND:    Thank you very much, Sandra.

We have got Fadi, Steve, and then we will get back to our queue which is Ray, Holly, Sebastien and Chris.

So, Fadi?


FADI CHEHADE:    Thank you, Sandra. Let me also put this to bed. At-Large and the users have to be part of these consultations. In fact, I'm demanding it. You have to be there. There is no question that you need to be part of the consultations. You saw very clearly on that graphic that we put out that we're not here -- we cannot get bogged down in the implementation and the operational side. That is governed by our relationships with the people who make the policies and the specifications. Believe me, the people at the IETF and IAB check very clearly how we do the implementation of their policies. And there are tough meetings we have with them regularly on our service levels there. That's their job because it is their protocol.

Now, what we're asking you to please be involved in is in the process of accountability that was -- even, if symbolically, maintained by the

United States government as well as the IAB in the case of protocol parameters or by the RIRs and the SO in case of the numbers, et cetera, we are asking you to help us design and strengthen, if necessary, the current mechanisms.  You need to be there.

So if the optics of yesterday was:  How come At-Large was not on the stage?  Was because we had a very delicate situation to manage on who gets on stage.  There were many ccTLDs.  Well, should we invite all 200 ccTLDs to be on stage?  They don't -- some of them don't have a voice in the ICANN structures.  So in a way, they should be on stage.

So we had to limit who is on stage to the organizations that were on that grid, right?  Just to make it simple.  But by no means -- I apologize if the optics of that sounded like we don't need At-Large or the users.  Quite the opposite.   Without you, this consultation is not fully legitimate.  So please be there.


OLIVIER CREPIN-LEBLOND:      Thank you, Fadi.

Steve Crocker?


STEVE CROCKER:      Thank you.  So I completely agree that At-Large and the users need to be part of the consultation process.  Thinking through the next step, when you get into the consultation process, what will be the substance of it.  What will be the -- what will the people who are involved in the consultation focus on?   What kind of questions?   What kind of conclusions will they come up with?

So let me -- let me be slightly challenging here.  How many people here actually think that they understand what the IANA process is and how it works?

Well, there's Ray and Suzanne.  You guys don't count.

[ Laughter ]

You are just not At-Large.

Well, we think we know where you are.  You haven't escaped, so you're not at large.

Sorry, bad joke.

But I don't see any non-board members' hands up.  Am I -- Ellen, Olivier, okay, and Evan.

>>                          Ellen Strickland from New Zealand.

OLIVIER CREPIN-LEBLOND:    Ellen Strickland from New Zealand as well.

STEVE CROCKER:            It is an administrative and bureaucratic function.  It has got an operational component to it.  There's a way in which things get done.  It can induce deep slumber.  It is sort of at its core pretty boring, but it's worth knowing how it works.

And I was thinking as we're sitting here that maybe a step that we could arrange early on is to have a little bit of some mechanism to expose or train or teach people how it actually works in some depth, either come visit or we'll do a teach-in or something or just a Webinar walking through the nitty-gritty details of how each component of the IANA process works. And that might be helpful to either glorify or demystify or whatever the reactions are.

Over to you, Olivier. I see various hands up.

OLIVIER CREPIN-LEBLOND:    There are a lot of hands up at the moment and we've got a number of people wanting to jump the queue.

So Edmon, I think, hasn't spoken before.

EDMON CHUNG:    Sure. I wanted to respond to Steve's question earlier on directly. You asked whether, you know -- it seems like there is an assumption that the IANA products, if you will, or information is not really consumed by the end users.

I kind of beg to differ because there is the IANA WHOIS database and even protocol parameters that increasingly end users are becoming a little bit more technically savvy and are consulting those databases.

So end users do take a look at it, especially with all these new gTLDs coming in. That is a database where end users start to explore this stage. And especially when we talk about the public suffix list issues

which are now being progressed in different areas, the IANA function there is very much an interest from the end users.  So...


OLIVIER CREPIN-LEBLOND:     Thank you, Edmon.  Let's go back to the queue.  Evan, did you -- because you said you just wanted ten seconds.


EVAN LEIBOVITCH:     Yeah, just that one of the things that At-Large has always been involved with is trying to make some of these topics accessible.  And so before we can truly engage the At-Large community we have got to make this information accessible to them.  We've done policy briefings and a number of things.  This is a role we can play.  We need some help in doing this.  But, you know, seeing some of the media reports, there's so much fud out there about this issue and so we probably have a role to play in trying to minimize that.  Thanks.


OLIVIER CREPIN-LEBLOND:     Thank you, very much, Evan.  And capitalizing on this and having heard Steve earlier suggest a webinar.  I think that would be an excellent idea.  Another possible suggestion would be to have a beginner's guide.  We've had a number of beginner's guide to At-Large to getting involved at an At-Large structure, et cetera, and I know that there are beginner's guides regarding getting involved in ICANN.  Maybe a beginner's guide on IANA might be a good idea.  I don't know who would follow up on that but perhaps I can ask staff to --

FADI CHEHADE:            (Off microphone).  I'm sending an email.


OLIVIER CREPIN-LEBLOND:   Perfect.  Fantastic.  That's very good.  And that would be really helpful.  Let's get back to the queue.  We have Ray Plzak, Sebastien Bachollet, and Chris Disspain.  And sorry, Chris, I know you've been waiting but it's the queue.  Ray.


RAY PLZAK:              Thank you, Olivier.  I actually have some comments with regards to what's been going on at the interventions by the queue jumpers as well.

Let me address the last thing you just talked about.  There is a wonderful opportunity at an ICANN meeting for the At-Large to talk to the people that actually deal with the IANA function.  What precludes you from going to the ASO to find out from them how they do their business with IANA?  What precludes you from talking to the IETF persons that are here about how they do their business with the IANA?  I mean, you're talking to the direct source, they're here.  You know, this is supposed to be a community endeavor.  We're supposed to work together as a community, so why don't we do that.  Before we go charging off and writing a new beginner's guide or whatever, let's do a little fundamental research and maybe get them to come into one of your sessions and talk to you about it.  I mean, they'd be more than willing to do so.  In addition, you have got people like Suzanne Woolf who actually did this.  I'm sure that Suzanne would be more than willing to come do so.  I'm sorry if I'm speaking for you, Suzanne, but as well as I know you, I don't see how you would be shy about doing that.  So take

advantage of the resources that you have before you charge off and create a new -- a new source.

I want to go back to something that Fadi said and then to actually start with where Steve was, extending Steve's original comments. And actually he said something more to that same thing again about the fact that what the IANA does is an administrative operational process. And quite simply that is it. IANA does not decide what to put into the root zone, it does not decide what to allocate, it does not decide which protocol parameters to do. They are told what to do. The IETF says to the IANA, via an RFC, the IANA considerations paragraph, do this. And IANA has no other choice but to do this. When the RIRs put together a global policy about how the IANA should allocate IP addresses to the regional registries, they don't have a choice. They have to do this. When the GNSO, through its functions, decides upon what is an acceptable, unique string, a unique identifier, i.e., a new gTLD, IANA is told do this, which is put it in the root zone. So IANA doesn't make any of these decisions.

Fadi referred to this symbolic role that the U.S. government basically has. That's a role that they've been doing symbolically which is the approval. So what we really need to talk about, if the removal of the U.S. government from this process, i.e., this last approval authority, is removed, do we really need to have one? Quite frankly, when it comes to protocol parameters and IP addresses and autonomous system numbers, the answer is no. When it comes to unique name identifiers, the answer should be no because people in the past have used that method to politically try and get their way, one more time, because they were unsuccessful in the processes that they helped establish to

produce these unique identifiers.  So one of the things that -- and this is where the end user community could come in very strongly about is, are we sufficiently confident in the processes and procedures that we have today that are in use by the IETF to put things into -- to teach IANA to do things about protocol parameters and port numbers, are we sufficiently confident with the policy processes that exist within the regional registries to tell IANA what to do as to how to allocate IP addresses, are we sufficiently confident about the fact that the unique identifier that's identified, i.e., the successful gTLD, that IANA can go ahead and put that in the root zone.  If we're sufficient with that, we have the accountability mechanism, it's internal.  What we may want to consider at some point in time is whether or not you want to have an appeal mechanism alongside that.  But to date, there has been no real need for it because there are appeal mechanisms that exist inside those bodies for it to occur.  So I would like you all to think in that direction. Remember that IANA is doing what it's told to do.  It would never do anything on its own.  They can't.  And think about the way that we want to remove that approval mechanism that the U.S. government has never exercised.  Thanks.

OLIVIER CREPIN-LEBLOND:    Thank you very much, Ray.  And you must have been reading our minds because the ALAC is meeting with the SO this afternoon to discuss specifically the IANA function, so that will be a good interchange that we'll have with them.

Going through the queue, and I realize that we are going to run out of time in a few minutes, we still have Sebastien Bachollet, Chris Disspain, and Fadi Chehade.


HOLLY RAICHE:          (Off microphone)


OLIVIER CREPIN-LEBLOND:          You just put yourself off the queue.  You're back?


HOLLY RAICHE:          I'm back.


OLIVIER CREPIN-LEBLOND:          You're back.  Okay.  First Sebastien and then Holly and then we'll continue.  Sebastien Bachollet.


SEBASTIEN BACHOLLET:          Hi, I'm going to speak French because we can, to use foreign languages instead of English.  As you know, ICANN is a very small organization, does not have too many responsibilities.  The IANA is even a smaller organization with a very little responsibility.  So let's go, there's nothing to do.  You are the final users but you do not need to interact.  Everything is already done for you.  I think that this way of explaining the discussion, the current discussion when it comes to globalization for IANA, is a little bit short, my dear friends on the Board.  It's very short.  The -- the total discussions around the TLDs, first of all, I said TLD.  I didn't talk about this g or the cc.  But that needs inclusive until the

delegation.  This needs to be a vigilant exercise from the users.  I will take first an example.  When the team in IANA, the team who is in charge to do the work delivers a report on delegation, there is a place in there that says is there -- has there been a connection with the local community and each time that subject is raised, I ask the question, was that done.  And in general, it was well, maybe yes but nothing has changed because the government asks and the government has the last word.  Therefore, it's like here today, it's a problem of image.  There's no more contract between the government and IANA and the end users and IANA.  And the guy on stage was not ALAC.  They're just -- it would be good to start with bringing some kind of equality between the stakeholders and then we can discuss seriously of globalization of the ICANN and of IANA.  Thank you.


OLIVIER CREPIN-LEBLOND:    Thank you, Sebastien.  And next is Chris Disspain.


CHRIS DISSPAIN:    Thank you, Olivier.  There are two points.  First of all, picking up on what Edmon talked about and what Sebastien has just spoken about, everything they've said is actually probably true.  However, it highlights initially that we have yet to sort out which is the scope of this piece of work.  It is not about IANA's operations.  It is not about the way that IANA does its work.  It is about replacing the U.S.'s role.  That is not the same thing as saying how can we change IANA to make it better.  That may need to happen.  That is a separate piece of work.

If we imagine we can conflate those two and get them both done at the same time, we will never finish this work. We need to remove the USG from the game with -- replace them with whatever they need to be replaced with and then we can start to look at what else can we do.

And my second point in respect to the At-Large's involvement, let me assure you that in respect to any work the ccNSO does for their piece of this, the At-Large will be involved. I don't know what the GNSO situation is, but from the point of the ccNSO, and I can tell you it is in the ccNSO that the ccNSO's requirements for a USG replacement will be discussed, At-Large will be involved and of course, Olivier, as you know, the Framework of Interpretation Working Group is a classic example of how we do these things. At-Large is involved very vocally and very usefully. Thank you.


OLIVIER CREPIN-LEBLOND:      Thank you, Chris. Holly Raiche.


HOLLY RAICHE:      It's really just to pick up a comment that Ray made and it has been made in terms of I suppose informing ourselves and in terms of the need for cross-community consultation. I'd remind you yesterday we had three really interesting sessions, two of which were conflated into one. It was about the privacy proxy services and the EWG. Because of all the other events that were going on we took those sessions and made them into one. But we had participation from various constituencies in the GNSO, we had a lot of observers, we had ALAC, everybody around the table and a lot of heated debate -- well, heated.

Vigorous debate, which probably is a best example I've seen of bottom-up multistakeholder. The next session, we got one of the SSAC members out of bed in California to talk to us about tool routing (phonetic). So we actually do inform ourselves on technical issues. It was a very interesting session. Again, we had a lot of people from various constituencies around the table.

We'd like to do more of it, but because the way the schedules are synced we're all scheduled into silos and so we have to deliberately say we are now going to hold a session that's open for everybody and it's going to be on a topic that are of interest generally. That's what we're trying to do, and have done successfully. And I'd just like people to not talk about us as not being either interested or informed or not wanting to understand what's going on.

OLIVIER CREPIN-LEBLOND:     Yes, thank you, Holly. I've only got one person left in the queue, but two of your Board members have also asked to speak, Steve, so I don't know if you -- because we've reached the end of the allocated time, so I don't know if you want to --

STEVE CROCKER:     I think we can take three more minutes max.

OLIVIER CREPIN-LEBLOND:     Three more minutes, which means we've got three more people. So there's Fadi, Cherine, and Kuo-Wei.

FADI CHEHADE:    Thank you.  From my perspective users must be informed.  They should participate.  I already sent a request that we issue an actual short course on how IANA works and we will put it on the learn.icann platform.  We will do it immediately, and I will involve the people who know so that we can share that information with everyone.  Everyone has the right to be informed.  And we will do that.

Number two, the input of the At-Large community in how these functions are accountable to the global community is important.  It's different from saying, you know, we are going to get involved with, you know, which server technology you'll use.  That's our business.  We'll do it.  Per the service level agreements given to us by the policy owners, by the IETF, by the -- so we will follow these contracts and we will implement.   But we need you all to be involved in how we're accountable.

And my last point is please, please, please, appreciate that there are two tracks that we started yesterday.  There is the track related to IANA and how we replace the USG role of oversight in the IANA functions.  That's important.  And please, be involved in that.  Equally important is that you get involved with the accountability of ICANN as an organization.   This is probably for us as a family, as community members, if not equally, it's more important even.  This is the moment for all of us to be involved in that.

And finally, that these two tracks, as some people are saying out there, cannot be independent.  Absolutely.  I don't know where they got the idea they'll be independent.  They're just different consultation tracks that need to happen, but they'll inform each other, they'll stay

completely in sync, and in fact, when we think about it, it's probably likely they will have the same timeline. They have to, because these two things have to be addressed together. But please appreciate one is an ICANN discussion, an ICANN-led discussion, an ICANN community discussion. I am not going to hold the meeting at the IETF to discuss ICANN accountability. But I will hold a meeting at the IETF and with the RIRs and with the ccTLDs to discuss how we transition the IANA stewardship. So these are two different things. They're interrelated, they inform each other, they're both equally important, and please, do get involved with both.

OLIVIER CREPIN-LEBLOND:     Thank you, Fadi. Just to add amongst the various bricks that the U.S. government was providing with regards to the IANA function, as we know one of them was accountability but one of them is also enforcement. The At-Large community is well aware -- and this is, I guess, one of the reasons why we have brought the matter on the table because we do have to -- we do have a number of points to make in this matter.

We have Cherine and Kuo-Wei and then we'll have to close. Cherine Chalaby.

CHERINE CHALABY:     My point is a very small one but you keep on saying globalization of IANA function. And this is wrong. It's globalization of IANA stewardship. It's written there on the screen and it's wrong. And it

creates confusion by using globalization of the function. It's globalization of the stewardship.


OLIVIER CREPIN-LEBLOND:     Yes, thank you, Cherine, for this. As I mentioned, the name's changed a number of times and now it's called IANA transition. It's moved on. Maybe tomorrow we'll have another -- stewardship now. Here we go.


STEVE CROCKER:              No, no, no.


OLIVIER CREPIN-LEBLOND:     I'm a few hours late.


STEVE CROCKER:              We'll play teacher here. You're not repeating the lesson properly. It's stewardship of the function. It's not a substitution of function versus stewardship. There's the IANA function, there's the stewardship of the IANA function.


OLIVIER CREPIN-LEBLOND:     Okay, stewardship of the IANA function. Let's hope it remains the same until the end of the week. We'll have Kuo-Wei.


KUO-WEI WU:                 Okay. I think that Ray and also Chris already mention about, you know -- and also Sebastien, and I will really recommend the At-Large, you know, areas if you are really interested in, you know, looking around

what is the IANA operation, try to remember one thing. IANA office basically ought to operation just like Ray say, for example the ccTLD delegation or redelegation is based on certain principle. You know, it's not random. It's based on the GAC and also ccNSO, you know, guideline and principle. So I would suggest you -- if you have a question about it, try to read the principle and see is anything we can improve. But always remember, because delegation and redelegation, if you guys are thinking about it, if you were a ccTLD operator or if you are the gT operator, when you want to do the redelegation stuff, then one -- and make the work as short as possible because it impacts to the operation and something like that.

So we maybe can do regular, you know, study but it definitely cannot one by one because once you delay to the -- you know, the delegation or redelegation for the operator managers, it really is a fact of the Internet operation and, you know, stability and, you know, the availability situation. So I would suggest if the end user or anyone else want to see that, take a look about the guideline and principle, is there anything we can improve. But not go into -- you know, interrupt into the daily operation because there is -- I don't think we -- we're talking about the Internet is a -- is a fast-moving. We don't want to slow down this stuff. And, you know, also making the Internet operation as unstable. I think that isn't our purpose. So that is my suggest.

OLIVIER CREPIN-LEBLOND: Thank you very much, Kuo-Wei. And I think that we are in violent agreement. So with this, we've pretty much run out of time, so Steve, thank you very much.

STEVE CROCKER: Thank you. These encounters are never dull. And -- which is good because at this point in the week, if they were, we'd be sleeping, I think. But joking aside, thank you very much. This has been very helpful, and I think we even have an action item that we'll pursue here quickly.

Board members, 19 minutes from now. We stay here.

**[END OF TRANSCRIPTION]**