

**Transcription ICANN Singapore
Joint ccNSO/GNSO Council Meeting
Wednesday 26 March 2014**

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Byron Holland: Okay welcome everybody to the Joint GNSO ccNSO Council meeting at 5:30 on Wednesday afternoon. It is only Wednesday but as John points it's six days into Wednesday this week. So welcome and pardon me if my voice is failing a little bit.

We have certainly worked to try to create topics of interest and opportunities for discussion on areas that we share. The idea is to provide a little bit of an update on some of the common work that we've done. And my sense is we both - we're going to be able to talk about coming to conclusion of some of the good stuff, on some of the good work that we've been doing as well as talk a little bit about the potential for further cross community work between our organizations.

And of course the hot topic of the week around the NTIA transition will also be a topic for further discussion and sharing just perspectives on it and certainly in our SO we have spent considerable time over the past couple days wrestling with the topic, having discussions and trying to work through how we are going to approach it. So look forward to also your feedback and getting a better understanding of how the GNSO is viewing this issue.

((Crosstalk))

Jonathan Robinson: Thanks, Byron. Welcome, everyone. I think we had just to update you, I mean, I guess we can come to this when we come to the agenda item but we had - we had substantial discussion on this NTIA transition issue and how we might, at the Council level, as you know, the GNSO breaks down into constituency parts and so it's useful, I think for you and us to hear to the extent that the groups have had the opportunity to discuss things, to hear how the different groups within the GNSO have been viewing this.

But we also had a good discussion at the Council level and I think it gave me enough to be able to present something at the public forum tomorrow. So welcome, everyone, look forward to working through the agenda with you now.

Byron Holland: So I think the first thing that we're going to go over is some of the joint working group activity and in particular the closure of the JIG and some of the recommended actions. We had a resolution doing exactly that so that has come to conclusion in our SO. But to put some further color and detail on it Young Eum is going to - look surprised. Was there any further color or detail you wanted to add? You'd made a few comments to us as we adopted the resolution and I thought perhaps those might also just be worth mentioning here.

Young Eum Lee: Oh (unintelligible). Is Edmon here? Well I think I'd rather let Edmon talk about this.

Byron Holland: Okay. Is Edmon here though?

Young Eum Lee: I thought he was. Well if he's not here I'm happy to talk about it. The JIG Working Group discussed three separate topics, very closely related with the IDNs but in a way in terms of the people that were interested in those topics there was a diverse group of people actually interested in those separate topics.

And although we were able to come to a conclusion about or - or were able to produce a results document on it we felt that as the current group was formed the way the current group was formed would not enable us to move a lot further ahead.

And so that was why it was decided that we close this working group. It does not mean that the work IDNs is going to be closed. It will continue in their various topical areas and we thought that was the better way to go. Thank you.

Jonathan Robinson: Thanks, Young Eum. And I can confirm for the record that we passed this particular motion unanimously in fact. We are in line with you at this point.

Byron Holland: Are there any questions or comments on that subject? The next piece of business that we actually passed a resolution on was around the update - or sorry, was around the framework on CCWG or cross community working group and some of the principles there. And I believe that we have an update from Becky and John on that front. Becky or John?

Becky Burr: The ccNSO Council has passed the resolution adopting the charter. And so John and I will endeavor to round up some volunteers to participate in this and after my brief service on the Cross Community Working Group on Internet Governance I have a new appreciation of why this would be a good thing to do.

John Berard: This is John Berard. I sat in for the first time on that meeting today. Young Eum, you were there and Keith was there helping the group understand the difference between the ccNSO and the GNSO which I think is something that we should strive to continue to do.

But it was pretty clear that as Olivier said that methodology for cross community working groups is mandatory. The fact that the, as I said in the

GNSO Council meeting, they did not have the benefit of the rail and so it was difficult for them to get as far in the journey as they would have liked.

And so what we will try to do is lead a merry band to create that methodology for cross community working groups. I guess if we're successful we can, you know, look forward to having statues built in our honor, Becky.

Becky Burr: I'll build a statue of you and you can build a statue of me; that's likely what's going to happen.

Jonathan Robinson: Just a brief remark. It does highlight both - highlight, A, as you've both done the importance of having the methodology but, B, given the sort of issues that we're facing the importance of having the capacity or the capability to handle these cross community issues including the elephant in the room of the transition of the IANA contract.

You know, and that's going to test all of us in our ability to work effectively together as a community. And to the extent that we have rules of engagement or even draft rules of engagement to manage that the better it is.

Becky Burr: I actually think just in the course of drafting the charter which seems like it should be a pretty simple thing, and it was quick, I mean, we did it pretty quickly, there were highlights we - highlights about the differences in the way the two groups work. And so just getting more acquainted with those differences will be helpful as well.

John Berard: And if I can just add one last point, even as we were passing a motion to create a working group to devise a methodology for cross community working groups we also passed a motion to participate in cross community working group on territory and country names. So it's pretty clear that, you know, we had to get on with this or we'll be overwhelmed by it.

Byron Holland: Becky, did you have further comment?

Becky Burr: I just wondered if there was going to be a time where we actually could talk about the Cross Community Working Group on Internet Governance. I don't know if this is the time but it's not really on our agenda but it is?

Byron Holland: Yeah, it actually is. We will be coming to - we have a topic on the subject at large which it's one of the elements of it. But in terms of the topic of cross community working groups we have, as just noted rather, adopted a resolution on one on country and territory names so of course we'll be rounding up people to participate in that as well.

And Paul Schindler who led our study group on this topic is rolling into his co chair role in this so he's actually got considerable background in this subject area.

But that probably does bring us to, you know, we also thought there was an opportunity just for broader discussion, a bit of a non-structured discussion on, you know, sort of the management of cross community working groups and while defining charter and processes will be part of it. Was there just any conversation or thoughts or ideas in terms of management of it, any issues that people wanted to flag or bring to the attention of both groups?

Mikey.

Mikey O'Connor: This is Mikey O'Connor for the transcript. The sort of reference point for me on cross community working groups is the DSSA which was a pretty successful working group except for the very end. And it wasn't their fault.

But one of the things that really held that working group together was its charter. And so I just want to sort of pile on to the yes please charter thing because it helped us out at several stages along the way we had a place to refer back and get very specific reminders of what all the organizations that

collaboratively chartered that thing had in mind and so if we ever got a little but stuck we used that. And I just can't stress enough how important that exercise is. That's all.

Byron Holland: Let me just pick up on that a little bit and unpack it, yeah, it was, as you say until the final moment a very successful cross community working group. Charter, clearly a critical element. What else made it, in your words, such a successful one? If we look at what are some of the elements in your mind that we could transpose to try to find success in other ones other than the charter?

Mikey O'Connor: Well we had a fabulous set of co chairs. It was Olivier and me and Mark Kosters and Cheryl - no, Olivier was - I was trying to remember who came from - oh and Jörg Schweiger. Pardon me?

((Crosstalk))

Mikey O'Connor: And Jim Galvin, right, from the SSAC. So we, you know, we had a pretty deep leadership group. We had a separate mailing list for the leader group that where we did all of the kind of operational stuff so we kept all that separated from the main conversation.

We had to build our methodology while the plane was in the air; that was a bit of a problem but we did that. We had fabulous staff support also spanning the organizations so we had Bart from the CCs and we had, you know, folks - essentially we had a staff support person from each of the ACs and SOs, which helped a lot with the translation of the differences in the work processes.

Because, you know, we would drive along and then somebody would say, wait, it's not a terrible problem but that's not the way we do it over here. And it was a - it was nice to have sort of a neutral conversation about that rather than sort of it colliding with stuff and having people kind of get uncomfortable.

We had sort of the basics of project management pretty well under control. We had, you know, all the usual stuff; status reports every week, work plan, blah, blah, blah. Much of which flowed out of the charter but we then created all that.

So, you know, it was sort of a long list. I won't go on and on but, you know, if you're interested in sort of details on that I could probably document that at some point.

Byron Holland: Thank you. I think it's probably not the space to go drill down too much further but I think that's exactly the kind of insight that needs to be brought to the group examining it because if you have all of those factors for success previously, you know, what can we do to try to drag pull those through future ones?

Avri and then John.

Avri Doria: Thanks. Avri speaking. Yeah, the cross community working group I think one of its issues is something that most of us have run into when we've tried to pull projects together which is there's a project that really needs to be done in a hurry and so if we don't do planning we can get the project done quicker.

And, you know, so we went into it - and I was one of the ones that originally worked on helping to create the charter that never got approved. And it was, oh we don't have time to waste on it. And so I definitely plan to participate in your meta cross community working group. I've had trouble with the duplication, I like the meta one.

But anyway I intend to participate but I think that that was, you know, one of the basic failures that you see project management and a working group has to be thought of in a sense as a project. And you have to sort of determine what's you're going to do and how you're going to do it.

And since we couldn't solve - and in fact needing a charter completed could actually be a forcing function to get to the work quickly because sort you say you don't start the work until you finish the charter because you haven't been blessed by your chartering organizations.

And that becomes a forcing function to get over the silliness of, you know, the charter negotiation. So definitely looking forward to getting this because there've been a lot of successful groups that we can pull stuff from.

Byron Holland: Thank you. John.

John Berard: When the drafting team was putting together the charter for what is now a meta cross community working group we fixed on the notion of specific membership requirements which is a little different than most working groups. And I was just curious, Mikey, did you have that kind of steam?

Mikey O'Connor: We did indeed. In fact the DSSA was quite prescriptive on the number and it was precisely the same number of participants from each of ACs and SOs. You know, and that was one of the things there was a whole lot of texture in that charter that looking back you sort of - it was almost like, you know, a constitutional sort of document. And you go, wow, were those people ever smart; who would have thought of that? And it really helped us a lot.

Byron Holland: Thank you. Any further insights or comments? Mikey...

((Crosstalk))

Byron Holland: Just one thing, it's the name, I can't get over the name, the Cross Community Working Group to Develop a Framework of Operating Principles for Future Cross Community Working Groups. I think you need a marketer in the mix there to help out with...

Mikey O'Connor: We've got some others that are kind of like that too. I mentioned that it didn't turn out well in the end and so I think that one of the things that we need to also do from working groups like the DSSA is learn from the failures. And in this particular case we didn't have the air cover we needed to finish the work.

And so strong - what happened is that we had strong air cover from - or I'm sorry, I'm using jargon - strong support from the chartering organizations but we didn't have protection from the Board. And the Board took an action that ultimately destroyed that working group.

And so one of the things that needs to happen in the chartering process is making sure that the organization actually has the protection it needs - the working group has the protection it needs to finish its work. And in many cases I think we missed that so that's a negative lesson to be learned.

Byron Holland: Thank you. With that, unless there are other comments, perhaps we could move on to some of the - or sharing of views on the IANA transfer, the process.

Jonathan Robinson: A couple of opening remarks then, Byron, I mean, and you may wish to do the same thing. I mean, I suppose my little very potted history of the week is of course we all came into this somewhat - I guess ambushed, surprised, given the - we all know what running up to an ICANN meeting is, right? There's a deluge of information, material, to digest, preparation to do. Frankly I think this meeting was an unusually busy one without the overlay of the IANA transition on top of it.

So there we were in that state and then we sort of had that overlay on top of it. Traditionally the so-called SO and AC leadership have an opportunity to meet with the senior ICANN staff ahead of the meeting, share some views, highlight what issues might be on the table.

We had somewhat of an opportunity to do that although it was a little compressed this time. And then of course we went into the weekend proceedings which themselves already had a fairly full agenda. And the critical point, as far as the GNSO is concerned is, all of that preempts the Tuesday constituency and stakeholder group day when we can divide up into our constituent parts and think about things and start to process them. I understand how those views are held before then even thinking about synthesizing them.

But as I said a few moments ago we did have the opportunity to have a pretty thorough discussion at the Council level about - I think level is probably the wrong word - in the Council we had an opportunity to have a pretty substantial discussion and some key themes emerged no doubt including the fact that we believe we have methodologies to potentially tackle this problem as we've been discussing in and around cross community working groups.

And I suspect many of us have - I think one of the overarching challenges is clearly the synthesis of those methodologies and whether we try and percolate up through our different groups and then synthesize at the top or try and start with a synthesized origin and then work. And I mean, there's clearly some challenges.

And then of course the other tension about how much we are led into this or how much we lead with the - bottom up community led process. So those are some slightly unstructured opening remarks. But, you know, I mean, in the context of us all running to catch up I think a little. Byron?

Byron Holland: Thank you. Well we certainly echo the notion of running to catch up. Obviously like you we come into these meetings with an agenda set and a particular vision of how things are going to unfold and shortly before that much of it got thrown out the window in terms of the agenda and the anticipated discussions.

Fortunately in the CC community issues of Internet governance are of significant interest to us to begin with because of the inherently sovereign nature of the operations that we run so all things Internet governance tend to get a fair amount of attention.

And as such we did have several session in our agenda dedicated to various elements of Internet governance which we then hijacked and reformulated to focus on the real issues at hand.

I would sort of echo many of the comments that Jonathan made in terms of how it's impacted us, however, we probably don't have as well defined structures as you in that given the different constituent parts of the GNSO that have to be very, very well articulated.

And on that front, while CCs are often very different in operations, in governance, in how we're constituted, we do tend to tackle many of the same problems and as such have a relatively straightforward way of addressing them through working groups.

That gave us the opportunity to not focus so much on the process of how we're going to think about it but really start to think about what are we thinking about it. And as fate would have it every two to three years we have a Council, for lack of a better term, strategic planning session on the Sunday.

It's four hours and we think about what do the next 24-36 months hold for us? What are the big topics we're going to be wrestling with? And we try to block out a little bit and manage the flow over time.

Unsurprisingly this issue became the dominant issue in terms of how we thought about what we're going to be looking at over the course of the next couple of years.

We then had the opportunity to really start to pick it apart in the sessions that we had over the course of the last two days which were kicked off actually with the Fiona and Larry from NTIA coming and addressing us directly first thing Tuesday morning which was very helpful for us to get it, you know, straight from the horse's mouth, so to speak.

And we had, you know, pretty frank and production discussion. I mean, we've listened to Larry's, I'm sure we all have, he's very candid and forthright and, you know, calls it like a Chicago guy kind of thing. So it was a good discussion but it made it very apparent that, you know, the way the statement came out, which was very IANA-functions focused although as you start to parse and dissect the words you see more and more into it or at least you start to read more and more into it. And we have to be careful about that difference.

But, you know, they talked very much about IANA functions are there but of course that inevitably leads to oversight and accountability mechanisms which inevitably leads to the AOC and even the root zone maintainer function being possibly open for discussion.

So all of those elements started to lead us to how are we going to start to think about what really is the problem? What is the question really we are being asked to solve and to really start to parse those.

And as we started thinking about that we also had a panel of broad experts including the Chair of the IETF, Pat Kane from VeriSign; we had Milton - Milton Mueller in there as well. So we had a - as well as some others but a pretty robust panel.

And what was - the reason I raise it it what was remarkable is the lack of alignment on exactly what is being asked even within that group of very well informed actors.

So we literally just almost just came out of our final session on the subject where we tried to articulate what is the set of questions we're being asked? What is exactly the role that NTIA plays? And when they pull out what gaps are they leaving that either need to be filled or need to be decided to not be filled?

And, you know, I think out of that we're going to have a draft communication that we'll speak to in the public session that really tries to articulate what is the problem statement exactly that we're trying to solve for?

So it's been a key focus of our attention especially given the nature of what we do for our day to day jobs. And look forward to hopefully being able to provide some value back to the community about sharpening the focus of what this is about.

Jonathan Robinson: So I guess, from my point of view, and others may have a different view, there's a couple of things I'd certainly like us to be thinking about. It'd be great as soon as you're in a position to share your scope of problem issue with us because I suspect you're a little ahead of us so that would be great.

What I'd love to hear about is thoughts about how we might work together on this other than that. And one issue that certainly came through in the Council meeting and is an issue on my mind is timing because at the moment in the ICANN facilitated process the email - opportunities to comment by email close tomorrow as became clear in our discussion at the Council meeting.

And that gets synthesized then in some way, those comments, between tomorrow and early April at which point they get published for some form of public comment. So, you know, the train is in that sense leaving the station. And whilst we need to recognize the need for speed we also need to make sure it doesn't leave without us.

So how do we, you know, so those are some thoughts, timing and how do we work together and what do we actually do if anything from, you know, from this joint meeting?

Byron Holland: Becky.

Becky Burr: So I think there's a kind of fundamental issue here. It felt a lot like we came in here and were being driven to a particular outcome. And I think, you know, having to have a comment period about sort of what - being asked to talk about process, having a very short fuse on the initial comment period, having a draft statement come out very quickly to us it seems like the first step really ought to be understanding what is - what the basket of things that are being transitioned are.

But that is part of the process and that we ought to take the time to take that step in the process. In terms of working together, I mean, I think even if - I mean, even if people can't get in substantive comments by tomorrow just about the notion that process begins with defining what it is we're looking at. But that is not slowing down or reversing gears or anything like that.

That is an important first step that is going to save us time down the road.

So I mean we - I feel that we need to be - we kind of really need to work hard to grab this thing and get them to understand how important making this a truly bottom-up we're not being herded in a particular direction process it is.

Jonathan Robinson: Mikey?

Mikey O'Connor: So let me just build on what Becky just said.

Chartering is sort of an old and well-known thing. Pieces of it have different names. But clearly, the first thing to figure out is what's the puzzle that this

thing's going to solve or what's the problem statement? So this is exactly the right first thing to do.

But sometimes the problem statement gets too hard and you get stuck.

And so one way to get past being stuck when writing the charter is to run up and down the rest of the questions a few times. Because as you answer some of the other questions that sometimes gives insights that help you go back to the puzzle question And say oh, well now that I've been in this other place for a little while I've figured out some things that make it easier because to solve the puzzle question.

And so when I was at the mic yesterday for whatever day kind of whenever that first day was the joke in the last meeting was much coffee have you had today? And I think I haven't had enough.

But some of the other questions are, you know, who had the stake in the outcome and how should they be referencing it? You know what's the scope? What's inside and what's outside? What's the goal? What's the approach? You know, what are the steps that have to happen first and next and so on? What are the deliverables? Who's the leader?

And then a few that are more interesting to me is are we ready? And it's not a big deal if we're not ready. It's the question about what we need to do to get ready and can we get those things done within the time that's allowed -- resources, people, experts, all that kind of stuff.

Now I've never been in a situation like, you know, when I write charters I'm usually sitting at my desk with a client. This is that one I worked for a living.

You know if I'd go talk to the client they'd tell me a bunch of stuff. I'd go home. I'd write this thing down. I'd take it back to him and say what do you think of this? And they'd say that's stupid and then we'd fix it.

In this circumstance it's weird because we, you know, we've sort of threw all the cards up in the air. And I think that one thing to do is just declare that we are the chartering group that's going to take the lead on a first draft and make it clear that we're very open to changing it. But we know how to do this. We do it, routinely. So we're just going to write a draft.

And, you know, it's sort of like chicken and egg. Well, you declare it's a chicken and then go.

Because otherwise, you know, with the number of moving parts in this thing we'll sit there and looking at all the moving parts and the train will depart. And I think, you know, like Becky that would be bad. So my - I would lobby that we just write a charter.

Jonathan Robinson: When you say we who do you mean Mikey?

Mikey O'Connor: I don't know this is a good group. People who are in the charters in this group, you know, in this ccNSO GNSO -- anybody else. You know, not a huge group, but a gaggle of charter works that like to work in that kind of stuff, you know?

Jonathan Robinson: So a concrete suggestion is to form a gaggle of charter works...

Mikey O'Connor: Yes.

Jonathan Robinson: Yes.

Mikey O'Connor: ...There's a whole new...

((Crosstalk))

Jonathan Robinson: Of members of the ccNSO and the...

Mikey O'Connor: My colleague (Oswaldo) is keeping me honest here. I've just spoken and I've used a whole lot of words that (Oswaldo) does not know so let me turn it back into English which is form group of people, a small group not 20, but I don't know how many is right.

Don't obsess about it. If somebody really wants to be in the group by all means, let them be in. Let a group of people go off, draft this charter.

That's how the DSSA charter got done. It was a group of really motivated folks. It was Chuck and Cheryl and, you know, the usuals. And they just went off and wrote one. And I think that's what we need to do.

Jonathan Robinson: Any other comments or suggestions following on from that? How about this issue of timing as well as a fit - in the - does ICANN staff or facilitate the process the closing of the email list and the re-requirements to produce something in Minnesota timescale by the (unintelligible)?

Man: Yes I don't know how much we can hang all of that on ICANN. I mean, the meeting is going to take place in Sao Paulo on a date certain. I mean, things have to be prepared in advance and thoughts need to be organized.

And I thought that the Cross Working Group on Internet governance did a pretty good job based on what I read and what I heard and so on based on the one meeting I attended as an observer.

I was curious though, is whether or not the ccNSO got the same sales pitch that the GNSO got about the separation of consideration of the factors related to an IANA transition and ICANN accountability.

I think I recall over these last five or six days being told forcefully that they are separate matters yet they don't feel separate to me. And I don't think to some others.

And I was just curious as to how that played out with you guys?

Man: Well I'm sure my colleagues have their own takes on this. But my sense is last week they were relatively church and state. They were two parallel lines that were not going to intersect.

And I think the feedback was pretty strong and I thought simply is not the case.

It's particularly strong, I would argue in our community because the IANA functions include delegation and re-delegation where the policy is not as crisp as it could and should and needs to be over time.

And the ICANN board has a history of making some in transparent decisions that are questionable around those issues in particular.

So while IANA function to many is a technical or clerical job to us most definitely is not. It is absolutely critical.

And in order to have that inside IANA demands and accountability mechanism in some way shape or form, which in today's environment is the AOC and the NTIS (unintelligible), you know, walk softly, but carries a very big stick.

And when you pull that out what are you left with to ensure that we have confidence and trust that issues such as delegation and re-delegation will be handled appropriately and there is some redress available, et cetera?

So those issues to us in a sense can't be it unpacked as separate. They have to be together in some way. So in the initial dialog saying they were separate it was just this IANA function that was up for transition process that really never resonated with our community I don't think.

But over the course of the last few days we've seen them come together and acknowledge that more and more they have to be considered together. I think that's where we are. Becky you may disagree, but I think it's a moving discussion right now.

Becky Burr: So yesterday I felt like they were hearing us that the CC was saying no the functions, the role that it plays includes oversight on policy and accountability.

Today I felt a little bit like they were more going back to the, you know, these things are separate and they have to - not that they're not related but if we get too focused on the accountability stuff we may miss the deadline on the transition stuff.

And I think there's a, you know, that they're sort of suggesting that obviously both of these things have to be considered, but they'll - and they come together at some point, but it's not clear where that point is.

I think our preference is to use this as a moment to resolve those issues collectively. And I don't see why it can't be done in the time period that we have.

But it's clear that there is among the board members there is some reluctance to get to tie these together too tightly lest the accountability issues create roadblocks for the transition which is sort of something's swallowing as fail.

Jonathan Robinson: Okay.

Thomas Rickert: Thanks. I'm Thomas Rickert. And I wanted to ask you a practical question which we also discussed in the GNSO council earlier today. And that is how we envisage this project the term that was used earlier by Avri, how we can get there pulled off in time because the clock is running?

So we have 18 months which sounds a lot. But it's going to be over pretty soon already. And I - I'm of the opinion that we need to have ICANN to set aside resources in terms of staff that maybe also enable project manager who Mikey would prefer to call project administrator to demonstrate the this person should not take over the mission if you wish or content, but just to provide a solid approach to things, you know, and ensure that the community delivers its own approach in a timely fashion.

Brett Fausett: Thank you, Brett Fausett from the Registry Constituency of the GNSO.

I think we want to be careful not to let this thing moved too fast so that we leave the accountability mechanisms behind.

I clearly heard Larry Strickland say that there was not an 18 month clock here that if it took two years, if it took 2-1/2 years that we would work that out that there would be an extension of the arrangement.

And so I don't think we should let ICANN, I know that the goal is to get this done in 18 months before the current agreement expires. But I don't think we should let that be the primary driver.

The primary driver ought to be doing the right thing and making sure that all of our needs are met.

Jonathan Robinson: (Larry)?

Larry Strickland: Well I think that's clear.

Jonathan Robinson: (Unintelligible).

((Crosstalk))

Larry Strickland: But I think it's important to remember that there were two timescales at here and ICANN does not control the outcome of everything.

And there is some risk that in an attempt to be deliberate the rest of the world moves on.

And to put it more existentially when I ask the question if you look, if one were to look back in five years, will ICANN exist and if so will it exist in its current form?

And I think that's the real debate that's lurking behind a lot of these issues.

And it's important I think to put that on the table, as one thinks about the balance of process and accountability and timescale because there are other constituencies outside those in Singapore talking about those issues.

Jonathan Robinson: Thank you. Becky did you have your hand up?

Becky Burr: I - Larry clearly did say there's no deadline. I think that there's a political deadline which is we can't get too far into the US elections. But that certainly goes past September of 2015.

I've heard the world is going to move by and if we're deliberate they're going to say that's - that we're not making enough progress. That's why we should go to a, you know, a multilateral thing.

I don't - I think that's just - I think that's just being used to hype us. I believe that's the case.

Man: Well Becky can I pin you down a little bit on that then? If September 30 is not the date and we've heard both Larry and Fadi say that but we do bang up against US election mania how far can we go before we need to get concern,

especially for those of us that are not Americans and maybe are - don't have quite the sensitivity to that?

If September 30 we don't have to worry about where is it, is it January 30? Like when do we get into that Washington insider game of nothing happens anymore?

Becky Burr: Well I mean we're already seeing a little bit of the, you know, testing the water on this for the midterm election. And presumably that will die down and people will get interested in other things because this is too complicated.

And maybe if we're lucky it's way too complicated to ever be a successful issue.

In certainly January of 2016 and it, you know, and probably farther than that, it's a really hard issue for sound bytes. But, you know, but you certainly wouldn't want it - you certainly would not want to get so close that it was like a last minute issue.

And you certainly don't want to go beyond the election because we have no idea who will be in running the country after that.

Jonathan Robinson: So and, you know, I've heard that a couple of things in and around the timescale issue. But I've certainly heard from I think from Fadi last night that in a smaller forum that he felt that the election was a pressure point.

And so notwithstanding the notional lack of pressure I mean I think the political reality is that we should treat it as a pretty serious target and not go soft on that target.

I - that's to the best of my ability. That's the impression. But my American colleagues may have a different view. (John)?

(John): We could start a pool who will rotate out of the Department of Commerce first, the IANA or Strickland?

Man: You know, I think even if we move on the 18 month deadline -- and I think we should try to do that, I think we should move deliberately and quickly and try to hit that deadline -- a comment period that closes tomorrow just feels rushed.

So I think we can do it on a more deliberate pace than what we've got.

Jonathan Robinson: Mikey?

Man: I'm sorry, oh sorry, standing in plain sight. My mistake.

Greg Shatan: Greg Shatan from the IPC. I just wanted to point out very briefly, the Empire State building was built in less than 18 months. I think that where - the point of that is that where there's a will there's a way.

Obviously things can't be rushed and tomorrow's a deadline that comes up so quickly is disturbing.

But nonetheless overall I think the emphasis really needs to be on trying to stick to the plan rather than try to move the plan to stick to us.

So I think if the Empire State building can be built in 18 months. The NTIA transition can be planned out in 18 months. Thank you.

Jonathan Robinson: And it was bottom-up?

Man: Bottom-up.

Man: It was definitely built bottom-up. That's right.

Man: Good one. Good one. Becky can you top that?

Becky Burr: Yes I just wanted to point out they had a project planned for the Empire State building.

Man: (Unintelligible).

Man: Okay. I think we beat this one to death. Mikey?

Mikey O'Connor: One of the things I was wondering is, do we know - is the deadline on the comment period in order to get the comments in in time for the public session on Friday?

Is that why - I was wondering if maybe this is just a rough cut, you know, give us your first reaction so we can summarize it, you know, so it's a more casual event.

So if there's somebody who kind and knows about the intent behind that that would be helpful.

Because, you know, to actually produce a charter in 24 hours is kind of tough. But...

Jonathan Robinson: Avri?

Avri Doria: My belief is that they wanted to get the first take on what things are so that coming out of this meeting may have something to work on as opposed to - we all know that we won't do anything for a week after we leave this meeting. And so basically was to get something on the table so that they can start moving.

They've also made it quite clear that this is not the last chance to contribute to what the process is going to look like, you know, so I don't believe it is the last chance.

I think the idea of trying to give them a finished charter is - the out the word that comes to my mind is quaint in that first of all this is supposed to be a process that is indeed wider than us.

And I apologize it was just the first word that came to my mind. And since we're both in the GNSO and I wasn't insulting a person in the ccNSO I felt more comfortable.

I understand, I don't think the American elections are as much of a deadline as people are making. I think that that Larry has a goal he wants to achieve in his time and this is something that can get done and we can work on it.

But I think we do have to realize that we are doing it in a wider context. And it's not that we need to be afraid that the ITU is going to eat our lunch or that whole, you know, the whole bogeyman story that everybody goes around with.

If it looks like there's serious work going on and people are working on it I think that's good.

So I do believe that they're going to take whatever suggestions are there tomorrow. So we probably could have put in all kinds of suggestions in the time we've spent talking about whether we can put it suggestions.

And I think that we should just contribute the ideas that we've got in our minds between now and midnight tomorrow, get comments in there, get the notion of building a charter, get the notion of getting maybe the SOs that know how to do stuff, get the idea of having multiple projects of building a

project plan of not having five people fall off the top of the Empire State building.

And just get those things in there. But I - it really just looks like and as somebody was saying a doable task. I don't think we need to worry about the American elections.

In fact it's kind of - the Americans are always in our election frenzy. As soon as one election is over they start talking about the next one or we start talking - well they're doing it on TV. I don't talk about it that much.

But it's always in election mode so. And worrying about what the next administration might be is just - it's just nuts. I'm sorry it's - sorry it's...

Mikey O'Connor: So it's an all-nighter. We buy a lot of Coca-Cola and pizza. We get the mind map fired up and we write something. We've got lots of projectors here. We could do it right here in this room, do it all in room service.

Man: Have you seen the price of a room service burger here?

Mikey O'Connor: They've got a convenience store downstairs. Heck, you know, if we could find a microwave we're set.

Jonathan Robinson: So I mean Byron and I we were just having a word and notwithstanding Mikey's incredible enthusiasm to spend an all-nighter here I think we're probably at the point of collective and individual exhaustion or at least a point where might be hard to make further progress.

I'm one of those people who Mikey's given me a hard time about before who loves to pull things together and sort of try and synthesize an outcome but even I recognize that it's probably a little premature here.

I think we shared some good ideas and it's, you know, I mean certainly there's - I sense some very strong themes of common thoughts on charters defining problems not going too fast, not going too slowly but, you know, can start to pull on some of those threads.

But whether that's enough to take any concrete action I don't think so at this stage but so that's where I feel we're at. And I can see in line of sight something that's definitely not a feeling, it's a reality of a drinks table so there you have it.

Man: Thank you. We do have I think just one final comment on the role of CCWG on IG that I think Becky was going to just make a comment on that front.

Becky Burr: Yes. The perception that we had about the purpose for this working group was that it was essentially internal facing to sort of identify what role ICANN should be playing in these various fora.

And we are concerned about the absence of the charter and then the sort of let's write input for that net.mondial, let's, you know, do something on now on net.mondial on IANA transition.

In particular on this last issue it's something that is so critical and fundamental to the CC organization that absent the opportunity to build consensus around that we don't - we're very concerned that we can participate in that.

So we just want to express our concern about the need to, you know, take a moment to get a clear and shared understanding about what the purpose of this group is before we do more submissions particularly on the transition issue.

Man: It sounds like you need a charter work.

Becky Burr: You can stay up all night on that one Mikey.

Mikey O'Connor: I may just do it because for me the daytime and the nighttime in these buildings my body's so confused -- it's just waking up now -- I may just go all night for the hell of it.

Man: (Unintelligible).

Jonathan Robinson: Becky just for the record I mean there were similar concerns expressed about that lack of direction.

I don't know that I've certainly heard concerns personally. I don't recall if it was discussed in the council about the sort of scope creep if you for want of a better description of that working group.

And given that we don't know what the initial scope is it's hard to say whether its scope creep. But it's certainly scope creep reluctant to some of our perceptions of its role and purpose.

So I think I certainly heard similar concerns about effectiveness to operate without a charter. That I've got absolutely clear memory on as say of certainly at the corridor conversations and it was quite possibly expressed in our meeting as well.

Becky Burr: Okay I just want to make sure that people understand though that we don't want to get in a situation where we would have to, you know, for example formally withdraw from the group.

But if there was a decision to move forward with a statement on the transition that is something we would have to consider very carefully because we just have not had the opportunity to socialize this among our stakeholders who, you know, for whom this is an absolutely critical issue.

You're right, I don't know what the original scope was I only know what we thought the original scope was.

Mikey O'Connor: There was no original scope. I mean that's the whole point of that it was, you know, it's the classic charter nightmare.

Jonathan Robinson: Personally I have a very clear memory of Fadi putting up the slide in Brazil at the meeting saying it's over to you. We've set up the one net mailing list. Here we go form a Cross Community Working Group.

And then that seemed to morph into an announcement that some had come together and formed the Cross Community Working Group which I think others of us others joined in. But I - and the lack of a charter clearly seems to concern many of us.

I mean I'll go out on a limb here. It feels to me like what I'm - what I sense is that there made - it sounds like there's a need to have a clean start.

And so perhaps we should be thinking at least in our individual capacity if not more than that -- I don't want to run too far ahead here -- but of trying to emphasize that to deal with matters of the IANA transition a clean start is required for more than one reason but at the very least in order to ensure its properly charted.

Man: I'm still new to the GNSO and so learning these things but I would have thought that the IANA transition was not part of this cross contingency working group on Internet governance and if we were going to do something together we would do it under the umbrella of a new working group.

Man: I mean I think that's probably fair. When it was - when it came about the transition wasn't part of the discussion, absolutely.

I'm not sure where so I'm not sure where that leaves us as a collective though I may we have this unchartered entity that came about prior to the NTIA announcement. And now we find ourselves in this predicament.

And then I just want to, you know, reinforce Becky's comment that, you know, within our community concerns have been raised to the point that depending how far the current iteration goes we just simply wouldn't be able to participate in it any longer.

Mikey O'Connor: I mean this is not an uncommon project management puzzler. I'm sure that many of us have run into situations where we have a portfolio of projects that are running and at some point they start to collide with each other and you have to sort it out.

But I'm with Brett. I think the thing for a whole lot of reasons I mean we can write it - I think we should take the lead in writing a charter simply because we are an organization that does that more often.

But clearly the participation in this clean start saying isn't even limited to ICANN. I mean there are a whole bunch of stakeholders that have to be wired into this somehow.

And that group of stakeholders is much different than the group that's in the ccwg. So I think one way to manage that is to just treat them as parallel projects and then sort out the overlaps with refinement of scope and charter statements on both sides.

Byron Holland: Not having been in it - not sat in it myself for those who have is there an opportunity to reconstitute it, not that there's a charter to reconstitute it per se but are there any thoughts on that I mean if we were to thinking out loud make a suggestion as to two of the SOs that a charter needs to be - a clear and crisp incredible charter needs to be formulated?

Jonathan Robinson: Byron my suggestion is I don't know whether - it feels to me like a fresh start rather than repurpose. I mean I think it's another kind of project management lesson trying to, you know, actually there's a new project. It's a new item that's come on the table.

Granted within the scope of what that broad Internet governance theme that the ccwg may have been looking at although none of us are quite clear on the full scope of that as we've said on numerous occasions, IANA transition must have been a topic of discussion. I'm sure others on the list will confirm that.

But it was more in a hypothetical sense as in when whereas we've got a whole new universe now. Because it's not as in when US government has come to the table committed to doing so.

We're in a new world and I think it's time to recognize that that creates a new position if we - it just - it's a question of how we get - it sounds like we could potentially get together as a ccNSO and the GNSO and how do we bring in others into that and make sure that that seemed to be as inclusive as possible, not exclusive.

But hey that previous group was chartered by couple of groups standing up and saying well we're taking the lead. Anyone want to join us? So we could go out on a limb. Avri?

Avri Doria: Yes I was part of the origin mistake of that previous group. And one of the mistakes we made there was the level of mismatch.

It was ALAC and NCSG deciding oh Fadi said he wanted us to start a group. Sure let's start a group. And so from that very first point where we had something at the SOAC level and something at the stakeholder group level making an agreement to do something together from that very point we were confused. Because then it was oh wait a second and then rest of the GNSO said what are you guys doing?

And it just never met. It's kind of like when you start buttoning your shirt one row off and you never quite get it until you figure out you have to completely unbutton. It's that mismatch level as I've watched the thing.

And I mean and I was part of the mistake and freely admit having been part of the mistake.

It's we were enthusiastic. Where having a joint NCSG, ALAC meeting which we often have and we said oh goodie let's do it. And but it just never was put together properly again after that.

Jonathan Robinson: So my question then is how do we ensure that we in this joint meeting don't become - don't make the same mistake? How do we not become part of that, you know, I mean...

Avri Doria: Because we're at the same level of button and buttonhole?

Jonathan Robinson: Yes.

Mikey O'Connor: Oh that's right up there with charter wonks I think.

I think the other thing that we can do differently is in the process of chartering we can do a better job of doing that.

I mean one - I was involved in the very early days of chartering the ccwg and ran screaming from the room because it was such a madhouse. And there was no air cover for the idea of stepping back and doing this properly.

I think there is much more air cover in this body where both of our organizations have chartered lots and lots of these things and know the need and value of reaching out and buttoning in the correct buttonhole.

Jonathan Robinson: My sense is we've maybe reached as far as we can get to right now.

Might - we have many counselors representing many of the groups within the GNSO.

My thought is go back to your groups, socialize this with them as soon as possible what kind of support there is for what seems to be emerging as an idea and let's see if we can't - I would imagine the ccNSO may well do something similar but I'll leave Byron to talk to that.

So it sounds to me like out into the groups here's a thought that's come up in the joint GNSO, ccNSO meeting about chartering say Cross Community Working Group. Is their support for that?

Let's just get a sense of the level of support we get from that.

Byron Holland: I think that makes sense. Unless my colleagues suggest otherwise I'd think we want to take that back to at least to begin with our council and the folks who were actually on that working group solicit some input with that potential direction.

Man: Yes to avoid the problem that has arisen with the previous Cross Community Working Group it may also be worthwhile to include others outside the GNSO and the ccNSO.

So perhaps this conversation should also be taken to the SOAC leaders list and invite other folks from the community to also start working on what input they would like to get in.

Jonathan Robinson: Very helpful point and in a way you remind me of some terminology we might want to think about there because this could be a community of what - appropriately or well chartered community working group, not a ccNSO, GNSO working group or community, Cross Community Working Group but simply a

Cross Community Working Group with a sound charter to deal with the primary issue at hand.

((Crosstalk))

Man: Greg?

Greg Shatan: Greg Shatan from the IPC and also a member of the Cross Community Working Group on Internet Governance.

I think a couple of people here were in the meeting of the group today and there was extensive discussion of its future and very decided I felt backing away from any kind of future public statement by the group.

I don't think the group decided to disband itself. I also note kind of an interesting mismatch of maybe two different button and buttonhole groups which is that that group was primarily constituted of leaders, in other words chairs and vice chairs and the like rather than counselors of some of the same groups plus ACs.

And so therefore they're - it's not quite the same group although people had kind of an interesting levels.

So I think that before kind of there should be some consultation with those who were in the group who at least thought it would go forward in some fashion before deciding that it isn't going forward in some fashion and perhaps to draw in I guess particularly I say Patrick Falstrom who, you know, was, you know, talked on this issue of where can we go with this and where we can't go with this?

It just feels a little odd to have been in one room where we kind of discussed this and agreed we were going to go forward carefully and then to be in another room where it's now it's being decided that that group isn't going

forward or, you know, feels like it's not going forward -- just a thought. Thank you.

Man: Yes and I don't - I didn't hear anybody say that we're deciding that the group's not going to go forward. I think the conversation that I heard here was more around that group is unchartered. It's potentially lost its way.

It is doing things that are various concerns in our - and are significant concerns in our community and is there an opportunity to reset given the materially change landscape?

And I would also say that, you know, as chairs it's incumbent upon us to involve our colleagues on this. And absolutely Patrick would be somebody that we would want to speak to.

Greg Shatan: I would just respond that I said I think the group definitely needs this chart - needs a charter. It needs to find its way. It may mutate into this other properly chartered group or it may be that there are two charter groups, one that is on the concrete IANA transition and another that is on the somewhat more broad Internet governance subject.

Both should be properly chartered and if there are two of them even more importantly so I think it's an excellent conversation to have.

I didn't mean to make it sound like any fait accompli that just occurred but rather that there are, you know, some tasks here. And I'm happy to help be a charter wonk if you need help.

Man: Thank you. I think we are - we've probably exhausted that conversation at least for the time being. Now we can have it more informally over cocktails.

Thank you very much everybody for what turned out to be a very fulsome conversation.

Jonathan did you want to wrap it up?

Jonathan Robinson: Well nothing to add. I think that I echo what you just said so let's call it a day and have a drink together and relax.

END