
SINGAPORE – Board with ccNSO
Tuesday, March 25th 2014 – 10:00 to 11:00
ICANN – Singapore, Singapore

STEVE CROCKER: Welcome, everybody. This is the scheduled meeting of the ICANN board interacting with -- who are these guys? -- the ccNSO.

As is our habit, we come here primarily to listen. We hope that these engagements are forthright, candid. Pointed, even. And with that, I'll turn things over to Byron.

BYRON HOLLAND: Thank you, Steve.

Good morning, everybody. We have three subject areas that we wanted to pursue a consideration on.

Of course, no surprise, some dialogue around the NTIA statements and the transition of IANA function.

We also wanted to provide some update around our framework of interpretation working group that is nearing the end of its work, and I think very fortuitously in terms of timing.

And also, there will be some feedback from the chair of our SOP committee, which I think you are all -- it is well known to you.

So with that, I'm going to turn it over to Keith, who is the chair of the FOI.

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KEITH DAVIDSON:

Hi. For the record, my name is Keith Davidson and I chair the FOI working group for the ccNSO.

This working group was set up -- this working group was -- can we have some --

Oh, can you hear me okay now?

Thank you.

The FOI, the framework of interpretation, is an instrument that result- -- or that was suggested as an outcome from the delegation/redelegation working group, which was a review of the decision-making by ICANN on ccTLD delegations and redelegations.

It highlighted a number of areas of concern which we sought to address, rather than by policy development process, by the development of a framework to provide color and depth to the existing policies and guidelines.

And essentially our work in that regard is now finished in terms of drafting.

We have a final consultation process to launch very shortly.

And so our path with the framework going forwards is to finalize GAC support, and there are a couple of outstanding issues we have with the GAC on parts of how we've interpreted things but I think we have potential solutions.



And I think in the interim, we will start to be working with the IANA staff on implementation of the framework, at least for those items that are not still considered to be unresolved with the GAC.

So our hope is -- and, you know, I will be very optimistic, but our hope is that by London we should have resolved all differences with the GAC and that the GAC and ccNSO may walk to the ICANN board and seek to have the framework adopted as usable for the future by the board, so don't be surprised if that request does come up.

I think just to point to a little bit of history, there -- you know, this -- you know, coming to the end of this piece of work does help with this brave new world we're facing with IANA.

Part of the uniqueness of the ccTLD community are the aspects of delegations and redelegations and the very sensitive issues around sovereign rights versus the RFC-1591 principles of servicing the local Internet community and so on.

So it is quite timely that we draw this to a conclusion.

We also have some further work to do to ensure that we have a robust policy framework for the ccTLDs with at least probably now facing a fast-track policy development process on the retirement of ccTLDs because currently there is no policy or reference to the concept of retirement within either RFC-1591 nor the GAC principles.

So that is an invention of policy and must go through the proper process.



So whether or not we can do a fast track to get some framework in place before the looming September 2015 IANA deadline remains to be seen.

And with that, any questions?

CHRIS DISSPAIN:

Good morning.

Keith, can you just clarify for me why you think that it's important to have the retirement policy in place before the USG's stewardship is moved somewhere else?

I don't actually know why that's necessary. I'm not clear why you think that's necessary.

KEITH DAVIDSON:

Well, it's probably not absolutely necessary, but given that it is an ongoing problem for which there is no policy, it strikes me as before we face the major changes to whatever replaces the NTIA oversight of the IANA function, that it would be appropriate to have some form of policy in place.

So if it's a fast track and it serves as an interim period and references a full PDP, you know, in the -- as soon as the rest of the IANA details are sorted, that's probably appropriate.

So definitely not confronting a full PDP at this stage, so more or less along the lines of the IDN ccTLD fast-track PDP.



BYRON HOLLAND: Steve?

STEVE CROCKER: I haven't been following all this in great detail, but I do understand some of the issues related to the retirement of a ccTLD.

We have a couple of worked examples in the past. Dot cs that was the Czechoslovakia that was retired and then reallocated and then retired again and caused a fair amount of confusion.

We have dot su that some would argue should have been retired and wasn't and then is now sort of too late to do that.

One of the things that emerged out of that experience is that -- particularly related to dot cs -- is that if you're going retire it, it has to stay retired for a very long time. That -- not five years, but more than like 50 years or something like that.

That's just background for people who haven't been following what we're talking about here.

I would say, Keith, that there are two aspects to what you're saying.

One is, there does need to be a policy. The mechanism for developing that policy has been a little bit uncertain, but I don't think that the U.S. government was actually ever part of it one way or the other. So -- let me just finish.

So I would argue that whatever the urgency is, it would have been nice to have it a long time ago, but the -- whatever the urgency is of developing a policy related to retirement, it's still there, and whatever

mechanism is needed has been needed for a while and needs to be created.

But like Chris, I would challenge whether or not there's much of a close relationship to the transfer of stewardship that has been asked for except for the general effect that, well, maybe this serves as a deadline to get everything else done that has been hanging fire for a long time.

KEITH DAVIDSON: Well, can I respond?

I think, you know, if the ICANN board is comfortable to make decisions that are not based on policy for ccTLD retirements, then that's possibly okay, but at the moment, you are basing your decisions without having a specific policy to refer to.

But I --

STEVE CROCKER: What decisions are you talking about?

KEITH DAVIDSON: If you made a decision on dot cs or dot su, there was no policy for you to refer to that suggests how a retirement should occur, so you've created the policy by the board decision.

STEVE CROCKER: Well, the su is old and a separate discussion about that.



The cs issue had a lot to do with the processes outside of ICANN that reallocated that designation, and there has been considerable consultation and discussion with that process.

I haven't been on the inside of it, but I -- my understanding is that that sequence of events is not likely to occur again.

But I don't -- I don't anticipate that the board would be --

First of all, I don't know of any cases pending about de-allocation, and if there were, I don't think the board would make a decision -- would create policy that would create -- it would focus on the need to get that sorted out but I don't think we'd huddle and say, "Oh, let's make up a policy here." Not going to happen.

BYRON HOLLAND:

Keith, did you want to respond to that? And then I have Chris and Mike.

KEITH DAVIDSON:

I -- Steve, I take what you say and I agree that the U.S. government role is not related to retirement policy, but I think -- or could I urge you to read the output work and I'll send you an excerpt from the delegation and redelegation reports that, you know, indicates that the ICANN board has made policy on the fly and we just want to cut that off and make sure that you don't, or that we are not seeing decisions that are being made for the ccTLD community that are not based on an actual policy. And there is nothing in RFC-1591 or the GAC principles that refers to the retirement of ccTLDs, so that's our absence-of-policy issue.



But I think maybe that's a debate that you and I could have off line because I'm not sure it's of fascination to the rest of the room.

[Laughter]

BYRON HOLLAND: Thank you, Keith.

Chris?

CHRIS DISSPAIN: Just really quickly, on the high-level principle, I agree with Keith that it is clear that there needs to be a policy for retirement. I think we've -- and I think we've now reached an understanding that that was -- whilst that is true and it needs to be dealt with, that it's not necessarily tied to the September date.

So the question for the ccNSO, I would argue, is whether you're comfortable to go through a full-blown PDP and wait for that or whether you think that the risk is high enough that you need a fast-track process to deal with it. And if that's what you decide, that's cool, but I just wouldn't tie it to the September deadline. That's all.

I think it's fine, but it just needs to be worked through at a reasonable speed.

BYRON HOLLAND: Thank you, Chris.

Mike?

MIKE SILBER:

Thanks.

I'd like to echo what Chris is saying. I think that your suggesting adding parts to an already working machine and doing it while the machine is in motion is a tricky exercise and one that shouldn't be speeded up but, in fact, should be slowed down and approached with caution because you're inserting something while it's moving.

If the result is in place in time, that's fine, but I don't think that you should try and time-limit the exercise. I think it needs to go through the process along with everything else.

I just suspect, Keith, that it comes back to some of your views on what happens post-September 2015, and that's maybe why you're pushing the date a little bit, and I think that's a good reason not to follow through with some of what you are suggesting around structural separation, because it creates this type of lacuna which would need to be addressed going forward.

BYRON HOLLAND:

Keith, I'm sure you want to have a quick response and then we're going to go to a question on the floor and any other questions.

KEITH DAVIDSON:

I think it would probably be fair to say that this isn't the highest priority that the ccNSO will face in terms of its considerations going forwards, and is probably the most disposable item along the way, so -- but I am just noting it at this stage.



And of course the ccNSO is brand new to the discussion on IANA, and until we have a -- our members discussion tomorrow to actually build some sort of strategy, this is only a question that I'm raising as the chair of an individual working group.

BYRON HOLLAND:

Thanks, Keith. We have a question from the floor.

Kuo-Wei?

KUO-WEI WU:

I think, first of all, I would like to -- you know, a very quick response about it.

Basically IANA, you know, the operations are based on, you know, the GAC and also the ccNSO guidelines and principles.

If you are talking about this as another new policy, we have to generate it and, you know, I think the ccNSO, you can discuss about it.

And in general, IANA office follow whatever the guideline and principle, and we just deal with the implementation.

To be honest, for the ccNSO delegation/redelegation, actually the IANA office have nothing to say -- the board have nothing to say about it. It's just based on our regular check.

BYRON HOLLAND:

Thank you.

Are there any other questions here?

Nigel?

NIGEL ROBERTS:

Just a very -- that's nice and loud. Just a very quick comment. I'm a little bit surprised at the reaction regarding the suggestion of the retirement.

Speaking as a member of the delegation/redelegation working group and then the FOI working group, this is just a small piece to make one coherent whole at a time before we go forward. It's like drawing a line. And I think the reason that a fast track is quite appropriate is that it's actually going to be a small and uncontroversial piece of work. I don't think it's going to be any issue whatsoever. It's just dotting the I's and crossing the T's at the end of this period of work.

BYRON HOLLAND:

Thank you, Nigel.

Mike?

MIKE SILBER:

Yeah. I think the pushback a little bit is the suggestion that it's got to be completed by any point in time.

If the ccNSO wants to proceed on that basis, absolutely. You're most welcome. I don't think anybody is suggesting that.

I think the critical thing is whether this is a contingency on changes in the IANA structure, and I think that's where there's pushback is to say, don't make anything contingent. Carry on with your work and if you

want to do that fast track or normal process, that's up to the ccNSO, but please carry on with the work. We're encouraging it. It's fantastic.

NIGEL ROBERTS: Mike, I don't think it would be contingent. I think we could finish by September 2014, never mind 2015.

BYRON HOLLAND: Okay. Steve?

STEVE CROCKER: If I might just briefly, let me emphasize the point that Mike's just made. There's no reason to wait for the completion of the IANA stewardship transition. Be happy to see a policy on retirement much sooner. June? Can you have it ready by June?

NIGEL ROBERTS: I can't speak for colleagues, but I could.

CHRIS DISSPAIN: If we call it "the Nigel Roberts policy on retirement"...

BYRON HOLLAND: Be careful what you wish for, right?

[Laughter]



>> (off microphone.)

BYRON HOLLAND: Yeah. Okay. Well, as we can see, there's still much to discuss on that front.

Thank you. I think that was a good -- that was a good healthy exchange on that particular subject, and I think provides perhaps a good segue into what was the first item on the discussion topics agenda here but I took the liberty of putting second because I thought the framework of interpretation discussion might be valuable before we rolled into the actual IANA one, and my sense is it was.

I think from the ccNSO's perspective, we're very curious and interested to get some initial board feedback and response in terms of the general thinking around the NTIA announcement, but more specifically, what you've heard the community saying thus far in terms of process.

I know that yesterday there was significant discussion around what we see the process unfolding would look like, but we're interested in hearing what have you been hearing, how are you viewing it, and any subjective comments you'd like to make on the inputs that you've received thus far.

Would Steve or --

STEVE CROCKER: Who wants to speak to this?



Speaking for myself and not necessarily for the whole board or the whole organization, there's still quite a spread of responses. We're in a pretty frothy period where some people are focused very narrowly on the evolution of the stewardship and others want to enlarge that to include a wide variety of different issues.

My own taste is toward the narrower end, so it colors what I hear, frankly.

I think the engagement is very, very positive. I mean, the fact that people are interested and jumping in is good.

One of the peculiar things is that NTIA, Larry Strickling, was very, very careful not to specify the result. He said, We want the community to specify not only the result but the process, burdened ICANN with organizing and being a venue for that process but not for dictating not only not the result but not dictating the process.

And there was certainly, I think, a significant number of people who felt uneasy with the lack of structure and so there was a bit of irony in there because it was equally clear that had we -- or NTIA tried to provide that structure, there would have been corresponding these with having that. So it was not clear that there is any safe passage through all of that.

Another piece of the reaction so far is a question of time frame. And I think the initial posture was there is no time frame. But the structure of the existing contract invites a very natural focus on the expiration date which is 18 months from now. And, yes, there's some renewal possibilities.



But even if it's not insisted upon or even if it's not -- it doesn't have a necessity to it, it adds a bit of structure to the -- to the landscape.

And I think in that sense, alluding to what I was saying before about lack of structure in the process, that actually adds a bit of structure and possibly in a helpful way in that it focuses people's attention and then one can work to that and see what has to be done leading up to it.

But just to re-emphasize, nothing dramatic happens if that data is missed. I mean, there's some accommodation and some practical things, but probably the practical data is a bit before that so that what decisions can be made and what transitions can be made and so forth. We don't want people meeting on September 29th into the evening to decide if they're going to be able to do that. We do that in Congress about budgets, but we don't try to do that for important things.

BYRON HOLLAND:

Thank you, Chris.

Olga and then Fadi and then Chris.

Just before we go to Olga, I would like to just raise a point. We just came from the ccNSO session where we actually had Larry and Fiona give their perspective on the statements and had some Q&A with our community.

STEVE CROCKER:

How am I doing?



BYRON HOLLAND:

It sounds like you guys might have talked once or twice. Generally speaking, I think that the message you just delivered is relatively consistent with what we heard.

One of the things that ended the conversation just from a timing perspective with Larry and Fiona was a question around ICANN facilitating the process. And I thought it was interesting, your choice of words, Steve, that ICANN has been "burdened" with this process.

And one of the questions that came up from our community, which I thought was particularly valid, was around if ICANN has been "burdened" with the process, there's probably a natural tendency to focus on the ICANN community as participating in the process.

How are we going to make sure that the much wider community, the community that has an interest in this subject but is never actually part of the ICANN show gets involved in the process and their voices are heard?

And maybe I will just leave you with that thought as we take Olga's question or comment.

OLGA MADRUGA-FORTI:

Thank you. I want to respond directly to your question regarding what are we observing or what are we hearing from all the various communities that we're talking to. And I think it's been -- it has very quickly become apparent that there is a recurring theme that everyone has an objective here to establish a process that ensures inclusiveness and that ensures the participation of the opinion of all.

As a matter of fact, the very word "inclusiveness" is a word that has cropped up in the various iterations of what might be some principle tenets to take into account as we embark on this process. So rest assured that we all on the board have heard that and we acknowledge that and that everyone is pointing in the direction of coalescing around a process that ensures that.

And as a matter of fact, I believe that in the last 24 hours alone, the level of acknowledgment of that fundamental principle has actually allowed for us to move on just a bit, to really be -- begin to talk about the specifics of what the process of dialogue would look like and dare I say some even interesting ideas about possible outcomes, just very creative back of the envelope.

But there is an absolute and concrete acknowledgment about of the need for the bottom-up inclusiveness and to guard against anything that would undermine that.

BYRON HOLLAND:

Thank you, Olga. That's very encouraging. I did develop quite a list very quickly. So we have Fadi, then Chris, Erika, Ray, Sebastien, and Becky. And then that will probably -- we'll have to do a time check at that point.

So with that, Fadi.

FADI CHEHADE:

Thank you, Byron.



Let me carry the point Olga just made one step further. The most challenging part of the task we were given by the U.S. government is going to be the ccTLDs because we must reach out to all the ccTLDs. If we do not, we will have failed in our mission.

So many ccTLDs are not here. Many ccTLDs are still not necessarily part of the ccNSO or part of this community. So it is our job, our commitment to the U.S. government is that everyone will be involved. It must be inclusive. So I'm calling out to you for help in figuring out how do we reach the broadest and widest community of the ccTLDs into this process.

It is easy with the IETF and the technical community on the protocol parameters. It is easy on some of the others. Here we have frankly an engagement and convening challenge. But we're going to partner with you, work with you.

I view this frankly as an opportunity with the ccTLDs in that it is an opportunity for us to engage and not necessarily engage with any purpose about enlarging ICANN, quite the opposite, simply engaging them so they feel part of the process. And I could use your help and the help of this community, but I told my team this morning that maybe we should -- just like we showed yesterday that we will do consultations at all the IETF meetings and all the RIR meetings and all the ICANN meetings and all the regional ccTLD organizations' meetings, that we should see if these are not enough for the ccTLD community. And you can count on us to apply every effort we can to reach them. We need these inputs and these voices into the process.



And this is partly because it is the right thing to do and partly because it is a condition of the U.S. government's acceptance of our proposal. We're not doing this purely for engagement reasons. We're doing it because if we are not inclusive -- remember, the first guideline, principle we listed yesterday in our consultation is it must be inclusive of all the affected communities. So you have our commitment on that, and I need your help on that as we move forward in the next few months.

The second point I wanted to make on your question regarding feedback from Monday, we're receiving feedback. And Becky made that point clearly, that there is a sense that we wanted to kind of create two parallel tracks that should never meet: One on IANA -- the replacement of the U.S. stewardship in IANA and second on the globalization of ICANN as an organization.

So let me be clear. We do not view these two things as two parallel lines that shall never meet. Actually, they're very interdependent and they have to listen to each other. In fact, if we are to find good solutions on these two tracks, it's likely that the timelines on these two tracks need to be synchronized. I understand that. We understand that.

However, the requirement I have from the U.S. government to engage on the IANA side and the kind of rigor we have in timing with them is not on the ICANN globalization track. It is a different -- it is a different track in a way.

I do not plan to hold a public consultation meeting at the IETF on ICANN globalization, right? I plan to do it for IANA globalization. Obviously, they're part of that.



The IETF and their members are welcome to ICANN globalization input, but these two tracks must be synchronized, must inform each other, must move in parallel. But they do not need to happen in the same process necessarily. One is dictated by the U.S. government in order for them to accept the outcome. One is our communities.

BYRON HOLLAND: Thank you, Fadi.

Respecting that there's a relatively lengthy list, Chris?

CHRIS DISSPAIN: Thank you, Byron. I will be quick.

Feedback from yesterday, generally good but I'm becoming increasingly concerned that we are not yet clear on scope and we've left into process. That's fine. We need to have a process that's very important, but we are not yet clear on scope. This slide is an example of us not being clear on scope. It says "IANA globalization." That is not, in my view, what this is about. This is about the globalization of the stewardship role that the U.S. government plays. That's what the U.S. government has asked us to do. It doesn't mean that IANA globalization isn't a topic for discussion generally but not in the context of what we're being asked to do in an extraordinarily tight time frame.

The way we described these things is important. We spent a good ten minutes with the ALAC this morning discussing the use of the word "stewardship" and so on. We really do need to do some very quick final work on scope. Otherwise, we're going to get lost.



BYRON HOLLAND: Thank you, Chris.

Erika and then Ray.

ERIKA MANN: I think, Byron, you mentioned the real problem we are facing. It is less within our community. I mean, we do have discussions as well and we need to continue to have these discussions. But I think the larger problem we are facing is with these communities and in particular business which are outside of our community and which suddenly become aware that something serious is going on which is affecting the Internet environment and ecosystem as a whole.

And we don't communicate well with them. And this is creating tension outside and it is creating tension inside and it is creating tensions to governments which are involved in this because we should not underestimate that it is a quite complicated topic and not everybody is really understanding what we are talking about. Many are thinking we are doing something wrong on the Internet as a whole.

So this is something we have to communicate better. I mean, I am in constant discussion with many business around in just explaining what we are doing. I think this is something we should do together, just something very simple, just explaining in simple questions and answers what's going on.

This will not erase all the difficulties, but it will smoothen the path and it will be much more in discussion with the outsiders which are not part of our internal network.

BYRON HOLLAND:

Thank you, Erika. And I think that's actually a really good point. I've found just in discussion here, even with inside ICANN community members who are theoretically relatively educated or knowledgeable on the subject, it's remarkable how many gaps in knowledge there are, particularly around IANA functions. And that's within the knowledge community, let alone outside the knowledge community.

Ray and then Sebastien.

RAY PLZAK:

Thank you, Byron.

The short answer, the feedback that I have from yesterday's session and from continuing discussions is that total -- almost total lack of understanding about what we're talking about. Chris went right to the point, defining the scope.

People don't understand what it is that IANA does. They have no understanding. And they do not understand what is the exact relationship between the U.S. government and the IANA in the operational functional role.

In my mind, there has not been a clear statement, a clear, complete and concise simple statement of the problem.



And, therefore, that leads to all kinds of discussions, some of which are important in terms of looking at accountability and so forth, most of which are non sequitur because they have nothing to do with what's being talked about.

And so I am with Chris 100%, scope the problem. When you sit down to do work, the first thing you have to do is read that problem, RFP, right? First thing. If we don't have a clear problem statement, you're never going to get past that. So I think that needs to be framed.

The second thing is there needs to be a clear understanding of what it is that IANA exactly does. People have to understand that IANA only does what it's told to do. It doesn't do anything else. It is a very simple statement and it can be expounded upon and so forth.

If you don't get that stuff right in the front end, we're going to spend our time in circles and in circles and in circles getting nowhere.

BYRON HOLLAND:

Thanks, Ray.

Since we've had five board members in a row, I'm actually going to cut over to a CC member just to mix it up. And we will -- I promise, Sebastien, we're coming back to you. But we're going to have Becky.

BECKY BURR:

I want to really come back and echo Chris' sentiment that we have not scoped out this problem. I think, Steve, the way you described the sort of narrow versus expanding and, Fadi, you described IANA versus accountability -- and I'm sure, pretty sure -- we haven't decided what

we're doing. Are we simply transitioning the IANA functions, or are we transitioning the stewardship? And if so, what does the "stewardship" mean?

I think we really should stop and get that straight, or this process will implode. I just think it's clear to me -- and this goes back to my comment yesterday. There's just -- that's not settled.

BYRON HOLLAND: Thank you, Becky.

FADI CHEHADE: What is exactly the confusion?

BYRON HOLLAND: The question is: What exactly is the confusion? Do you want to drill down on that for us?

BECKY BURR: The confusion is what does "stewardship" mean in this context. And I think that there are -- you know, there's a view that on one hand we're talking about technical functions and the IANA doesn't do anything except for what it's told. And then some of us are thinking about what's the "stewardship" role that's being taken that I think is more than the sum of the technical functions.

That's what I think the -- I don't think it is confusion. I think that there are just different perspectives.



BYRON HOLLAND: Thank you, Becky.

We have three or four more people on the list and only about -- just shy of five minutes, so I would ask the remaining folks to be very brief. Sebastien and then Young Eum.

SEBASTIEN BACHOLLET: I have the impression that we need really to define what we are talking about. And, in fact, what is inside the IANA function, it's not what is in the discussion. And I would like to suggest one sentence after all this discussion. It is replacing "the USG stewardship of IANA by "-- and the "by" is maybe the more important, something like "global multistakeholder mechanism." And we need to work on that. But it's not globalization of the function and so on that we are talking about.

If I can switch in French for my second sentence.

The question Fadi had earlier about the organization of the debate is essential for me. I would like to talk about subsidiary. You, the ccTLD, organizing different territories, you cannot only help us but it's not helping us. It is helping yourself because you are part of the community. And in many ccTLDs, there are users. There's a local Internet community. And more you act with the local community and talk about all these topics linked to the IANA subject and also to the globalization of ICANN, those are things that ICANN won't have to do directly. And it is, therefore, very important that you could do this, do this in all the countries. And I'm sure that the users' structures, the

business structures, could participate and help you organize this at a territory level or at a country level. Thank you.

BYRON HOLLAND: Young Eum and then Jorg.

YOUNG EUM LEE: Thank you, Byron. Young Eum Lee, dot kr. I would like to kind of go to a bit more specific topic to -- regarding what Byron said about the outside community also having a great influence. And we all know about NETmundial and the ITU, that are -- that may have a very huge influence on this whole process as well. And I'm just wondering, within ICANN, during this meeting and maybe in the time coming -- following this meeting before the April meeting and before the ITU and our other meetings, does the board have any kind of even a general framework of what the ICANN group can do? Because within NETmundial, ICANN is only regarded as one group. But we all know that ICANN is also a principal institution that is going to be responsible for the IANA -- transfer of IANA functions. And ICANN needs to -- in terms of communication, needs to show the world maybe this is the way we have been doing with regard to multistakeholderism because as people have been noting, there is no understanding in some parts of the other outside communities of what multistakeholderism is.

And even within ICANN, we have the high-level panel and the CC -- the cross-community working group having submitted our contributions to NETmundial without consulting each other. And that's fine. But I'm just wondering, how -- I mean, what kind of a role does ICANN intend to



take in the future discussions? Not just within ICANN but with the outside community.

BYRON HOLLAND: Thank you, Young Eum. We're going to go the Jorg and then we do have to cut it off there. I know there are others who wanted to be on the list. Jorg, can you keep it very brief?

JORG SCHWEIGER: Yeah, I'll try to. Okay. So Jorg Schweiger with dot de Germany. Fadi. Especially Fadi you pointed out that the cc community is really very important and reflecting on what Ray said, could you give us an anticipation of in which kind of sense you think that the transition is going to affect us, change something for the CCs, even impact because I personally do think that the IANA function is nothing but an operational kind of thing and this kind of thing, yeah, for sure it could be streamlined but then this community, does it have to fear something? Does it have to weight a certain impact on its situation due to the transition? I didn't want to see something like that and I doubt that there's a need for this.

BYRON HOLLAND: Can you respond very quickly?

CHRIS DISSPAIN: I agree with you. Let's have a talk about it afterwards. I agree with you. Let's have a talk about it afterwards. I think it's an interesting way of looking at it. I don't think there is anything to fear because I think we're



in control of our own destiny, but we'll talk about it in more detail later on. You and I can talk about it.

BYRON HOLLAND:

Thank you, Chris. In the interest of time we have used all of our time and never even got to the work of the SOP or the comments of the SOP so using a bit of the chair's license I'm going to give the final word to Roelof, even though it's not actually going to be on the subject of the SOP.

ROELOF MEIJER:

That's very kind of you. Yeah, it's kind of putting some of the things I heard together. I agree with Becky and Ray that we have to get rid of this confusion and get focused on what we are actually talking about because I've just heard, I think it was Ray who said IANA isn't doing anything else than doing what it's being told to do. This morning in our session at the ccNSO we heard the people from the NTIA say the U.S. government is just checking, it has a checklist, it checks if procedure is being followed. And I think your part, Keith, is that when it's no longer routine but when it's something complex, that's where ICANN is getting involved. And that's why, Fadi, I don't think that it will work if we deal with the globalization of the oversight of IANA separately from the Affirmation of Commitments because those institutions that are worried now about the present situation will not be fooled by the first step where ICANN is still fulfilling its present role in this IANA function and only the oversight by the U.S., which is very lightweight, is changed to another system. Because ICANN will still be at the core when it's no -
- no longer routine but something specific.



BYRON HOLLAND: Okay, thank you very much, Roelof. One second, Fadi. It's been brought to my attention that we actually have a difference between the ccNSO schedule and the master schedule of the Board. The ccNSO shows this session ending at 10:45, which I know what all of us ccNSO folks are anticipating. The Board schedule shows us going right till the top of the hour. So we have another ten minutes until Bart tells me something different, and I know it will --

>> (off microphone).

BYRON HOLLAND: So what I'm going to say is we have time for about another five minutes and then, because I know we will be cutting into the ccNSO coffee break and we wouldn't want to get in the way of that, as well as the following session, which we can start about five minutes later, Don Hollander, hopefully that will work for you. And because we obviously have a significant list of folks who want to speak to this. So without cutting into their time, we'll take another five minutes. And I had Mike and Pierre on the list, but first I'm going to turn to Fadi for a response.

FADI CHEHADE: Yeah, thank you, Byron. Quickly on this. Any mechanisms that are necessary to replace the role of the U.S. government as it relates to the IANA functions as defined in the contract we have with them are in the scope of the discussion on USG transition. So when you say Roelof



correctly that it's not the day-to-day that we are worried about, it's the exceptions and the times when some critical decisions have to be made, this is all part of the discussion on how do we transition the U.S. role. It has to be.

When I say ICANN accountability, I'm speaking about organizational accountability far beyond just the IANA function. There are people running around saying what if the ICANN board goes rogue or does things that are not according to what they're supposed to, these are the big theories that people are running around with. There is an Affirmation of Commitment document that defines our role and our commitments to the global community. That document needs to be looked at as a starting point. If it needs to be enhanced, we need to enhance it as a community, we need to strengthen it. We need to make sure it is a global document. All of this is part of that second discussion. But anything to do with IANA and the oversight the U.S. government applies on our processes for IANA is part of the discussion and the proposal we have to come back to the U.S. government with, including crisis special situations, how do we elevate them, how do we make decisions. It's all a part of that. Does that help a little bit in terms of the separation of these two?

ROELOF MEIJER:

Yeah, it helps me, but I don't think that you can take the bit of how ICANN functions, if it's about IANA, if you can separate it from how ICANN functions on the rest because the Board has to deal with the complex IANA decisions.



FADI CHEHADE: Understood, understood. And sorry, one last -- yeah.

ROELOF MEIJER: So it has to be held responsible by some party. At the moment, under the Affirmation of Commitments, that will still be the U.S.

FADI CHEHADE: Understood. And there will be escalation lines on the IANA discussion, there will be escalation lines when the Board makes decisions. So as I said earlier, these two are not separate. They're completely intertwined. And that's why I said even their timelines may end up being the same. But having said that, the process by which we hold these dialogues may differ a little bit. But if I'm meeting all of the African ccTLDs with the help of afTLD we're going to have both discussions. We're going to open both discussions and make sure we get the input on both of them. So these discussions will happen. But the processes to get to the end point and the requirements by the U.S. government on one versus the other are different so we will just manage them and inform on each on them.

BYRON HOLLAND: Thank you, Fadi. I think you can sense that especially those of us who are not bound by contract, which most of the CCs, you know, edge cases and the unique ones, IANA is not just a technical function to us, it's far beyond that, and that's why it's a specific concern to this community perhaps different than some of the other communities. As Chris said yesterday, you know, there's not going to be a global solution for all of the elements within the IANA function. We are different.



With that, I'm going to go to Mike and then Pierre.

MIKE SILBER:

Thanks, Byron. I think this has been a very useful discussion. Thank you for the inputs. Thank you for the -- I think to Young Eum's question and comment, we do need to include the CC a little bit further and also need to be discussing with Fadi and the global engagements team in terms of how we bring CCs, how we disseminate the specific NETmundial messaging that we want to take forward which obviously you're welcome to subscribe to or adopt, adapt as you see fit, but at least have some standard messaging out there that can be a guide in terms of your approach and which you can take to your governments and your community.

The second thing I wanted to say, coming back to the IANA issue and whether it's the stewardship or overall IANA globalization, I think we're absolutely correct, these are not parallel lines that will never meet. They do interrelate. But what I really just wanted to say is going back to my comment to Keith earlier, let's try and avoid making things dependent on each other. I started hearing yesterday people suggesting dependencies. And I suspect that dependencies will be very useful for certain special interests because as the date gets closer people are going to be more inclined to compromise and give those people what they want in order to try and move this forward. So my opinion is let's really try and extract what is absolutely critical that needs to be done within a time frame. And other issues that are related, that are important, that are essential to be covered but don't have to follow the same time frame, let's identify them, let's work out a



mechanism, and let's address them. But not necessarily on the same schedule and not make the two interrelated or dependent.

BYRON HOLLAND:

So I have many hands up, and we are out of time. Pierre is going to have the last word because he's been waiting very diligently. I think the one thing we can take away from this is there is significant discussion yet to be had. I'm sorry, I do have to cut it off. Pierre, the last word.

PIERRE BONIS:

Why, thank you very much. I'm going to be very quick because Roelof has said most of what I wanted to say before. Just one point on the outreach and then the -- what the registries can do to bring inputs in this discussion. Now, I already think that it makes a huge difference the ccTLD registries are deep-rooted in their community, in their country. They are sometime, not all of the time but sometimes, co-organizer of local IGFs. They are asking questions to their own constituency. So yes, we are going to do our homework and we're going to bring back the general feelings or disagreement between our various communities about this question.

And last point on this very interesting discussion about separating the accountability, ICANN globalization discussion and IANA transition discussion, the only thing is that within the IANA transition discussion we are also talking about the accountability of IANA to something else. So if this is a fact given that IANA is an ICANN function talking about the IANA transition, we talk about a part of the ICANN accountability. So it's difficult to explain that it should be separated. Thank you.

BYRON HOLLAND: Thank you, Pierre. For those who haven't seen it, Pierre has actually written a good blog on this subject of the AFNIC Web site as well, so there's a plug for you. I know that there were many hands up and I do have to cut the discussion off, although I'm certain it will continue on in other forums. Thank you very much. I think that was a very rich and interesting discussion. So thank you to the Board and to my colleagues for that. On an administrative note for us in the ccNSO, we are obviously now running the better part of 15 minutes behind, so I would ask you to get back to our room as quickly as possible, grab a coffee and head straight back into our session. Thank you very much.

STEVE CROCKER: Thank you.

FADI CHEHADE: Thank you.

[END OF TRANSCRIPTION]

