

Transcription ICANN Buenos Aires Joint ccNSO GNSO Council meeting Monday 22 June 2015

Note: The following is the output of transcribing from an audio. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record.

On page: <http://gns0.icann.org/en/calendar/#fjun> The recordings and transcriptions of the calls are posted on the GNSO Master Calendar page

Byron Henderson: Okay, welcome everybody to the joint ccNSO, GNSO council meeting. As my illustrious friend and council member (Nigal) said, what idiot started a meeting at 6:15 and then realized there was a bar involved. So that was a stroke of genius whoever set this up thank you.

(Jonathan): In which case I'll take the credit.

Byron Henderson: But you still don't have a beer. Anyway welcome everybody. We have a little over an hour for this meeting. So please grab your seat and let's get going.

We have a defined agenda which is up on the screen but effectively a discussion around country and territory names, an update from the CCWG there.

Further an update from the CWG on CWG principles. Also brief update on the auction proceeds that I think (Jonathan) will lead as well as an update from the ccNSO strategic and operational planning committee or working group rather.

Then depending on time we do have an opportunity for the hot topic which is if there are any concerns or issues and an understanding of the decision making process regarding the CWG proposal.

So it's a pretty full agenda and definitely some meaty topics for us to discuss. So with that unless you have any other suggestions we will carry on right into the first topic, which is an update from (Anna Beth Lang) and Heather Forrest on the country and territory names issue. So over to you (Anna Beth) and Heather.

(Anna Beth Lang): Hello everybody I'm (Anna Beth Lang) and I've been working with country and territory names as long as I can remember. So we started out with a study group many years ago and we delivered the final report that was the ccNSO study group we delivered the final report in March 2013 I think or about that time.

So then it was established as a cross community working group and that has worked very well. I really (unintelligible). So we work with Heather and myself and (Paul Shindler) and (Carlos).

We are co-chairs all of us and try to share the responsibility. So we are chartered to look at only country and territory names according to the (unintelligible) 166 as TLD's.

No second level and it's only country and territory names. One of our concerns has been that the GAC working group on geographical names seems to have a coalition with what we are discussing in other groups.

Even if we have a very limited mandate they have given themselves a very wide mandate. So they - it feels like they also discuss country and territory names in their discussions.

And it should end up where they come into another conclusion that what across community conclusion will be. That's not good for anyone. So we tried to outreach as much as we can to the GAC.

And we hope that after perhaps they have a little more time when their own opposition and these complicated issues are a little easier perhaps after this meeting for the CWG. So we'll see how that turns out.

I think that - Heather could you tell what we have achieved and where we are now and what we have been doing this last month?

Heather Forrest: Thank you (Anna Beth). This is Heather Forrest. I'll make a few very brief comments and then perhaps be a bit more bold in relation to the GAC issue. We have a rather wide charter.

Our charter does not provide definitions of framework nor of the term country and territory so these are challenges that we face even in understanding what it is that we're meant to do.

We have at this point interpreted our charter to comprise or at least to permit our consideration of two letter country codes, three letter country codes and names of country and territories.

And we've making progress beginning with two letter codes. That seemed a pretty safe place to start given that we anticipated let's say working through a methodology of how we go about our work would be easiest achieved in relation to two letter codes and that seems to be bearing out.

We've made very good progress in relation to two letter codes particularly this morning we had a meeting and that was quite helpful. And I suspect we'll start on three letter codes before ICANN 54.

I'd like to add to (Anna Beth's) comments. I'm particularly pleased that we have an opportunity to update this meeting. It's ordinarily the case that we do that however I think it's a particularly important time.

My concern about this overlap let's say that (Anna Beth) has raised is it's not so much about our scope whether or not the GAC is working in relation to country and territory names.

Bottom line we have a number of parallel and unrelated initiatives in relation to country, in relation to geographic names happening within the community. We have this particular effort which is a cross community working group and an absent community really is the GAC.

We have an entirely separate GAC initiative. We have efforts at the second level in new gTLD's for the release of country and territory names and quite frankly any hope that we have in terms of our mandate as given to us by the GNSO and the ccNSO is looking rather bleak.

Our mandate of coming up with framework and framework implies some sort of universal or harmonized approach. I don't honestly see how we're going to come up with a harmonized approach at this point.

And there's a very real risk which I think is in fact a likelihood that we come up with an output or recommendations that conflict with one or more of these other efforts happening within the community.

So I raised this with the GNSO council and I'm very pleased to have an opportunity to raise it here. Thank you very much.

Byron Henderson: Thank you Heather. That is a relatively bleak assessment. Any comments or questions for the presenters?

(Jonathan): I wouldn't mind a question, it's (Jonathan) speaking. So first of all I guess it's twofold really. What and I know you have worked - has the GAC ever talked about joining the CWG?

Can anyone say to me why they did or didn't join the CWG in the first place? And then second would it makes sense is there any way in which we could try and reconcile these three?

Has anyone tried, has anyone sort of tried to make some sort of overarching effort to reconcile these? So those are two questions I think would be helpful to get some input for the purpose of this group.

Byron Henderson: So Heather any followup?

Heather Forrest: Thank you, Heather Forrest and then I'll turn to (Carlos). We were put on the radar very, very clearly put on the radar of the GAC at Singapore in the most recent Singapore meeting, ICANN 52.

And there were a number of GAC members in the room. It was a session, a public session devoted to the topic of the GAC proposal on geographic names. And statements were made at that meeting by various GAC members including the chair that we need to be let's say varying statements.

One, we need to roll these efforts together. Two, we should at least be working more closely together. We've made efforts to reach out to the GAC since Singapore and that hasn't happened.

Let's say we're really had no response. (Carlos) might speak more to why that is and maybe what the underlying problems are.

(Carlos): Thank you. This is (Carlos) for the record. I just want to make a note on the exact semantics of the differences. We're working on country and territory names at the first level.

The GAC is use - sorry, use of country and territory names while the GAC is working on protection of geographic names, a much broader approach similar to the applicants guidebook.

And the board and the GAC are working also on the delegation of the two letter country codes at the second level. So each one has a very specific and very different definition.

The GAC taking the broadest one, protection of geographic names.

Byron Henderson: Thank you, (Anna Beth).

(Anna Beth Lang): They are part of the group because they are observers. Olga Cavalli is an observer in the group they've been there from the beginning. But the problem is that they don't have much time and we have problems really getting in really contact with them to see the problems we are facing and the way we interpret it.

But I agree with you that it should be this specific part should be more concentrated between the two parties so we don't end up in different directions.

But as (Carlos) said we tried to find a way to use them and they are more looking at how to protect them and it might be a concertation between these two.

So we have work to do. We should encourage the GAC to be part of other groups more than they have been.

Byron Henderson: So is there something the council's or the chairs could do to assist on that front Heather?

Heather Forrest: Byron thank you, Heather Forrest. I raised this in the last GNSO council meeting for exactly the reason that you've just articulated. I feel we're at a very real risk that anything that the cross community working group does is ultimately rendered redundant or useless let's say.

At this stage we haven't had very much success in reaching out to the GAC working group and I suppose the problem that if I put my finger on the problem while we're entirely transparent working as a CCWG as we're meant to the GAC working group which is actually a permutation of an original sub working group of the original working group on new gTLD's is not necessarily representative of the full GAC.

It has a handful of members and it works behind closed doors. So while the GAC has interpreted or those members have interpreted our, their ability to participate in our CWG or sitting on our CWG as cooperation.

In fact there really isn't anything I think we've been told from the beginning that the GAC members are not really able to participate in a CWG of that nature.

I don't see a way forward beyond escalating this to communication between the chairs of our chartering organizations the GNSO and the ccNSO and perhaps the chair of the GAC.

I honestly don't know how we move forward beyond that. I don't know that there's a full understanding of what's going on with the chair of the GAC. Perhaps it's too sensitive to deal with I'm not sure.

And of course Olga is vice chair of the GAC so I'm not sure what information gets out to GAC members. I suppose that's really the challenge is as always with dealing with the GAC it's a black box and you don't know what information goes out and you have very little information coming back.

So to the extent that it's possible to escalate that communication that would be helpful.

Byron Henderson: (Anna Beth) did you want to add anything to that?

(Anna Beth Lang): No I think it's good is we could perhaps it could be just to have a chat with (Thomas) again without making it to a conflict before we have to. So I can talk to (Thomas) I know him that well and I can try again and try to encourage them to participate more.

And if Olga feels that she has too much to do with the CCWG then perhaps they should appoint someone else that's interested in this issue and can be more permanent on the conferences. So that's an option you can decide that.

Byron Henderson: Okay thank you. Just in having a very brief sidebar with (Jonathan). I think we would certainly have heard your message and are willing to do exactly that i.e. as chairs reach out to (Thomas), reach out to the chair of the GAC directly.

Though for both of us I think we want to do that later in the week so both of us can get to our respective CWG stewardship transition issues before we dive into that one.

But we will take that on to reach out directly to the GAC chair and flag the issues that you very articulately raised. Thank you and thank you for carrying on in what sounds like a somewhat challenging environment.

We'll move onto the next item which is an update from the CWG on CWG principles. And I believe Becky and John Berard are going to provide that update.

Becky Burr: John is probably someplace else drinking.

Byron Henderson: Okay, so Becky you're on.

Becky Burr: So I'm going to do my famous impersonation of John Berard. I'm glad to report that the staff that we - the staff did a lot of hard work to come up with a framework for us that draws on a lot of the learning that we have had over the years from cross community working groups.

Including in particular the abundance of learning and information we've had in recent from the CWG and the CCWG. The proposal that's been circulated within the working group and we'll come back to the GNSO and the ccNSO essentially as information recommendations.

Created a kind of detailed timeline and procedures for what things need to happen in what order. There are various recommendations with regard to not being too prescriptive and I think that's in terms of allowing the chartering organizations in the process of the charter to make decisions about working methodology particularly with relationship to consensus and consensus calls and those kinds of things in the manner that makes sense.

There are some interesting things that we've learned in the course of the working groups particularly the transition and accountability working groups that relate to individual chartering organizations and differing groups processes and procedures.

In general the GNSO uses the statement of interest form. Lots of other groups including the ccNSO and ALAC I believe don't have, actually don't usually rely on that.

So when we have a cross community working group we usually default to the GNSO template for all of the groups. And that has actually been somewhat - it's caused some difficulty because it's a foreign template in some circumstances that's not familiar.

So one of the things that we recommend is that the cross community working group rely on statement of interest processes and procedures that are developed by the individual chartering organizations.

In any case it's really been a process of cataloging what we've learned about what works and what doesn't work and where there are holes and that will be coming back to each of the chartering organizations for further work and consideration.

Byron Henderson: Just a quick question on timeline. Do you have any sense of when that last - it would be?

Becky Burr: I think that we're pretty much ready to do that almost instantly. It's been out and circulated to the members of the working group for a while. We don't seem to have any concerns about it. So there's a little polishing to do and then it will be circulated.

Byron Henderson: Thank you. Any comment or question on this subject? (Jonathan).

(Jonathan): Just briefly I mean I was going to ask you about the learnings from the current work because clearly there's substantial work going on and in a sense that this is iterative and actually I'm finding myself where relevant obviously an advocate of the CWG model.

I think, you know, we've proved that it's a very powerful potential tool. So I'm supportive of this work and also encouraged that you said that there's a sort of an ongoing learning and recognition of some of the developments that are going on now.

Becky Burr: I think it's safe to say that the conclusions are that there are certain procedures and sort of framing that are very helpful in terms of putting them into place. But any attempt to be too prescriptive would actually cut down on the utility and the output and the functioning of the groups.

You need to understand what the topic is and be able to break into structures that make sense to the group.

Byron Henderson: Any other questions for Becky, comments or suggestions? No, okay thank you Becky and we'll move onto the next topic which is an update on the CWG or at least a pre-work for the CWG on auction proceeds and (Jonathan) is going to provide that update.

(Jonathan): Thanks Byron. So you'll be aware that there's at least in some terms a significant sum of money sitting with ICANN that's a result of last, so called last resort gTLD auctions in north of \$50 million.

Arguably it could increase significantly if further last minute auctions end up with ICANN. An example was cited today in the earlier session of the unresolved dot Web domain name.

Where the speaker speculated that that could be worth as much as double the existing sum again. Thus there is other monies that could potentially be added to this pot.

Nevertheless as we stand today the facts are that there is this substantial sum of money and there was a high interest session, so called high interest session run today. I'm not sure how many of you were there.

What we have on the table is a proposal from the GNSO to form a CWG. We sent out expressions of interest and the ccNSO came back to us and said there would be an interest on behalf of some members to provide input into that initiative but not necessarily for the ccNSO to participate as a chartering organization.

I think I understand the reasons behind that and in fact those were articulated by (Katrina) as a contributor to that session today. But I would nevertheless encourage you to keep an open mind on that as the process develops.

So that would be my thought just a suggestion to you to keep an open mind as to your participation or not as the ccNSO. But in any event I think the call then went out for participants in the drafting team for the CWG.

And some names came forward, perhaps not I mean we haven't got a full slate yet. And then there was also a note from Steve Crocker which seemed to sort of fire a little bit of a shot across the bows and say hang on the board was thinking about doing something here.

I've had a couple of private conversations with Steve and I think based on his remarks at the opening ceremony I think he is now it seems to me that he is not comfortable with the community taking a lead on this.

Clearly ultimately the board is - this money is with ICANN and the board will have to take a view on it but as I said at the opening remarks today Steve made it clear that the board was very receptive to hearing from the broader community and we have this so called high interest session.

We're having another session on Wednesday where three DC operators who I think are all ccNSO members. We've got (Nominet), (Sira) and SIDN for no particular reason other than I'm aware that in each case they have dealt with surplus funds in ways to benefit local Internet communities or in other ways.

And so it I think, you know, in convening that session I felt would be useful to hear that input essentially as offered. But rather than that input being given to the cross community working group or drafting team at this stage we're almost preparing the ground for that by having preliminary input.

So there's going to be a sort of workshop session on Wednesday which further paves the way and it's possible that out of the high interest and the workshop one idea but I guess I'm getting behind in my own mind and it would be interesting to hear if anyone else has any views.

But we get a form of white paper that tries to distill some of the key issues in a structure way that then feeds into the work of the cross community working group.

So we're essentially - and that does a couple of things really. One, it means we start in an informed way with having had significant cross community dialogue.

And two, we don't rush into it. There's two good reasons not to rush into it. One because it's a sizable amount of money, it's clear there is going to be significant community interest and potential diversity of positions I suppose.

But two, we're all really busy right now. So going a little bit slowly will do no harm in preparing the way carefully and creating the space we might need for those that want to contribute to it in due course being in a position to do so.

So I think those are the thoughts and input. Happy to take any comments, questions or on any element of that process, substance or anything. You look tired I can see everyone is kind of wiped out at the end of the day.

But if, you know, come to the session on Wednesday and if anyone has got any comments or thoughts as far as I can see there's no one saying well I'm not seeing strong indications that the CWG isn't going to find its feet while our drafting team makes some progress. Stephanie.

Stephanie Perrin: Thank you (Jonathan). For the transcript it's Stephanie Perrin. I attended that session today and it was a wee bit helter skelter if I may say so. I like your idea about going slow.

I wonder if it is important that we figure out the scope of what we're talking about. I was impressed by what Elliott said let's first figure out what we're talking about, Elliot Noss that is.

And then figure out like what should the money be spent on and before we start figuring out the propositions that are going to be coming fast and serious at us because it is a lot of money, thanks.

(Jonathan): So just to clarify by helter skelter you mean going to fast or all over the place?

Stephanie Perrin: All over the map in a disorganized fashion. I mean how about a framework for figuring out what ICANN ought to be spending money on before we start staying that's a good idea why don't we spend money on that.

Like what's within its remit, what is an appropriate thing to spend money on?

(Jonathan): I mean I happen to agree with you but that's what a structured process should do and it's quite clear this was a precursor to a structured process which is probably why it felt a little bit all over the place because it was an opportunity for first attempts.

And then when there was nothing it was off the table where there was process structure, what it was spent on. So it didn't have the requisite structure it was a little bit of a free for all. James were you wanting to come in on this?

James Bladel: Yes to agree with Stephanie that it was all over the map and it's not that any one idea in isolation was a bad idea or a bad proposal it's just that I expect that to proliferate as this process goes on.

So it's important to set some boundaries as early as possible and I think as I mentioned in the session that no matter what the process or the framework or

the scope is a sizable portion of the community will inevitably feel that this process got it completely wrong.

And that they were, you know, they were worthy ideas that were left on the roadside and I just I guess all in mind behind your idea of going slow, going cautiously and keeping it as open and transparent as possible because I feel this ending badly.

(Jonathan): Phil and then...

Phil Corwin: Yes thank Phil Corwin. I was one of the speakers on the second panel. Just two things, even though I urged folks to think about structure and not, you know, ideas for spending the money we heard more than enough ideas in that session to spend all the money several times over if you were going to do anything effective.

Thinking about this some more I mean not to propose any specific project but I think we should think about whether the ultimate sum is 58 million or a 100 million or 200 million if you throw in the unused legal money.

Maybe it's to pick one or two big picture projects and create an endowment that funds them over the long term rather than just one time divvying up all the money into a bunch of different projects and it's all gone after a year or two. So just wanted to throw that thought out there.

Man 1: Yes I did pick up on that and I agree I listened to this session as well and it was a bit of helter skelter all of the map and James' comments as I heard it was exactly right.

To me I agree with what (Jonathan) said earlier, haste is probably the wrong way to look at this. In some sense post transition the question of what ICANN is when it grows up may actually determine the answer to this question.

(Jonathan): Yes I must say as a (unintelligible) meeting aside I had someone suggest to me and no names mentioned that this is something we might want to get done before the transition. James.

James Bladel: You know, Phil raised an interesting point with the transition. We keep saying here's the words I've heard the verbs, I've heard spend, I've heard allocate, I've heard disposition.

Maybe there's a new word that we should inject into this conversation and that is invest and look for those projects that we expect that need perhaps a little bit of launch pad funding but at a certain point expect to yield perhaps not directly, you know, measurable financial benefits down the road.

But at a certain point yield some sort of measurable return on that initial investment and maybe that's a part of the process or part of the criteria that goes into this that this is not a - I'm trying to draw an analogy here, this is not a grant this is a loan, how about something like that.

(Jonathan): Is there someone else who wanted to say something?

Byron Henderson: I'll say one thing.

(Jonathan): Go ahead (Byron).

Byron Henderson: Thanks and I just wanted to say that on behalf of the ccNSO we certainly discussed this topic. And while we decided that it probably wasn't appropriate for the ccNSO to participate in this particular working group.

We have definitely strongly encouraged our members who may have experience and/or expertise in around related structures or subjects to participate.

And to that end I know several of our ccNSO members are participating in the early work here and I would anticipate that you can expect to find country code managers as individuals contributing to this discussion.

More from a case study and experience perspective as opposed to a directive or prescriptive perspective.

Okay onto the next and that is an update from (Giovanni Sethia) who leads the strategic and operation plan working group on behalf of the ccNSO. (Giovanni).

(Giovanni Sethia): Thank you Byron and thanks for the opportunity to provide this update. We have as a ccNSO strategic and operation plan working group we have submitted out comments to the strategy plan 16 operation plan and budget of ICANN at the end of April and that was the end of the public comment period for the fiscal year of 16. We have received as all of those who have submitted input we have received feedback from ICANN staff at the beginning of June. And we have been quite happy to see that there is a maximum availability of ICANN staff to discuss directly with us the different points we raised in the comment that we have submitted.

There are four main areas of our comments. The first being an acknowledgement of major improvements in the way the document is presented to the community.

And the improvement is board of consistency level so that we can now count on having a document that is a sound document that is consistent with the strategy plan format and also with the previous operating budget plans format.

And (unintelligible) not to get into documents that are completely new in the way they are presented because we already made comments to the previous

rounds, the previous operating plan and also to the strategy plan 16, 20 of ICANN.

So we acknowledge the great improvements in the presentation to the community of the document.

The second point and this is something that we have been asking over and over and will never get tired to ask is the need to introduce more and more KPI's and metrics against the different objectives and actions of the operating plan.

And we were very pleased and we anticipated also during the working group meeting last Sunday and we were pleased to have it confirmed today during the ICANN CEO opening speech that ICANN is going to soon launch this dashboard with which the community can monitor the progress of ICANN against the different actions that are making the operating plan and are after the strategy plan.

So according to what we have been told the dashboard will be made available to the community as of August and we are much looking forward to see the dashboard.

At the same time during the meeting we had last Sunday we were provided with a sort of premier of the dashboard. And we are invited also now to let's say have a say in the way ICANN is presenting the dashboard to the community but also in the way ICANN will be using the dashboard to measure the various performances.

The third point is a warning that we gave ICANN to be a bit more prudent when it comes to projections regarding income and expenses. And for the income there is an assumption in the operating plan and budget for the fiscal year of 16.

That for instance the renewal rate for new gTLD's and we are talking only new gTLD's would be over 50%. And that we believe is quite a very positive and optimistic let's say assumption as this is based on several ccTLD data that say that the first year renewal for the main name is usually not so good as it is estimated by ICANN for the new gTLD's which are coming in at a much more competitive environment.

And we also asked ICANN to be more prudent in terms of the expenses because we noted the significant and some concern expense raises in some areas including for instance the travel.

And in that sense there is a major 20% increase and the 20% increase have been justified by ICANN in the responses to the comments of the community by saying that they have increased the support to this level of the different communities.

But the point that we have made and we made also in the previous round that ICANN should try also to measure the effectiveness of this support and not just granting funds for a community possible community that at the end is not constructive in any ICANN process.

But we have made the recommendation to make sure that those travel funds are well spent and there is an assessment about how these funds are spent. And there's also a concern that we have expressed by the expenses relating to the relocations of some ICANN offices.

And the main expense being the relocation of the Singapore office that was just opened. And the reason we were provided is that the office that ICANN opened in Singapore was meant to be a provisional office.

And that once there was a decision if to keep or not Singapore as one of the offices then ICANN would have started to look for a (unintelligible) this is what

ICANN is doing and therefore there are quite considerable expenses for setting up of the real and long term Singapore office.

And the last point that we raised is the request for having precise timelines that whenever we are provided certain kind of data and a request is linked to the fact that even in the feedback we have received from the ICANN staff in charge of the strategy plan and operating plan and budget we were not and never provided with precise timelines.

So we were just told yes we'll make these available to the community but it was not said in which quarter or which year this would have been made available to the community.

And there are two examples I can provide you is the first one is the so called stakeholder engagement index that ICANN is planning to introduce to measure the stakeholder engagement.

And we have requested ICANN to provide a timeframe for this engagement index to become available to measure the progress against the stakeholder engagement and so far we have not been provided with any timeframe.

And the second example is related to another index which is the index to measure the progress against the diffusion of (ITD) 6 and the deployment of (unintelligible).

And in that case we have been and it is written in the operating plan that ICANN is going to introduce a so called (healthy) index. But the (healthy) index and the parameters that are the basis of the (healthy) index are not linked to any timeframe.

So it is something that is in the middle of the galaxy where, you know, the basic concept is quite (unintelligible). So that's quite worrying for the ccNSO

and we pointed this out last time as in the last meeting we had with the ICANN staff in charge of the operating plan.

At a high level we also commented that ICANN should try to introduce a (unintelligible) of performance assessment at ICANN senior staff level. And reading in between the lines of the comment that we received against our comments and against all the comments that ICANN were presented for this fiscal year for strategic plan and budget.

We can see that the ICANN staff in charge of the operating plan and budget is doing its best really the best they could to try to collect this kind of data and this kind of measurement and this kind of information from ICANN staff.

But of course they cannot impose these kind of metrics from a board and therefore those kind of metrics should come from the different departments. And so we have rated the importance to make sure there are sort of educational parts to introduce a more sound culture of performance assessment at ICANN level.

We have also rated our availability to share our best practices as many of the working group members have already deployed a similar performance assessment in our respective (unintelligible) of level domains.

And so this has been very much welcomed by ICANN staff and as a matter of fact they are going to invite some of us to a face-to-face meeting to see how we can provide them data input on what they are trying to achieve.

And the last point is at a very high level is that to the current fiscal year of 16 operating plan and budget takes into minor account the future of the IANA transition and all the accountabilities.

And that's because we were told at the time this document was drafted the ICANN staff in charge of drafting the document didn't have enough information.

So they fully acknowledge and again I would like to underscore once more the great cooperation we are having with the ICANN staff in charge of the operating strategy and budget.

And they have rated that in the next review of the strategy plan 2016, 2020 and in the fiscal year 17 operating plan and budget. They will of course take into account all the different scenarios regarding the IANA transition and possible new let's say new interest in the ICANN accountability environment.

So this is the update from the strategy and operating plan working group of the ccNSO. Happy to answer any questions. Again the main aspect that I would like to underline is really a great cooperation we are having with (unintelligible) and their team and this has changed a lot in the past couple of years.

So big support to them for the way they are listening to us and they are trying to respond to our questions. Thank you.

Byron Henderson: Any questions for (Giovanni)? (Jonathan).

(Jonathan): Yes very quick I know everyone is probably tired, time to go now but great that sounds fantastic. I mean it sounds like a big improvement from where you were a year or two back so that's really encouraging.

One quick question is did you, did any of your comments or discussion or evaluation touch on the reserve monies because this is something where there is there's a big pot of reserve money.

As you know, some of it was previously set aside for legal related potential legal related outcomes out of the new gTLD program. But I think there was a surplus in addition to that set aside for legal related funds.

I think these have been comingled now these two sets of funds. And it would be very interesting to keep an eye on that particular - the use and management of those reserve funds and excess proceeds from new gTLD's.

(Giovanni Sethia): Thanks for the question. No, this is an aspect we didn't really touch base when we discussed with the ICANN staff or in our comments. We discussed the aspect relating to the risk and contingencies.

And that was something that we pointed out during the comment round on the strategy plan 16 to 20 as the risk scenarios presented in the strategy plan 16, 20. According to the working group comments they were quite high level and we wanted to have them specified a bit more.

But we have seen that in the operating plan fiscal year 16 those risk and contingencies have been better explained and investigated (unintelligible) to cover possible risk and contingencies regarding the various activities but as for the strategic reserve we didn't go into that.

Byron Henderson: (Carlos).

(Carlos): Yes (Carlos) here, (Jonathan) just for the record according to the presentation that (Sayar) did and I talked to him afterwards on Sunday. He has two separate funds.

They just happen to be the same amount around 80 million each. One is the long term reserves of ICANN for which he has used to balance some of the legal costs of the transition.

And then there is a separate reserve for the proceeds from the gTLD options and he reported on both of them but they are both separate from the budget. So he has different pots. Two pots one reserve and one proceeds they just happen to be in the order of magnitude of 80 both.

(Jonathan): Thanks (Carlos) I remember that but I think there's a further segmentation but we can take this offline.

Byron Henderson: Michele.

Michele Neylon: Thanks Michele Neylon for any record that might exist. (Giovanni) I think it's very interesting that you've touched on a couple of points but from our perspective I think on the registrar side within the GNSO we've also been a little bit concerned and would like to see more metrics and KPI's and things of that around and travel support and things like that.

I mean travel support for anybody I think is wonderful but it needs to be something that's tracked. If ICANN invests X amount of money what was the return if any, you know, is it going to the right people, is it actually producing something tangible.

But I know there are people in this room who have engaged, who went through the fellowship and are now actively engaged but how many people, you know, just took the money, came to a couple of meetings and we have never seen ever again or, you know, what projects have got money and funding from ICANN and haven't brought any benefit to anybody in the long run?

I mean when we were looking at some of the I think it was the tax filing form from ICANN, I can't remember the name of it, E90 or something like that. And you look down through it and you see, you know, 50,000 here, 500,000 there.

I put that into the context of my own company, you know, how much 50,000 euro or \$50,000 would have meant to us a couple of years ago. I think of like how many physical servers I could have bought for that.

It scares me a little when you look at the numbers involved because they're massive, they're huge but we need to see as much detail and as much transparency on, you know, where that's going and why it's going where it's going.

And, you know, I think that's great I think it's great that you guys have been engaging with them actively on that for the last few years, thanks.

Byron Henderson: Thanks Michele, did you want to respond?

(Giovanni Sethia): Yes, thanks Michele. Just to let's say show the progress that we have been having with the ICANN staff in charge of this assembling all the data is that (one year goal) in commenting the operating plan for fiscal 15 and commenting on this specific point regarding the travel funds.

The response we had is that the (unintelligible) was to check how many people were supported and we found that a very poor and superficial metric. And this year the shift has been that we are told that they are going to introduce a metric to really evaluate the support from the perspective of the people who received the support and therefore how much they participate in the ICANN dialogue and the ICANN processes.

How many they will do that for more than the first year or let's say from the time they receive the funds. So there is much a completely different approach in evaluating this kind of expenses which we find extremely positive after having rated these comments for several years.

Byron Henderson: Thank you, any other comments or questions for (Giovanni)? Having been on the SOP for a number of years myself quite a while ago there is significant progress being made not that it's the end of the line by any stretch.

Absolutely there's still work to do on behalf of ICANN staff but the fact that you're actually getting feedback, the fact that they take input before they make decisions that you can actually get data. You've come a long way on that so well done thank you.

With that we'll turn to the final item on the agenda the hot topic item and that is around the decision making processes and any related concerns on the CWG stewardship proposal.

And I think the idea is really just so we can share a sense of how is each of these communities going to come to a decision hopefully by the end of this week. (Jonathan) did you want to or while you collect your thoughts - okay go ahead.

(Jonathan): Okay I mean I guess this is on - I was expecting there would be more coming from others. I'm sure everyone has heard enough from me on this so I was willing to hear from anyone else on this.

Byron Henderson: Well let me just offer up what we're looking at in terms of the ccNSO process. As many of you may know all day Tuesday and all day Wednesday are the standard ccNSO meetings.

We have a program through those two days that is very extensive around this issue. Now of course we've been working on it since Singapore 2014 or sorry a year ago, I guess that was 2014 and have had much engagement getting to this point.

That said we have a very structured program over the next couple of days that will start at a high level, drill down in depth into issues of the CWG, the relationships with the CCWG, how those parts fit together.

And sort of by the end of Wednesday bring it back around for a more holistic view. During that process the council which has been tasked of making the decision in the overall ICANN process will certainly be reaching out speaking to our members, listening to what's happening in the various sessions and taking any other feedback that's available.

And essentially as we come to our council meeting which is at 5 o'clock on Wednesday after the two days of sessions we will essentially first be making the decision are we in a position to make a decision and then fundamentally making a positive or negative decision whether we can or cannot support the actual draft proposal that is out there right now.

Without, you know, prejudicing the outcome I mean I think the community has seen the evolution of it, is relatively comfortable with it though there are certainly some issues along the way.

I think the important thing for our communities quite frankly is this is a way point on a journey it is not the final destination. Obviously the proposal will go to the ICG which will then try to weave together the three disparate proposals into one coherent one.

And then there will be an opportunity for another full public consultation where I'm sure the ccNSO or individual members will provide feedback there again.

So that gives you sort of an overall lay of the land of what we're looking at over the next few days and how we hope to come to a decision by later this week.

(Jonathan): So just in parallel I guess the GNSO has had opportunity to discuss this over the weekend session. There's also been public sessions today. We have our

so called constituency day tomorrow where the individual groups and constituencies get to review any substantive items.

And in fact we've got a session tomorrow evening where we can come together again to discuss any particularly contentious or challenging issues around the motion.

But essentially we will be discussing a draft, a motion that is going to be before the council at our meeting between 1:00 and 3:00 on Wednesday. So I think to that extent we could share that motion with you just so you could see exactly what is on the table before the council.

And that may or may not help you but at least it's informative in any event, thanks.

Byron Henderson: We would certainly appreciate that thank you. Are there any comments or feedback on this final hot topic? (Nigal).

(Nigal): Thank you Byron. I think I'm as keen as everybody else to wrap up a long day but I just want to make a brief comment speaking as myself as a council member.

Byron's laid out the procedure the two questions if you like that are going to be asked at the council meeting. In making that decision in the council meeting I at least will be looking not to impose my own personal views on what is before us but to try and reflect what I've heard on the Tuesday and the Wednesday and to try and reflect what I think the community, the ccNSO community's view is. That was my comment really.

Byron Henderson: Thank you (Nigal) for that comment and I think that, you know, (Nigal) does raise an important issue here. As the council our goal is to do what we believe is in the best interest of the community based on what we've heard

not reflect our individual views which may or may not be consistent with the community wide view as best as we can interpret it. That's a very good point.

(Jonathan): I think that prompts me to make one closing remark and that's just to remind you switch hats for a moment, you know, to a CWG co-chair and to recognize that, you know, the process that is the multi-stakeholder process that leads to a product that is not a product of any one group nor the desired outcome of any one particular group when they came into the process.

But ultimately ideally a process that we can support and at best live with, ideally get behind more than simply living with it but essentially by definition we've gone through a process that's produced something that isn't exactly what we wanted any one group wanted when they went into the process. But by sort of buying into the process you accept that something comes that you can hopefully get behind. So I guess that's my view as a CWG chair having tried to shepherd this through some difficult twists and turns and ups and downs.

Frankly I'm pretty pleased with the product to be honest. My personal view is as a co-chair of the group that we've produced something comprehensive, thorough and that's really taken our best efforts to produce. So hopefully you'll bear that in mind when evaluating it, thanks.

Byron Henderson: Perhaps then I will bring this meeting to a close but I want to make one final comment and that is to say a very big thank you to (Liz) the co-chair of the CWG from the ccNSO and to (Jonathan) as well as the members from both the GNSO and the ccNSO.

This has been a massive undertaking. I am sure far larger than any one of them envisioned when they signed up for it. So certainly from this community and I'm sure the GNSO community thank you to the co-chairs and all of the members, thank you.

And with that we'll call a close to the formal business, thank you, thank you everybody.

END