

LOS ANGELES - GAC Transition of U.S. Stewardship of IANA & Strengthening ICANN Accountability & Governance WG on IGO Engagement

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ICANN – Los Angeles, USA

CHAIR DRYDEN:

So let's move to the last topic of the day. We have about 30 minutes, and this is really just to get an overview of what are the issues, what is the state of play regarding the IANA stewardship transition and regarding enhancing accountability.

So it's just 30 minutes to kind of get a sense of where those processes are and begin to get some clarity about what, as GAC, we need to do this week.

Tomorrow we will have a two-hour discussion covering all of those topics, so that's when we will get into greater detail and be able to look at some of the more recent developments more closely.

I'm aware of some reports that have come out that may be of interest to you and this kind of thing. So let's try and capture that now, and then we can be better prepared when we have our two-hour session tomorrow to talk about these issues.

So as I mentioned, there are two main processes here, or areas of work. The first is IANA stewardship and the transition of the role of the United

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LOS ANGELES - GAC Transition of U.S. Stewardship of IANA & Strengthening ICANN Accountability & Governance WG on IGO Engagement

States regarding that, and then the second main area is in terms of enhancing ICANN's accountability.

So I will try to do a bit of a summing up about the IANA stewardship process, and then about accountability.

So as you are likely aware, there was a Coordination Group put together representing various groups, including the GAC, that will be responsible for coordinating the different pieces of the proposal that will be ultimately sent to the United States, to the NTIA specifically.

And so there have been phone calls and meetings happening of the Coordination Group, and our participants from the GAC have been contributing to that effort and making sure that we as the GAC are well represented in that.

It's fair to say that as far as the questions as to how that group is going to work, how it's going to proceed, and what it is that is being asked of what's being called the operational communities, but that's pretty much settled. So those key documents about working methods, how to define consensus, and how to invite the different pieces of the proposal to come forward from the community. That's all settled and in place.

So now what happens is the work really moves into the community for work to happen along the three main functions that exist within IANA. So one of them relates to the protocol parameters; one of them relates

LOS ANGELES - GAC Transition of U.S. Stewardship of IANA & Strengthening ICANN Accountability & Governance WG on IGO Engagement

to the numbers, Internet numbers; and then the piece that relates to domain names. So those three main areas.

And for us here in the GAC, as part of ICANN, we're very much focused on the domain names aspect of that.

So, within ICANN and the various groups here, a cross-community working group has been set up. And they're now beginning to do their work to come up with that piece of the proposal that relates to domain names, the domain name function. And the idea is that that would be developed in the community with the GAC participating by mid-January. That is not much time at all.

And so then the IANA coordination group will be receiving, hopefully, then, three different pieces of that proposal that they can then stitch together. And it is anticipated that the coordination group will need to do some back and forth with the various communities centrally implicated in each of those functions. And so it's quite a tight timeline for all of this to happen.

But, since we last met, the cross-community working group has begun to work. We have identified representatives from the GAC to participate in that. And, happily, Norway and Thailand have agreed to be leads for us participating and representing us in the cross-community working group. And of course, because it's the domain name function, it's expected that we would focus quite heavily on the country code aspect of things.

LOS ANGELES - GAC Transition of U.S. Stewardship of IANA & Strengthening ICANN Accountability & Governance WG on IGO Engagement

So we all have an interest in country code matters, quite a high degree of interest in how country code issues are addressed. So for that reason I think we're all going to need to have equal access to information and developments and updates and so on.

And so we need to make sure that, for our colleagues that have agreed to participate in that cross-community working group, that that work is supported and that the GAC is able to follow that work.

There's going to be a very tight timeline for this work to be carried out within the cross-community working group. So I think we do need to come out of these meetings with very clear next steps, a good understanding of what the timeline is and the next steps are for the cross-community working group. And, therefore, what it is that the GAC needs to do to feed into that and contribute to that result, hopefully, on time in mid-January.

So, like I say, the work is really shifting from the IANA coordination group now down to the communities behind each of those three functions. And the GAC is particularly focused on the domain name side of things.

We do have a meeting with the IANA coordination group on Wednesday morning. And so they will come to talk to us about each of the functions. And we have representatives from the Internet Engineering Task Force and from the Regional Internet Registries because they understand that it's important to communicate to governments about

LOS ANGELES - GAC Transition of U.S. Stewardship of IANA & Strengthening ICANN Accountability & Governance WG on IGO Engagement

how governments can track those other areas of work or contribute to them should they wish. But, as I say, for the GAC, we're most focused on the domain name function part.

Okay. So that is the general overview. One report that was circulated to us, I think, just at our last meeting or just before our last meetings in London was a report prepared by the Security and Stability Advisory Committee. And I know a number of you commented that you found that very useful as an overview of the functions. The SSAC has just released yet another report. And, Tom, if you can get me the exact title of that to communicate. But we will circulate that once we can dig that out. But this is a very recent thing.

But you might find that useful to have as a reference in this. So we will make sure we circulate it to you.

As well on the domain name side of things, there are other comments there coming from some of the country code groups. I know Centre is one that also made some suggestions around identifying some criteria related to the domain name side of things. So we might be interested in looking at those kinds of contributions that are already out there and some other thinking that's been done on this issue to help inform our work. So we will identify these documents and ensure that they are referenced.

We do have a brief that we just need to update a little bit in light of these most recent developments. But, please, do refer to the brief that

LOS ANGELES - GAC Transition of U.S. Stewardship of IANA & Strengthening ICANN Accountability & Governance WG on IGO Engagement

we have identified for talking about these particular issues. It will be, I think, still very useful to us in its current form. Okay. So that is the IANA stewardship transition.

So are there any initial thoughts about this part of the process, particularly in terms of what it is that we need to accomplish while we're here and what we should focus on in our discussions tomorrow?

As I say, I think it's probably looking at the cross-community working group and surfacing what is involved in that in our discussions? We've settled the matter of how the GAC will participate, but there may be questions about working methods and things like that. Norway, please.

NORWAY:

Thank you, Heather. No, it's not questions. It's just thank you for beginning the mandate of being part of this working group. It's going to be a fast working speed -- high-speed working -- yeah. I see there's not so many weeks until we're going to deliver something substantial to the coordination group. It's going to be interesting.

We have been given already, I think, it's 10 deliverables. And one of those is to also look into all the contracts, which is, like, a lot of pages of legal work also needs to be done in this working group. So it's -- it is a lot of work.

I just wanted to mention that, in addition to members, it is, of course, as you have -- many of you have seen, this working group is open to

LOS ANGELES - GAC Transition of U.S. Stewardship of IANA & Strengthening ICANN Accountability & Governance WG on IGO Engagement

anyone invested in the GAC to be what they call -- they called it an observer. But now they have changed it to participant. And participants are expected to contribute to the working group. And everything that will be put on the table from participants will also be considered as being part of the work. So it's not just to listen in, but to undertake participation in the group.

And I think that a lot of GAC members, I- know U.K. already has said they're interested to be a participant. But we'd also like to hear and have discussion in the group whether other persons and other countries should be participants. Because, as I said, we would have to consult with the whole of the GAC what we're going to say and to deliver in to this group. Because we cannot speak on behalf of other countries. So this is, of course, as we always have a special position as GAC members when it comes to -- well, differences when -- difficulties when it comes to voting and so forth.

So we have to have a discussion tomorrow about how we will do this work and how you want us as members to deliver something back to you as the whole of the community. And also, as I said, someone else also needs to follow-up on this work, I think, because it's an important task and it's a few weeks before we deliver something. Thank you.

CHAIR DRYDEN:

Thank you, Norway. That's very helpful to us.

LOS ANGELES - GAC Transition of U.S. Stewardship of IANA & Strengthening ICANN Accountability & Governance WG on IGO Engagement

So that gives us a really good idea of what's already on the table. 10 deliverables and the intent to look at the various contracts in place related to the domain name function. Okay.

So U.K., please.

UNITED KINGDOM: Thank you, Chair. Just two quick points. The U.K. has joined as a non-voting participant. It's a very simple process. You have to submit a one-page statement of interest. Basically, you say who you are and which government you are and your position in the government. And there's some simple questions about declaring no interests in commercial gTLD operations, I think, basically.

Secondly, just to add to Norway's comment, there is a discussion at the moment in the CWG about the chairing. At the moment it's cochaired by the GNSO and the ccNSO. There was a question raised in the first virtual meeting whether the other ACs and SOs should also have a role in the chairing. My view is it's probably best to keep the chairing simple with those two cochairs. But I just flag it as a question that's been raised in the CWG. And, obviously, perhaps is a point for the GAC to consider whether they want to say something in response to that question. Thank you.

LOS ANGELES - GAC Transition of U.S. Stewardship of IANA & Strengthening ICANN Accountability & Governance WG on IGO Engagement

CHAIR DRYDEN: Thank you, U.K. I have Thailand next, our other lead in the GAC on this effort. Thank you.

THAILAND: From participations on the working groups. They're scheduled to have six meetings, which have to cover 10 or 11 functions. And CC -- the country code is only one of the functions that relate. There is also WHOIS and other aspects. I do hope we could cover how it could be organized itself and which functions we need to address and in the interest of GAC as well.

CHAIR DRYDEN: Thank you for that proposal. So not only to identify the deliverables but to work out which ones we want to prioritize and how we want to organize ourselves to contribute to that. Again, because things are going to move very quickly. And we need to be part of that. Okay.

I have the Netherlands next, please.

NETHERLANDS: Thank you, Heather. You asked for comments on how -- what we should address tomorrow. I think one important question is also how -- I think also Thailand mentioned this -- what will be our own input in this process. I would regard to the volunteers who are in all the groups as kind of liaison which bring the information back and forth. But they're

LOS ANGELES - GAC Transition of U.S. Stewardship of IANA & Strengthening ICANN Accountability & Governance WG on IGO Engagement

not -- I think, at least I mentioned, they're not representing the GAC as a whole.

So, in that sense, I think there should be some method from the GAC how to not only assess the different proposals but to also in the beginning, which -- and this is the point of view from the Netherlands -- how we could also, for example, set some principles which we think as GAC are important for the new model. I think we should not be the designers or code-signers of this model, but we should set some principles. I think the principles set by the United States are, of course, a good beginning. I think these four principles plus the fifth principles which says it should not be run by only government or intergovernmental organizations. So these are a good beginning. But I think things are missing still, which says something about the kind of requirements you have to impose on the stewardship, oversight, if you call this. For example, independence, neutrality, redress -- well, many things we have also heard from the community. But the point I think is important to acknowledge that we should not come into a situation in which we -- at the end of the process when the model is completely built, the GAC says oh, no. It's not right because of this and this and that. So probably there's something which we should discuss in the GAC also internally. Thank you.

CHAIR DRYDEN:

Thank you for that, Netherlands. Okay.

LOS ANGELES - GAC Transition of U.S. Stewardship of IANA & Strengthening ICANN Accountability & Governance WG on IGO Engagement

So we have a few more minutes to talk about the enhancing accountability again before our longer discussion tomorrow. We've taken these suggestions. And we will turn that into an agenda for our discussion tomorrow on IANA stewardship. And we will continue to look to colleagues participating in both the IANA coordination group and in the cross-community working group to guide us and assist us in finding a way forward.

On enhancing accountability, when we began our afternoon, I reported on this very latest development with a revised process or approach to that process being published by ICANN. So we will need to take a moment to look at that and digest that in order to have our discussion tomorrow.

But it is intended to be responsive. And colleagues from other parts of the community have said that they find it is really a significant improvement. And they can see a high degree of responsiveness in this revised proposal or revised process that's been issued by ICANN. So I hope that we can now start really thinking about the cross-community working group and what that would really look like and how the GAC can contribute to that work. One of the useful things that is being proposed for the cross-community working group to do is to divide itself into two streams of work. So one is the accountability question for ICANN prompted by the IANA stewardship transition process being initiated. And then having a second stream that's for longer term accountability issues. The one -- the first one, obviously, being more

LOS ANGELES - GAC Transition of U.S. Stewardship of IANA & Strengthening ICANN Accountability & Governance WG on IGO Engagement

time sensitive. But, because there have been a lot of comments and interest talking about a variety of accountability issues, this is one of the suggestions for the cross-community working group that it try to divide up the shorter term organization level accountability question into one stream and then move the longer term issues into a second stream of work. And that way, people will not feel that their issue can't be addressed somehow via this process.

And we can use, I think, the cross-community working group on IANA stewardship to give us a bit of guidance about how things might proceed regarding the enhancing accountability cross-community working group. In other words, in the way that it was formulated, how the GAC might be asked to participate, and so on and so forth.

But this is something that we will need to get better clarity on as we move through the week. This is a process that has just been posted. And the GAC and others in the community will need to take a bit of time to digest it.

But the initial reaction is very positive to this. And so I think we will be quickly moving to begin to set up this cross-community working group and actually work on the substance of the accountability issues that are there.

So, with that, we can make sure that the revised process is circulated to the GAC. I don't know whether it has been. No. Okay.

LOS ANGELES - GAC Transition of U.S. Stewardship of IANA & Strengthening ICANN Accountability & Governance WG on IGO Engagement

All right. Perhaps it hasn't been posted yet. But it was supposed to have been posted last night. Okay. We'll make sure that's distributed and that we have some copies available for our discussion tomorrow. And maybe for now, it's a matter of walking through that and then looking at where we have opportunities to talk with other parts of the community this week in order to see how others are responding and how we might move things forward.

Well, okay. So I think that is probably as far as we can go today on that topic.

This brings us just short of 6:30. So I think at this point we can conclude our meetings and start again first thing with another day of meetings. Thank you, everyone. And have a good evening. Well-rested for another day.

Thank you.

[END OF TRANSCRIPT]