SINGAPORE – Responses to the ICG RFP regarding the IANA Stewardship Transition
Monday, February 9, 2015– 10:15 to 13:00
ICANN – Singapore, Singapore

UNKNOWN SPEAKER: Ladies and Gentlemen, would you be kind enough to take your seats. We are ready to begin our program. Once again, if you would be kind enough to take your seats, we will begin our program. Thank you.

Ladies and gentlemen, once again, please take your seats. Would the presenters be kind enough to take their seats at the stage so we can begin? Once again, all presenters, would you be kind enough to take your seats at the stage and we will begin our program. Thank you.

Ladies and gentlemen, please welcome Patrik Faltstrom, co-chair, and Mohamed, please. The meeting will begin. Thank you.

PATRIK FALTSTROM: Thank you very much. Can people interested in this session please be seated and people that would like to start -- continue other discussions could leave the room so we can get some order. We are going to deal with some pretty important issues here. You heard about the IANA transition process. There have been a couple of meetings where you have informed about the process itself and the goal of the meeting today, this morning, is to talk about specifically the content on the various discussions that are going on.

We're from the ICG, the IANA stewardship transition coordination group, Mohamed and myself, and Alissa our chair that is participating

remotely. We are hosting this session to give the ability for each one of the three operation communities that we requested proposals from to present their proposal or where they are in the process. So we'll go through each one of the three operation communities one by one, and after that, we will have a Q&A session with representatives from all of those three communities, plus Mohamed and myself on the stage and other ICG members in the stage. We have two microphones here in the center for the Q&A session where the one to your right, our left, would be we want you to use that if you have a new topic to bring up, and the one -- the other one, the other line would be used if you want to get your comments on the current discussed topic. But we'll deal with that when we are coming to that part of the session.

So with no further adieu, I would like to introduce in the order which we in the ICG received the responses to the RFP, so I would like to start by introducing Marc Blanchet presenting the protocol parameters work. Marc, please.

MARC BLANCHET: One, two? Okay. Good morning. My name is Marc Blanchet. I'm going to talk to you about the IANAPLAN working group activities. The title is exactly what it is which is within the IETF process. The IANA stewardship transition was held and discussed through a working group that was formed specifically on that topic. So the name of the working group is IANAPLAN. The plan of this presentation is giving you some background on IETF and its process and some, you know, committees that we have that are related to the discussion and obviously the activities of the working group and what we end up doing.

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Especially the first slides of this slide deck are based on the new newcomers tutorial slide deck that is presented at the beginning of every IETF meeting that helps the people coming to the IETF to understand our process and how we work.

So background on the IETF, I think the first bullet here resumes -- summarizes what we're doing the way we're doing, and it's a quote from Dave Clark that says "We reject kings, presidents and voting. We believe in rough consensus and running code."

And while this was, you know, somewhat related to engineering and protocols and software and stuff like that, it actually works also for what we're talking about here, which is not really about protocol design.

So we actually applied our rough consensus work and, you know, decisions to this process, and also running code, because we do have running code, in the sense that IANA is performing the function for the protocol parameters for quite a long time and we have multiple documents that describe how it should be working, and therefore, you know, much of our work in the IANA working group plan -- IANA plan working group was to actually describe and, you know, reference what we've been doing for a long time. So this is really running code.

IETF itself doesn't exist in a legal sense. There is no members, no voting, so working groups are where the working -- work is done. Mailing lists and meetings. A lot of -- through mailing lists. The charter is agreed and -- by charter, our working groups are agreed and reviewed by community. Outcomes are documented by document editors based on working group consensus.

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One of the topics that is always a challenge for all of our communities, including here, is, you know, rough consensus. Given that we don't have any defined IETF membership, we're just participants, individuals, so it's not voting. We don't require unanimity, but we should ensure that everyone has their say.

So in every working group talking about MPLS, new HTP, Internet of things, or whatever, including IANA plan, we do the same kind of work, same process.

There is no formal voting. We try to feel the direction of the working group participants sometimes by a show of hands or hums, but we don't count. We just try to get a good feeling of where we're going.

So sometimes during meetings, we actually ask questions at the end, you know, to feel what the people in the room and -- think about, you know, where we are.

Disputes are resolved by discussion on mailing lists and face-to-face meetings, and, you know, whatever else is needed.

Final decisions must be verified on mailing lists so that if we think we have a rough consensus on something, then we -- during our face-to-face meeting, then we try to verify on the mailing list so that people that didn't attend the meeting can, you know, still provide their opinion.

This is a document flow that just shows that part -- you know, we have document editors that create the documents. When we're ready, think we have a rough consensus on the working group, then we submit to the IESG, which, you know, evaluates. Go into last call, which means everybody on the IETF gets to review it. They provide comments. IESG

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looks at the comments. Maybe often create a new version of the document. And if that works fine, then we go to the RFC production editor to create the RFC itself.

In this context, sometimes the IETF last call, which is the IETF community review, may raise enough concerns that we need to send back the document to the working group for further edit and changes.

Two committees that are related to what we have been discussing in the IANA plan and also in this community is the IETF Administrative Oversight Committee -- and by the way, all positions within the IETF are volunteers.

The IAOC is taking care of the admin task of the IETF meeting location, so if you're on the IAOC, you have, you know, a way to influence where is the next location, so we had Hawaii last time, so...

They deal with finance, tools for our process, including legal-related stuff, which is subpoenas, contracts, and stuff.

So IAOC is the one who is dealing with the legal and -- legal advice and dealing with contracts, for example, for the various entities.

The IETF Trust was created in 2005. It is to hold the IETF IPR which contains copyrights on RFCs, domain names such as IETF.org, trademark software paid by IETF, databases, and the rest of it.

So within our discussion in the IANA plan and in other communities and within the ICG, there were discussions about having, you know, something be transferred to IETF Trust, so this is, you know, what it is.

So back to the working group now, IANA plan had a charter and this is like the extract, and the -- it was chartered to produce an IETF consensus document -- so again, the idea of the rough consensus -- that describes the interaction between the IETF and the operator of the IETF protocol parameters registries.

And if we receive a request from, you know, other communities or something from the ICG, then we will review and comment and, you know, provide whatever feedback.

One thing that was clear in this charter is that the interaction between the operator and the IETF, such as contractual things and agreements, are normally delegated and handled by the IAB or the IAOC, depending on the topic, and on the charter, it was clearly said that the working group will not attempt to produce or discuss documentation for those details, but will request the IAB or IAOC to provide them separately. So there was a clear designation of roles within the charter.

The milestones was essentially to produce a document that was in response to the ICG request, and then review or do whatever additional work that came up. That will come up.

So the document that we produce is -- the file name is draft-ietf-ianaplan-icg-responseand essentially it fills out the ICG questionnaire.

Most of the interactions with IANA are well-documented in our own documents. Therefore, the task was often an exercise to extract and reference what exists already. We didn't have to, you know, invent new stuff. And, you know, a very high-level summary, no major change is

needed for us. It works well. We are satisfied and we should continue working together.

If you want to go a little bit more into details, I'll give you a, you know, verbal summary of things that are in the document.

For example, when we talk about protocol parameter registries, this is like the typical, for example, port numbers allocations. So for example, you may know that port 80 is for HTP and port 443 is for HTPS, for example. But it also includes, in our interpretation, the .ARPA TLD. This is a special TLD that is used for protocol-related things.

And we do also take care of the top-level registry of IP address space, but not the allocation. And we have, for example, special use registries for IP addresses. And a good example is private address space. 10.0.000, for example. Or special TLDs. For example, the TLD example or .LOCAL, right? So those are, you know, kind of a specific protocol.

There is obviously -- you know, there is no overlap, but there is close coordination needed between the different communities.

For example, what I just described -- for example, the tld.local -- there needs to be coordination between ICANN and -- you know, and its constituencies about TLDs and the root servers and the routing architecture because IP addressing is also involved with the routing architecture. An example of this is that we recently -- well, a few years ago, actually extended the AS numbers, autonomous system numbers, from 2 bytes to 4 bytes and that required coordination with the numbers community.

So to us, there were clearly no overlap of functions but sometimes a lot of coordination needed between the different communities.

We do have an MoU and SLA between the IETF and ICANN about IANA. Policies and operations separation are well-defined in the IETF process document.

We have a dispute resolution path and process.

IAB is doing the policy oversight and things like that.

So this is like just a summary of what is inside the -- the document, and probably too much details for you, but, you know, please read it.

The working group started roughly in September this fall. There was an individual's draft and then that became the working group draft in October. Seven revisions later, the draft was submitted to the IAOC. A last call was issued. So if you remember the document flow I was showing previously, based on comments received during the last call, three revisions later we issued the last version that was submitted to the ICG on -- in January.

Roughly our working group is on hold -- you know, this is my own words -- in the sense that until we get further work.

For example, I've heard that ICG may send a request to the IETF about one of the topics I'll talk about in a second.

Two items were more debated during that work. One is related to IANA.org domain ownership. So there were people thinking that we should, you know, deal with this in the sense of having a neutral party, not the operator, the current operator, to hold the domain name.

People -- some people were against, some people were for. The rough consensus that we found was that we're -- we're not -- we can run without this change of ownership of the domain name, but if people, you know, think it's worth, maybe we should be considering it. That's my own words.

So we're not opposed, but we didn't think that it was really needed.

And there's, you know, text in the document discussing that.

And there were, you know, a lot of discussions about the legal framework related to that. For example, jurisdiction -- jurisdiction. This is a difficult word for a French Canadian. Contracts or more clauses or additional legal stuff between IETF and the IANA operator.

And again, we got both sides of the conversation but the rough consensus we felt was that, you know, we don't feel that there is a need for additional things or changes, and if we do, then we may look at this later with our own process and committees that are, as I described before, the IAOC and IAB.

So conclusion. IETF uses its own process to respond to ICG requests and to any follow-up tasks that might arise regarding the IANA stewardship transition. And if I come back to the first slide of my presentation that quotes Dave Clark, we feel -- we felt that we have rough consensus and running code, meaning that, you know, IANA currently works well from our perspective.

IETF current documents and processes seem to be satisfactory from the -- for the IANA transition. This doesn't imply that nothing else is needed in the future, but things are sailing well.

And our working group is roughly not working too much nowadays until we get further, you know, into next steps or ICG requests, which, as I said, is expected soon.

And last slide is references and the first URL is actually a URL that describes all the process with -- all the documents that describe our process, including IANA-related, and our working group charter.

That's it.

PATRIK FALTSTROM: Thank you very much.

[Applause]

PATRIK FALTSTROM: So I would like to give the opportunity if people have really direct clarification questions on the presentation that Marc just gave. In that case, please walk up to the microphone. Otherwise, we can move some time to the last Q&A part.

Okay. With that, thank you very much, Marc.

So the next community that sent a response to the RFP to us was the numbers community, and I'm happy to welcome Izumi, the chair of the CRISP working group.

IZUMI OKUTANI: So good morning, everybody. My name is Izumi Okutani, and I would like to thank you for the opportunity to present to you about the proposal that has been developed by the number resources community.

So to briefly introduce myself, I'm the chair of the CRISP team, which is the team that has consolidated the proposals of each of the five RIR regions into a single global proposal which we have submitted to the ICG.

So in my presentation -- oh, sorry.

So before I go on to -- directly to introduce about key components of the proposal, I would like to briefly share the proposal [sic] that we have taken to develop this proposal for the number resources, and then share about the existing arrangements and what effect the NTIA stewardship transition would have on the current arrangement we have, so that we all share the same page, and then I would like to explain about the key components of our proposal as well as the major points of discussion.

And so just as a recap, the ICG has made a call for proposals from three of the operational communities, and the RIR communities have been specifically asked to develop a proposal for the number resources component of the IANA function.

And in my presentation, I will often be referring to the number resources community. By this, I mean the collected -- the RIR communities collectively. So I don't mean about a totally separate community, so that you know when I mention the number resources community.

So what do we mean by the RIR communities? There are five RIRs, regional internet registries, managing number resources in their respective regions as shown on this map over here.

And then each of the RIRs have this forum, the community, that they engage to develop a number resources community -- the resources policies or any other topics that's relevant to their region.

But having said that, participation is open to all. And so you don't have to be from this region to participate in their meeting. Or there's no restriction about stakeholder groups. So any of you in this room is welcome to participate.

So that's the number resources community. And I think Paul Wilson has introduced quite a lot about how our community works in the opening ceremony, as well as Alan has introduced about policy development works in our region based on our community. So that saved a lot of time for me to share this with you. So I will skip that.

And so what was the process that was taken by the number resources community before submitting our final proposal to the ICG? What we've done is that we already have this existing open, bottom-up communities based on five RIR regional bases. So we thought that we will all make the best use of these existing communities to develop proposals first on the regional basis. And that's what we did as I have shown in the chart that says regional-based processes. So each of these RIR regions had discussions and developed proposals from their perspective. What would be a good proposal to move forward with the IANA stewardship transition from the number resources?

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And then what we've done is that we needed to compile this into a single global proposal, and this is where the CRISP team plays a role. We were the team that was set up to consolidate these ideas that have been developed in each of these RIR communities. And so that we have a single proposal that is agreeable by all.

And we have used a global discussions platform which was the IANA expert mailing list facilitated by NRO. So that's what we did.

And also this shows you the timeline of the process. As you can see, the regional processes are shown in blue. All of the RIRs had a face-to-face meeting and engagement opportunity with the respective communities as well as mailing lists per RIR communities.

And then there has been -- in the global process shown in green at the bottom, there has been open call for nominations for members of the CRISP team in each of the RIR communities. Anybody could volunteer to be a member of the team. And then the final selection of the team members made in November. And then afterwards, we have given about maybe roughly two months before we shared the process of how we consolidate into a single global proposal.

The CRISP team has started our activities from December. And in total, we have developed three versions of the proposal. So the final proposal we have submitted to the ICG is our third version. And so that's the timeline of our process in developing the proposal.

So I have already mentioned a lot about the CRISP team. So who are we? We are 15 members and three representatives from each of the RIR regions. Two members are from the representatives from the

community and one RIR staff per each region. So we're the team that developed -- not developed, but consolidated the single global proposal.

And I would also like to share how the distribution of number resources are working because I want to show the relationship we have with the NTIA from this perspective. And in conclusion, there is no relationship as you can see from this chart.

The number resources are distributed in hierarchical structure as you can see from this, and organizations called -- the entities called Internet registries are the organizations that are responsible for distributing the number resources to the networks that actually use it.

So if the IANA, which is currently operated by ICANN, has a whole pie, it is first distributed to RIRs, the regional Internet registries. And then it is further distributed to LIRs, the local Internet registries. And they are often ISPs or other service providers.

And then it is from LIRs that the actual I.P. address or other number resources that are being used in networks will be distributed to networks. So that's how it works. In some economies, we have, like, national Internet registries. But they're more for historical reasons and a little bit of an exception.

So as you can see from this, the direct stakeholder of the IANA numbering services are the RIRs, the five RIRs. So we also have other people who receive the number resources, but they don't interact directly with the IANA. They are the stakeholders of the -- the LIRs are the stakeholders of the respective RIRs, but they don't interact directly with IANA. So that's how we work.

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So let's look at this in relationship with the NTIA. So the diagram on the right-hand side for you -- I'm so bad at this right and left.

But, anyways, the IANA numbering services, that's the one that are explained in the page before. So as you can see, there is no direct NTIA involvement in its operations. It is only between IANA and RIRs.

And what NTIA does is that NTIA delegates to operation of the IANA function to IANA function operator, which is currently ICANN. This is not just for the number resources but all of the three components of the IANA function.

And what NTIA does in addition is that based on this contract, they review the performance of the IANA numbering services to make sure that this operator, ICANN, performs the IANA function based on what is required in the contract. So those are the two roles that NTIA plays. And as you can see from this, their role is focused on ensuring the accountability of the IANA numbering services that ensures that it is performed properly.

So what do we need to think about? What needs to be addressed in thinking about the stewardship transition from the NTIA? So from the perspective of the operation of the IANA numbering services, NTIA has no direct involvement so there is no effect on this. So nothing needs to be changed from this perspective. And the part that needs to be changed is the two roles that I mentioned earlier that NTIA plays, which is, one, exchanging contract and delegating the IANA function; and the second is reviewing the performance of the IANA function on the numbering services. So this should be replaced with relevant

stakeholders which is -- which will be RIRs as I have shown in the diagram earlier.

So what did we focus on in thinking about the proposal for the IANA numbering services? First, we felt it's absolutely important and it's our top priority to maintain the stability and reliability of the IANA function, on the number resources. So the services that has been provided is continued to be ensured even after the transition. That's number one.

And then replace the role that NTIA plays today, which I have explained earlier, with RIRs. And, lastly, clarify about intellectual property rights-related issues. In case we change the operator of the IANA function, we need to be clear about how we handle this. So these are the three components that we focused in developing a proposal.

So these are the four proposal components based on the focus that I have described. So to maintain the stability and reliability of the IANA function, we are proposing that ICANN should continue as the IANA function operator on the number -- on numbering services because the RIRs and the RIR communities are very satisfied with the service that is provided by ICANN today. So we don't want to break anything that is already working by changing to another organization.

The second element of our proposal is clarifying the IPR-related issues and defining that the intellectual property rights will belong to the -- the operational community while the number -- in terms of the numbers and it does not just stay with the existing IANA operator. So it would change the IANA operator, which there is no concrete plan at this stage. But in case we do in the future, this intellectual property rights should

be transferred to -- I mean, it should not stay with the ICANN. So that's the second element of our proposal.

And then third and fourth is related to replacing the role of the NTIA with RIRs. So, first, RIRs will be the one that will exchange SLA with the IANA function operator, which will be ICANN. And then also to establish what we call a review committee to provide advice to the RIR executives when reviewing the performance of the IANA on the number resources. So those are the four components of our proposal.

I will skip this and you can just see visually the part that does not change is shown in green, which is the part that ICANN remains as the IANA function operator. And then the part that is shown in red is the part that has changed, but it is something that I have already explained.

So if I show this as a diagram compared to the existing arrangement, the letters in green are the things that has been added. So ICANN to continue as the IANA function operator is in a box that is inside IANA numbering services. And then instead of NTIA, RIRs will be the one that will delegate and exchange the contract or do their own performance review on the IANA function operation. And then a review committee is set up to advise the RIRs on the service-level review and then clarify some IPR arrangements. And IPR arrangements, we have identified three areas that we need to clarify. One is related to IANA trademark. The second is related to the use of the registration of iana.org domain. And the third element is registration of data. And there are two elements of registered data. Public data that is registered but made publicly available, that should remain on the public domain. But then

on the private data that has been submitted to IANA should be transferred to RIRs.

So this is the basic component of our proposal.

And so -- in the part -- the section about the SLA, we have actually listed SLA principles, 11 of them. And we haven't actually just created them from scratch, but we actually referenced the current existing NTIA/IANA contract and then try to see, okay, is this relevant to RIRs and then major changes to fit the situation of the RIRs and added any principles that may be relevant to add.

So to give you some examples, it describes the service level to be provided to RIRs or review of the IANA operations. What do we do in terms of performance failure, term and termination, or intellectual property rights. How do we handle dispute resolution? And, lastly, the fee because currently it's zero based -- the fee is zero-based contract between NTIA and ICANN. What do we do about the fee once it is transferred to the RIRs? These are the things that has been explained in our proposal.

And then about the review committee, which will advise the RIRs about the service level of the IANA numbering services, the idea is to have equal number of representation from each of the RIR regions so we have a good regional balance. And then the process of selecting representatives should be driven by RIRs based on open and bottom-up principles. So participation should be open to all. Everybody should have equal chance to express your interest and be -- and to submit a nomination. So that's the idea of the high-level principles that we have described in our proposal.

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And I would like to highlight one point that needs consultation with other operational communities, which is related to intellectual property rights on IANA trademark and iana.org which would also -- which is already also used by the protocol parameters and the names as well.

And what we are saying is this should be transferred to the public domain and our preference is to be transferred to the IETF Trust.

Having said that, we are very much open -- we recognize that this is something we cannot by the number resources community decide on our own. So we would like to consult and -- we're open to hear what the other two operational communities think is reasonable, and we are open to the dialogue.

So how the proposal was consolidated, none of the proposal elements that I introduced, it's nothing that was created by the CRISP team. It is all based on the community feedback. So as you can see from the diagram that has three boxes, these are the elements that have been based on the regional discussions. So there's some differences in the format of, like, the contract. Do we just have the SLA, or do we have another form of contract in addition? These are the things that have been discussed. And then the idea of the review committee, it wasn't something that was proposed in all RIR regions. So we actually consolidated a proposal that is agreeable to all.

And then the component about the IPR, that was something that was added after we conducted the global discussions.

So how did the CRISP team engage with the community? We shared all of our proposals and then conducted discussions on the global mailing

list. The feedback from the community was confirmed and discussed at every CRISP team calls, making sure that all community feedback was heard. And we also have the spreadsheet of all the comments that have been received, the comments, the summary of discussions, and the CRISP team considerations. So everybody knows what your comment -- how your comment has been considered by the CRISP team. So this is all published on our Web site.

So far the feedback received was 377 posts before our submission to the ICG and 53 unique posters on the mailing list. So observation in general is support was expressed for the proposal in general. Nobody expressed concerns for any of the four components of the proposals. There were some feedback about the details of each elements of the proposal. And especially there was one poster who was particularly concerned that we didn't include enough details in our proposal, and we didn't submit the actual SLA text to the ICG. So that was a concern that was expressed, but it wasn't supported by other members of the community. And then no further discussion, so we submitted the proposal without those details.

But we received two comments to ICG forum expressing their concerns after we submitted the proposal. And then we have actually handled that as well.

Just to briefly share -- well, the feedback incorporated in the proposal, I think that's quite straightforward. So maybe I will skip that in the interest of time. You can read it if you're interested.

But the feedback we did not incorporate in the proposal I would like to highlight a little bit. So there was a request to specify a particular

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jurisdiction or dispute resolution mechanism. We intentionally explicitly did not include the details such as should be -- jurisdiction should be in Bermuda or it should be based on ICC. We didn't say this because, as I mentioned, the direct stakeholder of this service are the RIRs. So it should be the contract between ICANN and the RIRs. And this should be -- the details of this should be considered between the stakeholders.

But we have specified that the final SLA text should be consulted with the community so that the community also knows the conclusion of this text.

And, again, similar feedback for the review committee. More details should be defined. But, again, for the same reason, we thought we would just stick to the high-level principles ensuring the RIRs will engage with the community in setting up the review committee. And then I already mentioned about the request for SLA text itself.

So if you wish to follow our discussions more closely we have the mailing list and it's all archived. All information is up on the CRISP team Web site including meeting notes, the recordings and all versions of our proposal and all the feedback of the community comment is available from the URL listed. We did like a -- list each phases of the proposal. So we have like full versions of these lists. So if you'd like the latest link, then it has the list of all the comments received and how the CRISP team handled it.

And lastly, I would like to share the names of the CRISP team members who are represented from each of the RIR regions, and those names marked in blue are the CRISP team members who are here at the ICANN meeting in Singapore. So if you don't mind, the CRISP team members

who are in the room, would you stand up and show your faces to your community so that people know who you are. Sorry, maybe I'm embarrassing you a little bit.

[Applause]

Thank you. Thank you. So if you have any questions about a proposal or any feed -- feedback which, you know, will be considered informally as a reference at this stage because we need a formal proposal to consider that, but still I know we are very much interested in engaging with you and taking this opportunity to communicate with the people who may not have attended or participated in the number resources community. So thank you very much.

[Applause]

PATRIK FALTSTROM: Thank you very much, Izumi. Is there any direct clarification questions for Izumi? So in that case, let's move to the third operational community. I'm happy to have both co-chairs, Jonathan Robinson and Lise Fuhr, and I understand, Jonathan, you're the one who will do the presentation.

JONATHAN ROBINSON: Do we have the presentation loaded? Wonderful. Thank you. So I tried to persuade Lise to do it, but she's nudged me up here. I hope you're not tired of hearing my voice. Thank you, Patrik. Thank you, Mohamed. Good to be in front of you all. And I suppose just an opening remark, what I'm going to present to you here is work in progress. You've heard

from the other two contributing communities how their proposals are with the ICG. If you're sympathetic to the -- to the names community, you'll acknowledge that perhaps we have some more complexities and subtleties to deal with. If you're not, you'll just say we're slow. It doesn't really matter. In my view, what I've picked up is at this meeting, whether you listened to the fact that the other two proposals have been submitted or you just simply hear what people are saying in the corridors, my sense is that there is an increased urgency, and certainly I feel, and I think Lise feels, even if it's just to get our own personal lives back, we need to get on with this now. And we've got some work to do.

So I'm going to present work in progress, but I also wanted to set that out at the outset, that I think we recognize that there's a need to now really start to feel like we can at least see light at the end of the tunnel. We've also heard at the same time that requirement for a quality proposal. So somehow or another, the challenge is to, I guess, pick up what Ira Magaziner said in his talk, that we have to find a way to do the just-in-time work which means we do a good proposal but we do it as speedily as possible.

So there are a set of around a dozen background slides here. I'm not going to laboriously walk you through them. Some of them talk about the work of the ICG, some of them -- and they set the context. As a pack and as a deck I think it's very useful to have all of those, and for those of you who take it as a take-away, it may be helpful depending on your level of background, to go through some of these. So if you will indulge me, I'll whip through these. I'll go through them fast, and I won't necessarily talk in any detail to all of them, but at least it will give you the context.

So we go through the transition announcement. The requirements set out by NTIA. If you like the principles that govern the way in which the transition should work, and we've heard reference to various of these over the course of the last few days and we'll continue to hear those and we are very mindful of those overarching transition principles, if you like. Set out the IANA functions to go in some detail and understand where our work fits in relative to the other two groups and some of the history of that. And then the transition itself, the role of the ICG, the different groups coming in, the adjacent parallel and interdependent work of the accountability group and understand all of those.

I missed a portion of the introduction here. I'm not sure if the two CCWG's have been mentioned so perhaps it's worth saying that that -- I glossed over it a moment ago, but the names community is working through a cross community working group to develop our proposal alongside that of the -- the numbers and protocols of CRISP and the IANAPLAN group. But in parallel, and initially it's likely out of sync with our work and hopefully ever increasingly synchronized, is a parallel track that seeks to deal with some overarching accountability issues as well. And I'll touch on that more, but that's referred to as the CCWG on accountability, cross community working group on accountability.

So here we just referenced the role of the ICG and the role of ICANN as convener and facilitator. Tasks of the ICG, recognizing its role to ultimately assemble a complete proposal, but other adjacent roles as well.

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I think just acknowledging that the ICG RFP had those five components is important because from the CWG point of view, we recognize that we are responding to a request for proposals and therefore the form of our response needs to deal with all of these. But clearly, the meat of it is in the proposed post-transition arrangements.

Ready to just highlight the three groups relative to the ICG. And again, the different groups and some of the detail as to how it works. You obviously heard from the IANAPLAN working group and the CRISP team adjacent to this.

So let's get into the way in which we've worked and some of the outcomes that have taken place so far. There's 134 people in the group. 19 members put into the group as representatives of their chartering organizations. The CWG is chartered by -- and the charter was signed off on by four different chartering organizations, GNSO, ccNSO, SSAC, and GAC, and in addition to the members, we have 115 participants. There is no visible difference in the volume of the voice and the nature in which the contributions by the members or participants are heard and all are able to follow the mailing list, actively contribute to the different meetings. The CWG has been meeting regularly and has divided its work into a series of sub-groups which themselves have met and the meetings have included a face-to-face meeting in Frankfurt in November last year. We've got a couple of sessions running in this ICANN meeting and you'll be able to pick up on where those are. One of them is a session of the working group and the second is a Q&A session. A key purpose for us of this ICANN 52 is to be able to take broad community feedback. We recognize the responsibility to not only take the ongoing work and input of the chartering organizations but to be

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ever vigilant and open to the inputs of the community in the broader sense.

So there are five sub-groups that are working through the work within the CWG, and they are broken down into responses to the RFP 1, 2, 3, 4 and 5 and 6, as you can see there. And as I said, I'm not sure that the previous slide highlighted quite as clearly. You can see these are really -- the bullets are clearly aligned, and RFP 3 is really where the meat of the work needs to be done because that is the proposed transition oversight and accountability arrangements. Clearly working through the implications of that in RFP 4 and a validation against the NTIA requirements are also important, but they can't be done in full, at least, without a proper and thorough job being done on RFP -- in the response to RFP 3.

So we put out a proposal in December, which was then subject to a public comment process, and that draft transition proposal had a number of key components that are worth talking to. Within that proposal there was a concept of recognizing that the current situation has ICANN in a contract with NTIA. It was proposed that there needed to be another alternative entity with whom ICANN could contract and that would hold the right -- hold the right to contract the IANA functions operator. And that was -- that concept was developed up into a lightweight company structure known as Contract Co., Contract Company.

In addition, there was a requirement for a customer function, a standing committee that is responsible for ongoing and regular oversight of the IANA performance and in addition to that a -- what was

originally known as a periodic review team that -- that came out eventually in the proposal as a multistakeholder review time responsible for ultimate oversight of Contract Co. and the key critical decisions.

We also brought in the independent appeals panel, recognizing that certain decisions -- it is possible that certain decisions could be taken or not taken that would require a reference to an independent appeals panel. And there are some subtleties there about how that may or may not apply to gTLDs or ccTLDs. And in the draft transition proposal there was no specific reference to or recommendations for how to deal with what is known as the NTIA authorization function. That final authorization function that is at least normally played by the NTIA at this point.

So we took public comments on the draft proposal which came in from individuals, organizations, companies, governments, diverse proposals, and we took a number of key take-aways from that. In general, there was very strong support for the current IANA operator and recognition or support for the fact that the IANA function should not be moved from or tendered for at the onset of the transition. It was a key point that the transition should not take place prior to either the adoption of critical accountability mechanisms or at least a guarantee that critical accountability mechanisms be guaranteed to be undertaken in a timely manner. There was strong support for the customer standing committee and that there should be an independent appeals panel that can make binding decisions. There was some feedback that -- which in some senses was -- had a degree of contradiction to it that the proposal as a whole was deemed too complex but did not provide enough details

to properly evaluate it. I think if you tease that apart, what that tells us is, for some at least, structurally it felt more complicated than the current situation and therefore was perhaps too complex, but in order to properly evaluate that, further detail was required.

We followed up the work from the public comments with an intensive work weekend and considered the results of the public comment forum and used a survey of the CWG as a device to try to assess the CWG support and response to the public comments. And given the results of the public consultation and the surveys, it was recognized that the CWG needed to broaden out its thinking and develop alternative proposals which began to be referred to as ICANN internal solutions. In other words, Contract Co. was referred to -- was recognized as being external to ICANN and that there may be another mechanism which was more internal to ICANN as the vehicle for holding the contract or the relationship.

There was a key point highlighted in bullet 2 which is that the expertise within the group was insufficient to fully explore either internal or external solutions without some suitably qualified independent legal advice. In item 3, a recognition that -- which I referred to when I first touched on the accountability cross community working groups work was that the schedule and the mismatch of the starting time for the two groups may have impacted our ability or has impacted our ability in the CWG to complete the timely development of the proposal. And increasingly over that weekend, I mean, we had initially set ourselves what in all of our views was indeed a very ambitious timetable but nevertheless a good faith attempt to meet the ICGs target time for a submission of proposal in January, and it became increasingly evident

that that would not be possible given the diversity of views and the complexity of inputs and the nature of the work that was being undertaken.

So as a result the CWG -- summarizing some of the activities to date, we started to look in more detail at internal options and established a separate stream of the group 3 to consider and develop internal proposals. In addition, we worked on -- in blue on the slide, I hope you can see, we began to develop a list of legal questions which will ultimately be -- which have been turned -- which have been developed into a form of brief, at least an initial brief, in order to obtain independent legal advice from a suitably qualified contributor.

We've developed a revised timeline and we have worked on that timeline in conjunction with the CCWG on accountability and talked with and communicated that to the ICG, and I know and many of you will be aware that the ICG has spent some time considering that revised timeline and the impacts. And I think there there's an interesting track of work that needs to continue which is ongoing thinking, and cliched as it is, sort of smart working to try and figure out how to help the ICG continue with its work and yet not -- or at least minimize the impact of the revised timeline of the CWG. So in an sense there's some interesting pressures have emerged on timing. The first is on the CWG itself, to make sure we work in as timely and efficient fashion as possible. And the second is to work within the community using the coordination expertise of the ICG to ensure that we manage the coordination and the development of the overall timeline as effectively as possible.

EN

Oops, let me go back. Okay. So the timeline we presented was what we viewed at the time as a best case scenario and that entailed delivering a proposal to the ICG in June 2015. We considered presenting alternative timelines which absorbed various other contingencies and risks. We felt that for a couple of reasons that wasn't appropriate to do so. One, to present more than one timeline is confusing, potentially. Two, it's -- it perhaps gives us the license to work the slower timeline but in any event, we felt in presenting a best case timeline it was very important to highlight that it was, in our view, at least when we published it, the best case scenario and we felt it important, alongside that, to highlight the points in the three bullets below that which are the most -- not the only key dependencies but in our view at the time the highest risk factors.

And that was the timely obtaining of legal advice, of course the ever-present challenge to obtain a form of appropriate consensus in the community on the proposal, and to recognize that this proposal isn't simply the work of the CWG and owned by the CWG.

The CWG is chartered by the chartering organizations and must ultimately refer it back to those chartering organizations for approval.

So there's not only a requirement for us to communicate effectively with the chartering organizations, there's a responsibility on our members and participants to deal with that and make sure the chartering organizations are up to speed and there is, if you like, at least a flagging of, if not a request for, the chartering SOs and ACs to consider their timely approval of the ultimate -- the final proposal.

So I realize this graphic is not something you can readily interpret from your seats, but the pack will be available, but it shows really a couple of things.

One, a detailed breakdown of the CWG's work under the best-case scenario as we saw it on the 29th of January, and moreover, the synchronization of that work with the CCWG's work on accountability, and moreover, a recognition of the ICG's timetable as was at that point.

And so we attempt here to have a holistic view of the position, rather than simply working in the -- within the CWG.

A key point, of course, is to ensure that we do continue to effectively coordinate that with the work of the CCWG on accountability. In particular, Work Stream 1, which those of you who are familiar with the workings of the CCWG will know that Work Stream 1 of the accountability group is that which must be completed or committed to be undertaken in an irrevocable and timely fashion in coordination with the work of the CWG.

So here is -- in the presentation is a slide which contains a representation of the coordination with the accountability group, and it's something which if anyone is interested, we can go into in some more detail.

We published a discussion document and it's important now at this point in the presentation to begin to focus on this, because what we tried to do was bring together the work to date and create that, rather than in a revised proposal but in the form of a discussion document that would be available to the community and tease out from our group the

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key challenging and potentially intractable issues and obtain as much community feedback as possible on them.

So the purpose of the discussion document is to inform but critically to seek community input on key issues, and it's available on line. Many of you may have seen it already. And at the end of that discussion document, it poses a set of key questions.

The most challenging areas we have faced are dealing with some key elements of those models which I referred to earlier and that broadly partition into internal and external models, and then further partition into detailed variants on those two.

If you look at it at a high level, the fundamental difference or -- is who replaces NTIA as the body responsible for overseeing the performance of the IANA functions and determining who will perform them.

Critical to recognize at this point is that all of the models include an ultimate possibility for separability of the IANA functions from ICANN. These are derived from the principles of the CWG and are -- and represent an eventual scenario, should there be repeated and -- repeated failures to perform the functions. After a comprehensive and successive series of failures to perform, that ultimately there should be a possibility of separation or separability.

Under the external model, the replacement entity cannot be ICANN, but in the first instance ICANN would be granted the contract for the IANA functions post-transition and under the internal models NTIA would transition its functions and -- including the right to determine who performs the IANA functions to ICANN, which would continue to

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operate them, but subject to an ultimate right to potentially transfer those, should there be repeated and -- repeated failures or breaches that were not remedied.

So it's important to touch back on those, the fact that there are some critical common points between the models, and that includes the existence of a multistakeholder review team in some form, a customer standing committee -- it's critical that the customers of this vital function are represented -- the concept of an independent appeals panel, and separability, which I touched on a moment ago.

Let's touch on the two variants of the external models and then the two variants of the internal models.

So I mentioned Contract Co. at the outset because that was part of the initial -- the draft proposal that went out for public comment, and here there would be a nonprofit corporation which would assume NTIA's IANA function responsibilities. The idea is that it would be a small lightweight company recognizing that if, indeed, there is to be a contract, an entity needs to be on the other end of that contract, and the concept being that should ICANN materially breach the contract and repeatedly fail to cure the breach, in principle Contract Co. could select a new operator, and because Contract Co. is a legal entity with a contract, it would be able to enforce that agreement.

The multistakeholder review team is envisaged to be some form of committee of Contract Co., although the exact legal arrangements have yet to be determined based on the advice we would receive. And CSC, the customer service committee, would be as described before and

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likely to be some form of committee of the Contract Co. And in addition, the independent appeals panel as described before.

A variation is -- to the Contract Co. is instead of the Contract Co. being a company would be to take the form of a trust established under the law, and this trust would have a board of trustees, likely incorporated as a legal -- legal entity, and the trustees to be selected from the multistakeholder community, the trust to receive its assignment in the -- receive an assignment or conveyance from NTIA, including the rights and duties including the stewardship role.

And the primary purpose of the trust would be to select and contract for an IANA functions operator, which is presently ICANN and envisaged under all models I remind you to remain as ICANN post-transition.

And essentially, the multistakeholder review team, customer service committee, and IAP would be the same as under the contract -- under the Contract Co. model.

As we said, as a result of the public comment, and indeed going into the public comment period, there was some momentum that was gained through the public comment period to consider alternative so-called internal models, and here we present to you two variants of those internal models under consideration.

The first is what is referred to as a so-called ICANN internal bylaw, and here NTIA would transfer the rights for contracting the IANA functions to ICANN, but only after ICANN had amended its bylaws to create a form of golden bylaw. That is to say, a bylaw that cannot be unilaterally amended by the ICANN board.

And the idea is the -- what's envisaged is that the golden bylaw would guarantee that ICANN would relinquish its right to perform the IANA functions to a third party, if required to do so by a multistakeholder review team, and clearly that multistakeholder review team would operate in a similar way.

In other words, that -- relinquishing that right to perform would be most likely in the event of a serious and repeated and unremedied breach of performance of the duties of the IANA function.

If, indeed, that separation was necessary at some point in the future, it could possibly require the creation of a Contract Co. or trust as envisaged by the external models.

The multistakeholder review team under this model right require additional bylaw modifications that would create some form of standing committee within the ICANN structures. That would be the MRT, and the customer service committee would be likely similar to as before, but in principle could be merged or at least run in conjunction with the MRT, to varying degrees, depending on how this is settled.

And here is -- with the IAP, this may or may not be necessary, depending on -- I guess here there's a possibility where this could overlap with the work that gets done in the accountability group, but the principle remains the same, that there is some form of independent appeal to cover specific either failure to follow instructions or acting outside of instructions.

Finally, the concept of an internal trust model, where the transition of NTIA would require ICANN to enter into some form of declaration of

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trust to hold the rights to the IANA function in trust for -- and perform the names IANA functions for the benefit of the multistakeholder community.

There's not a requirement to create a separate company, but there is -- it is envisaged that this would be a legally valid instrument and there would have to be some form of guardian or -- some of this terminology depends on the jurisdiction and the detail of the legal advice required.

And the variants of the MRT and the CSC and the IAP, as described before, they're essentially common features throughout the models but may need subtle variations depending on two factors, really, I guess: the continuing work of the group and the need to mold those structures to match the mechanics available within the specific model under consideration.

So all of this led to a status point which is one of work in progress, and the thing, I suppose, that worries me slightly -- or maybe I'll come to that in a moment, but out of that comes a set of questions for the community, and we'd very -- there's a Q&A session we will hold later in the week on Thursday, if memory serves me correctly, to specifically deal with going through these questions, but in the meantime, we would very much appreciate if the community in the different community days tomorrow is able to give some time to reviewing and providing guidance as to -- to any -- any or all of these questions.

And they include, believe it or not, the fundamental point of do you believe that the transition from the NTIA should happen, and then they go into a series of detailed questions, of which there are a total of nine, I think. Let me just check that. Yes, there are nine.

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So we would -- we would very much appreciate as much guidance as possible. And I suppose the spirit in which these questions are posed is important to convey because the intention here is not that communities deliver fully baked position papers that respond to these but, rather, give thought-out guidance to as much of -- as possible of these questions, and we'd, as I say, very much appreciate the advice we can receive from the community in relation to those specific questions.

So we've come into this with a -- having made a draft proposal, having put that proposal out for public comment, having responded to that public comment, and elected, then, not to attempt to write up a further draft proposal but rather to put out a status paper or discussion paper which highlights the status coming into this meeting, and to use this meeting to really digest, absorb, challenge that discussion paper and all that's contained within it, and as guidance, have prepared a set of nine questions that we would very much appreciate feedback from the community.

So I think that's done a reasonable job -- I hope so, in any event -- of giving you a tour of how we started, where we've -- where we've worked through, and where we've got to.

I suppose if I take it personally, my one reservation is that when one looks at this, and the thing I've begun to think about since being at this meeting, is that we focus very much -- or it appears, at least when you look at the four models -- on the issue of separability and how to resolve that.

And whilst it's clear that from the group's point of view, that's a critical and important function, it's become important to me, at least in looking

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at the other proposals -- and we need to discuss this in the group -- that the focus of the group needs to deal with both that but also the work that's done -- that needs to be done to deal with all of the detail in producing a fully worked-up proposal that deals with all of the detail of the functions as they are to date and the post-transition arrangements, to ensure that those are dealt with properly in the future.

So that's a personal reflection. I think there's going to be many more as we hear responses to the questions, as we hear input from this particular discussion, but let me leave it at that point and invite you to be involved now and as we continue with our work, and there are a couple of links to the sessions on Wednesday, the working group session and the Q&A session on Thursday.

So thank you for your attention. I'll join the panel now and back over to Patrik and Mohamed and be pleased to work with you on this.

[Applause]

PATRIK FALTSTROM: So Jonathan, there seemed to be a specific question, a clarification question to you and Lise, so please.

MILTON MUELLER: Yeah. It's about the legal advice. So you --

PATRIK FALTSTROM: Can you present yourself?

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MILTON MUELLER: Milton Mueller, Syracuse University, also an ICG member.

Jonathan, you said that the common point of both of these proposals was separability, but there's a great deal of debate and discussion about whether separability is actually possible with the internal model, and it's my understanding -- and I think you mentioned it in your presentation -- that you've asked for legal advice pertaining to questions not only about the internal but also the external model, but I think the most important question that I have is: When are we going to get this advice?

I don't think a lot of these models can even be discussed reasonably until we have that advice. So do you -- do you have a specific time line for when we're going to get it?

JONATHAN ROBINSON: A couple of points I'd make. I've got an echo there, okay? Just turn the volume a bit higher on the mic. Thank you.

As you know, we've prepared the brief. We have a committee of the group that is charged with procuring that legal advice. And we've begun to, through that committee, obtain a short list of prospective advisors.

So there's -- there's work to be done still, I mean, in getting that advice.

The other thing is, in terms of the hard question, "When will we get it," I think the view on the committee is that this advice isn't going to be we put something over the fence and get back some package advice. This is going to be some form of dialogue between the committee and the advisors and the committee and the working group as we digest that

advice and respond to it and perhaps modify our proposals based on that.

So I think that's -- that's important.

And I guess it links to that personal point I made earlier, which is thinking about how we manage the development of the proposal, because whilst this point, which I acknowledged earlier, is absolutely critical in terms of resolving the group's work, at least in terms of the volume of the proposal that needs to be prepared it's a smaller part of it and we've got a whole lot of other work.

So what I'm starting to think about is how do we obtain the legal advice and do the diligent work in this area of the proposal whilst not making the entire proposal's forward progress contingent on getting that legal advice.

And so for me, that's the logistical puzzle that we have to work through, and I've got some ideas that I'd love to talk with --

MILTON MUELLER: But I'm just trying to get a sense of the dates here. Like do you know when you're actually going to reduce your short list to --

Do you have a goal for that? A time? Like next month? June of 2015? When are you going to make the request?

JONATHAN ROBINSON: I would -- I would certainly say within a matter of weeks. Perhaps not days, but -- and certainly not months.

PATRIK FALTSTROM: Is this also a clarification question to the -- okay. Please. Present your name, please.

ROBERTO GAETANO: Roberto Gaetano as an individual, talking as an individual user.

I've followed the slides on the Contract Co. What I didn't see or what I missed is what are the mechanisms that -- by which Contract Co. will be held accountable to the community, or is this going to be developed further or is there -- or did I miss something in the presentation? Thank you.

JONATHAN ROBINSON: Well, I think, Roberto, I would take a step back and say in the first instance, the IANA function will be held accountable to the community through SLAs and those SLAs will be monitored in the first instance by the customer service committee. So if you imagine, we have a customer of a function, and who cares most about that function but the customer.

The question is, what happens if those functions either are not performed according to the SLA or to the satisfaction of the customer?

Well, the first thing the customer does is go back to the IANA functions operator and says, "We're not happy," but I think that's what's -- that's a piece of detail that really needs to be worked up, frankly rather urgently, is that series of escalation points, and at some point, that goes -- that when we -- and that's why I highlighted when we first talked

about the multistakeholder review team, we referred to them as the periodic review team and then that developed into the multistakeholder review team. But it was envisaged that that multistakeholder review team is both an escalation point for the customer service committee, so in the event of repeated failures to perform in the eyes of the customer service committee, there is an escalation point and that is the multistakeholder review team.

So -- and that would have a multistakeholder component to it.

PATRIK FALTSTROM: Thank you very much, and we have to wait here. We have to break this part and we have to move into the next question-and-answer session.

So we have lots of time for question and answers, including question and answers from remote participations and hubs.

So to be able to run this, I'm sorry, you will be able to answer your -- ask your question.

I would like to welcome Matthew Shears who will be moderator for this portion of the session.

MATTHEW SHEARS: Thank you, Patrik. I'm relieving him so he can answer questions. I'm Matthew Shears with Center for Democracy and Technology. I'm a NCUC organizational member and also a member of NCSG and also have the pleasure of being a participant in the enhancing accountability and transition working groups.

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This is your opportunity to ask questions obviously, but it is also your opportunity to seek clarifications or to comment and question whether or not these particular proposals are heading in the right direction or to ask comments/questions about whether or not the timeline will be met. There is a whole range of questions and issues that you can raise, so I encourage you to come to the mic and to do so.

We have two mics. And I'm going to have to get this right so I will have to refer to my notes. The further one, the one that's on my left or on your right, is the one for new topics that haven't been covered so far. And the nearer one, the one that's on your left, is for comments. So if you can kind of separate yourself into two. So on the far over there, new topics. And on this side, comments.

I'm not sure, Bertrand, where -- if you're going to stand between the two but please come up. As Patrik said, we do have remote participation. Please wave to me when we -- Okay. We have comments.

And without much ado, let's get started. Please.

BERTRAND DE LA CHAPELLE: Hi. My name is Bertrand de La Chapelle. I have two remarks. The first thing is I was a little bit surprised in the slides to see that now the MRT and the CSC are presented as committees of the Contract Co. And the more the discussion is going, the more we see that this Contract Co. that was supposed to be just a very shell, informal, almost never convene in any way is now being attached with committees. How can

we envisage that this is not going to be a completely recursive process where we get another ICANN?

The second -- the second thing is without opening the debates, I'm a little bit confused about this constant classification between an external model and an internal model. Let me just step back one second. The key question that we have is: How do people contract? And we've seen the presentations of the numbers community.   We've seen presentations of the parameters community. They have no problem contracting. Actually, they have the structures that are available and they can contract.

If you look at the names community, the ccTLD community could potentially contract. They have regional organizations. There is CENTR. There is APTLD. There is LacTLD. If they wanted to do a contracting a little bit like the addresses community, they could do it.   The only subpart that doesn't have this at the moment is the Gs. And, sorry, why not structure them in a way that is outside of ICANN that will solve the problem of the dichotomy between internal and external? I do not understand why this is not taken into account.

MATTHEW SHEARS: Jonathan, Lise, would you care to take that one?

JONATHAN ROBINSON: The first question refers to the prospective complexity and apparent increasing complexity of the -- what was envisaged to be a very lightweight contract company.   I think there's no doubt that the contract company was envisaged to be a lightweight vehicle. But you

can't have a lightweight vehicle floating out independently of any kind of structure. And, therefore, a form of structure is required.

I won't pass my own judgment on whether that's going in the right direction or not, but I think, Bertrand, what I will say is you are not the only one that I have heard that concern with. And the most extreme version of that concern is you are trying to create another ICANN on top of Contract Co. So it's clear that's one of the potential weaknesses of that route and others have expressed that concern.

I'm not sure I have an answer to you. I understand the point on the second one of the ability to contract, but I'm not sure I'm going to hazard an answer at this point. It certainly hasn't been discussed as such in the group. And so I can't reflect any discussions that have taken place in that regard.

I'm not sure if anyone else would like to comment from the community or from Lise or anyone else. Thank you.

LISE FUHR: Well, I would like to comment that it's not been discussed. But I think it's a difficult task because you will have CCs that are governments that don't want to enter into a contract regarding this. And the regional organizations are, well, not covering everything. So I don't -- I think it's a complicated matter to put into that kind of structure. Thank you.

MATTHEW SHEARS: Just one second. If you can, state your name. And we have a timer now that's going to run. And if you can be -- if you can specify to whom you are addressing the question, that be great.

Before you go, we have a couple of questions from the remote hubs. Maybe we can take the first one of those. Thank you.

REMOTE INTERVENTION: Jennifer Chung from the ICG secretariat.   We have two remote participant interventions. The first one is from Erick Iriarte, ccTLD .PE. The question is: Some of the possible models could be a separate proposal for the ccTLDs and gTLDs? That is a question.

And the second intervention is from Pindar Wong from VeriFi Hong Kong. The question is: I would like Jonathan to expand a bit more about the legal basis for the golden bylaw.

MATTHEW SHEARS: All right. Thank you very much. I think that's two square in your court, Jonathan, Lise, if you can.

[Laughter]

JONATHAN ROBINSON: Since it was addressed to me.   Actually, I have to make a quick correction. When I talked about the chartering organizations, for some reason, I had four in my mind and I skipped over the ALAC. So apologies for that. And I would just like to make that correction that ALAC is one of the chartering organizations of the CWG.

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In terms of the legal basis for the golden bylaw, I'm reluctant to go any further than that because it is a concept that's been proposed. I'm not a lawyer. We need advice as to what -- how this could work within the bylaws of ICANN. And I'm just not sure there's more detail to be given other than what's been proposed on the slides and given so far.

MATTHEW SHEARS: Any comments on the ccTLDs versus gTLDs?

LISE FUHR: I could go for that one. Regarding having two models, I don't believe that's a good idea of having actual two models. We're trying to build a model that are taking into account -- or are two different kinds of TLDs. We have the gTLDs. We have the ccTLDs, and they might have different needs. But we're still in favor of putting those into one model.

MATTHEW SHEARS: Okay. Please go ahead.

PAUL FOODY: Hi. Paul Foody, speaking as a domain name registrant. I was interested to see how much emphasis was placed on the intellectual property rights. Are they going to be transferred, or hopefully transferred as a result of this process? And I'm wondering: The U.S. NTIA at the moment charges nothing to license those rights to ICANN. What is the value of those intellectual property rights? Any of you?

MATTHEW SHEARS: Anyone want to take a stab at that?

                      [Laughter]

MARC BLANCHET: I'll start first saying I'm an engineer, not a lawyer.

PAUL FOODY: In terms of the guy that's -- the minister mentioned that he envisages in a year's time the global economic Internet will be doing $4.2 trillion a year. What percentage of that do you think the IANA function would on an open market basis be worth? Is it 5%? 10%? .5%? No idea?

MATTHEW SHEARS: I think we're going to have to take that one offline, but thank you.

                      We have another comment from a hub. Thanks.

REMOTE INTERVENTION: Jennifer Chung from the ICG secretariat. This is a question from a remote participant, Jean-Jacques Subrenat, member of the ICG. Question: In a session yesterday on transition, Larry Strickling in his concluding remarks found there was quite a lot of overlap between the CWG and the CCWG and suggested that it may be worth looking at merging the first into the second.

                      My questions are: One, how likely is this? Two, if not likely, why?

MATTHEW SHEARS: Well, I can certainly say that might have been ideal some time ago. There's no Larry. Is there a clarification?

BERTRAND DE LA CHAPELLE: I was moderating the session. This is not what Larry said. He didn't talking about merging the two groups. He was basically, if I understood correctly, talking about moving more of the accountability mechanisms that are being discussed in the CWG for the IANA transition more into the CCWG. But it was not about merging the two groups.

UNKNOWN SPEAKER: ---

MATTHEW SHEARS: Okay. Okay. Lise, would you like to take that?

LISE FUHR: Yeah, I'd like to have a go at that. I'm certainly aware of what Larry ended the session with yesterday. And I would say that we as a group, CWG, are very aware of not overlapping with the CCWG. We're actually going to be in a session with the accountability group this afternoon or this evening in order to coordinate this. We've been coordinating it all the time.

So it might be felt that we are overlapping, but I think it is very important that we're getting the picture of what kind of mechanisms that we need for the CWG; and then you leave it to the CCWG, the accountability group, to kind of fulfill this picture.

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And we're very -- I must say we're very aware of not doing the work double and to coordinate. Thank you.

MATTHEW SHEARS: Thank you. Jordan.

JORDAN CARTER: Thank you. My name is Jordan Carter from Internet NZ. An observation and a question really which is inevitably names related so it is Jonathan or Lise. The observation is that this debate is seeming to lock up around internal versus external solutions. And people are being portrayed or putting themselves in camps about this. And what we risk as a community is people being unable to come to consensus, and that isn't obviously going to work to get a transition.

One of the suggestions I've heard mentioned today is that the lockup is because people keep talking in hypotheticals, what might happen if there was a Contract Co. or what might not happen if there isn't.

Is the CWG going to do something to really narrow it down to very functional specific scenarios and testing out the differences between these models? Is that something you have got planned? That's one suggestion I've heard that would help unlock us.

The second point I would like to make -- and you can respond to this or later today -- is related to the accountability working group, I'm worried that there isn't going to be enough time for our accountability proposals to be finalized and adopted by the board and then for the CWG to take that into account in determining IANA-related accountabilities. I think

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we have to make sure we leave time on the timetable or the schedule to have that back and forth between the two groups.

But it seems to me that the CWG can't finalize its IANA transition proposal until you know what the broader ICANN accountability framework is. Because if you do, you might end up creating a gap if the board doesn't approve some of our accountability recommendations. I just wonder if you have comments on unlocking internal versus external ways to change that conversation and on that particular point about integrating the timing and leaving time to do that back and forth on accountability right. Thank you.

JONATHAN ROBINSON: Thanks, Jordan. I think those are both good points. I think we've got some bigger unlocking to do over and above simply the internal and external. And that's what I was saying earlier. It feels to me like we've got to perhaps rethink the way in which we do the work. And what you've just talked about is a portion of that rethink. And that fits into the bigger picture perspective of getting this done in an appropriately, timely fashion.

So I realize that's not giving you the specifics of how are we going to do that. But in a way, I'm reluctant to be the one who says, That's exactly how we'll do it, although I'll contribute my ideas and thoughts as we go. But certainly I'm very mindful of improving the productivity. And I do think you're right, we're in some kind of cyclical point. And in some ways that's by definition as we wait for the legal advice, but that doesn't stop us being creative in the way in which we work.

As to the back and forth on the accountability side, again, that's got to be something where -- well, some of it depends -- and it goes to the point that was made with the earlier intervention. As the work in the accountability group develops, we may create greater confidence and comfort in the prospective outcomes of that, that there is a sort of release of some elements of the work or sensitivities in and around the work being done in the CWG. But, of course, that partly depends on where we are settling on the proposal because with an external model, there may be less demands placed on the work of the accountability group than with the internal model.

So I guess that's iterative as we see it work. But I'm not sure that fully answered your question. But you are welcome in picking it up some more.

MATTHEW SHEARS: Thank you. Before we go to a remote participant, I would just like to ask that we do have representatives from the ICG and from two other communities up here. So it would be great to have some questions for them as well. Thank you.

REMOTE INTERVENTION: Jennifer Chung, ICG secretariat. We have a comment from a remote participant, Alissa Cooper, IETF. Comment: I'm not sure what the question about IPR was specifically referencing. But in regards to the main IPR issue discussed by the IETF working group and CRISP team, the IPR and the iana.org domain name and the IANA trademark are held by ICANN, not the U.S. government. So there is no notion of the rights in

those items being granted to ICANN by the USG. ICANN owns them. End comment.

MATTHEW SHEARS: Thank you.

ROBERTO GAETANO: Roberto Gaetano again, Internet user. And I'm a big fan of diversity, so this time I'm not going to ask a question to Jonathan. You can relax.

The question is about the ASO presentation and specifically the fact what happens if you rebid the contract.

So another organization that's not the current IANA, we get the contract and we'll operate the numbers part, the I.P. addresses part. And you state that the iana.org trademark and, I assume, Web site and domain name will remain with the community. So you are assuming that, if I understand correctly, that the new organization will operate under the label iana.org.

Now, the problem that I see is that the old iana.org still exists. There are other IANA functions that are going to be operated by the old IANA. And I assume that they will have also the right to operate under iana.org. So there's something that I don't understand here on how we're going to deal with this. But I'm assuming that Daniel has the answer.

IZUMI OKUTANI: The proposal is right. The reason why we actually covered this in our part is to ensure in case we change the IANA operator which is different from the ICANN then it ensures that we can continue to use the -- the IANA trademark and iana.org domain name. And then you mentioned the existing maybe ICANN can continue to use those trademark and the domain name. The idea is to transfer to the new operator, so I don't quite catch what you meant by the overlap.

JORDAN CARTER: Well, I meant there are multiple IANA functions. One is related to IP addresses but also domain names and numbers and so on. So the moment that you split this, you cannot split the iana.org over multiple operators.

MATTHEW SHEARS: Is there a clarifying comment, Daniel?

DANIEL KARRENBERG: Daniel Karrenberg, ICG member. I work for one of the regional registries. Personally I think -- because it's a valid question obviously -- there are a couple of scenarios here. If all the three operational communities decide simultaneously to change operator, there's no problem because it will remain -- it will be transferred. If -- and your hypothetical case was that maybe the numbers community decides to change the operator and the other two don't, right? That was your scenario, and to that I would personal answer there is no technical requirement for the function to use any of the -- the IANA name or the iana.org domain name in order to do the number registries. The

important bit is that the -- the IPR that's associated with the number registries, and that's really -- it's really very small because most of it is in the public domain but there may be some contact information and so on that's not published. The important thing is that that part of the IPR will go to the new operator. But it could be called FUBAR and still do its job. It doesn't need to be called IANA. You know, personally I would think it would be a break with tradition and I'd shed a tear for Auld Lang Syne, but for the technical operation of the numbers registry functions, it could be called anything. So the point is not really technically relevant.

MATTHEW SHEARS: Thank you.

ALAN BARRETT: Okay. Let me add my opinion to all of this. I think one of the reasons why the numbers community suggested that IPR, the IANA trademark, and the iana.org domain name should be placed in some mutual location was because we're do envisage that it might be possible In the future that numbers and the names and the protocol parameters might split up the IANA function into different operators, and if the associated IPR is held in some mutual location, then it could potentially in the future be licensed to more than one operator or perhaps we'd find some other way, as Daniel suggested, of using some term other than IANA. You know, we're trying to think ahead and not tie our hands for the future.

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MATTHEW SHEARS: Thank you. This gentleman over here.

JOHN CURRAN: Okay. John Curran, President and CEO, ARIN. I'm going to elaborated on Alan's response a little bit. Recognize that there are more than 1,000 IANA registries. The IETF, every time it creates a protocol spec that has a table, ends up creating a new registry. A few of them, the IPv4, IPv6, and the ASN numbers, are handled by the numbers community for the general purpose aspects of those registries. And one of them, the DNS root zone, is handled by the names community through this structure. But the fact is that they're all defined by IETF documents. How many bits are in an IP address? What can be in the DNS registry, what the contents are allowed to be, are covered by DNS specifications which are developed by the IETF and are part of the IETF trust. So whether you like it or not, we're all using material out of the IETF trust. Anybody who is an IANA operator is going to need to make use of the IETF trust, even if it's a totally separate operator. So the question that is asked is, if somebody actually says, is there intellectual property issue here, it doesn't matter what you call the function and it doesn't matter what you use for the domain name but the fact is we're all dependent downstream of the IETF specifications. And we should realize that. We're one community. And so I just want to point out that the IANA operator function, as much as people may think it's completely severable between the communities, by the very definition of the protocols, we're all one. Thank you.

MATTHEW SHEARS: Thank you. Please go ahead.

XIAODONG LEE: This is Xiaodong Lee. I'm the ICG member but I don't want to speak on behalf of ICG. I'm from CNNIC, the .cn registry and the national internet registry of (indiscernible) China. So since there's two questions for the member and IETF community, so I would ask my question back to CWG. I believe CWG worked very hard to give a good proposal but I also figure out so many questions with visiting past 16 years, you know, ICANN and tried to give some proposals and suggestions to satisfy the community in the future. But my concerns are also -- my big concern is how to make sure that the new proposal can be deployed in the future. I fear we will face another five or ten years to implement it and how to make sure that the future, the Contract Co. and MRT, the CSC will not face the same problem that ICANN faced in the past 16 years, including the political issues.

MATTHEW SHEARS: So who would like to take that? So the question was basically, if I'm understanding it correctly is, how do we ensure the survivability, the viability of ICANN in the future, and maybe that's not so clear through the –

XIAODONG LEE: For ICANN itself, it was trusted by the community and is the best current practice for the number and names. You know, if we do some very big changes, how to make sure that the future legal body can be trusted by the community and we're not face the same problem that

ICANN faced in the past 16 years, that a lot of issues, not only for business but for political.

JONATHAN ROBINSON: So I don't think I can give you a direct answer but I think your concern reflects the same concern that was in a sense repeated. It's a variation, I think, of the concern that was made earlier in that if you go down the route of that level of strong separability, there is an issue with ensuring that that separated entity will -- will be and/or will remain accountable and the point being that ICANN has been established for a number of years and yet this is Newco and we don't know whether we can trust its stability. I think if I understand that, and so all I can do is reflect that that's -- if I've expressed your concern accurately, that's a concern that's held elsewhere and that needs to be processed and dealt with by the CWG in formulating its proposal.

XIAODONG LEE: I think I prefer that mission by Marc Blanchet. I prefer the running code, not prefer the academic solution. Thank you.

MATTHEW SHEARS: Milton.

MILTON MUELLER: Yeah, so this is a comment rather than a question. It's picking up on what Bertrand was talking about. The problem of you want to have a contract between the operational community for names and the IANA functions operator, just like the numbers community has a contractual

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relationship and just like the IETF has an MoU, and Bertrand was asking why is this so difficult? And the reason, interestingly enough, is that in Singapore in 1999 ICANN decided that it would take over the DNSO, as it was called at the time, that is ICANN would -- instead of having a separate policymaking entity similar to the addressing community and the IETF, that they would make the policymaking community part of ICANN. It wasn't supposed to be that way. ICANN was supposed to be the IANA plus the representatives of the ASO and the protocol supporting organization and the domain names supporting organization and it was supposed to be the overall oversight authority that simply accepted and implemented policies from a separate domain name policymaking entity.

So the implication of what you said is indeed a pointer in the direction of the correct solution, in my opinion, which is, you should take the DNS -- the DNS policymaking function completely out of ICANN, or rather you should take the IANA functions out of the DNSO policymaking, which has been proposed by some of us. However, if you really want to do that, understand how complicated that is. Okay? That means the DNSO is incorporated, it has its own board, it -- its board does not have people from the address community or the protocols community on it. It's a separate board.

[Timer sounds]

And ICANN is something that provides the kind of oversight in the IANA functions for all three of those communities. So that's the actual solution. But it's very complicated, if you actually want to do that. And so my question is, how do you react to that?

[Laughter]

MATTHEW SHEARS: Thanks, Milton. It's on record.

BRUCE TONKIN: So Bruce Tonkin. I'd like to talk about the CWG on naming proposal. I want to be clear that I'm speaking in my personal capacity, more from an engineering perspective than anything else.

The way I look at some of the history is that if we take .com, .net, and .org as an example, the U.S. government has actually already transitioned the accountability from .com and .org to ICANN. ICANN is ultimately responsible for the operation of those three important global name spaces and important global resources. The responsibility for operating those name spaces and in the com, net is with VeriSign and in the case of .org is with the public internet registry, and they're doing a fantastic job.   And when the U.S. government transitioned the accountability to ICANN, at that time there had already been many years of very stable operation of those three name spaces.

We then look at the IANA function, it's a bit different. So the U.S. government first did -- to me, this is my perspective, is doing this in two phases. The first phase was to transfer the responsibility of managing the IANA function to ICANN. And at that time ICANN had three people. It had never done it before. And it built up that capacity, built up the skills and expertise. It's now been running in a stable fashion for 15 years. And so I don't think we need yet another body, another contract body or something, to be the accountability body. I think we should do

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exactly what happened with come com, net, and org that we transfer the accountability to the global community and that global community is represented through ICANN. And that's where the accountability should lie. Not -- and as an engineer, we seem to be creating a whole bunch of new entities that haven't been formed before, we're going to have new accountability structures, we've got new contracts. This just seems incredibly complex and the opposite of stability.

[Timer sounds]

If I can just conclude. So I think we should be focusing on just keep it really simple with transferring the accountability from the U.S. government to the global community. The global community is represented through ICANN. It's clear that we need to improve the accountability mechanisms in ICANN, and that's what the cross community working group is doing. And I think we had a very successful meeting earlier this week. The Board's very encouraging of that. But let's keep it simple. Let's focus on making ICANN more accountable. Let's focus this work on making sure that -- what we need to be accountable for, what is -- the IANA functions actually need to do, what are the dispute mechanisms that are needed in the IANA functions, but let's focus the accountability conversation where it should be which is making sure that the global community is able to hold ICANN accountable for operating the IANA function.

[Applause]

MATTHEW SHEARS: Thank you, Bruce.

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CHRIS BUCKRIDGE: Hi, I'm Chris Buckridge from RIPE NCC. Despite that, my question is regarding the CWG. My apologies if I haven't read all of the documents and this is perhaps quite explicitly addressed in the proposals, but I wanted to ask whether the structures that the CWG is proposing and things like the multistakeholder review committee, are intended exclusively to cover those IANA functions concerned with the names -- naming issues? Is there any concern that there might be mission creep in having those sort of broad-based multistakeholder bodies or do these proposals fit in with the CRISP team proposal and the IETF plan proposal which seem to regard these as quite discrete areas of stewardship.

JONATHAN ROBINSON: I think as it was envisaged, the proposals would be submitted to the ICG and the ICG would attempt to reconcile those proposals, and in the event that it couldn't we'd probably send them back to one or more of the submitters with either clarifying questions or requests to make them more reconcilable. I think the job we've got to do now in part in doing things faster, which is kind of what I was referring to -- or recognizing where the timetable is, is perhaps have those conversations in addition to our own work and to make sure that either any of those kind of misunderstandings or potential concerns are addressed in parallel with our work. So that's my kind of broad answer to how -- this sort of work smarter point in terms of trying to recognize that we've missed the deadline but that those kind of concerns or issues may exist.

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UNKNOWN SPEAKER: (Off microphone.)

CHRIS BUCKRIDGE: Not really.   But possibly it's not something that's been explicitly considered by the CWG. That's what I'm taking away, I guess.

MILTON MUELLER: Could I answer because I'm spanning both the ICG and the CWG, and essentially the answer to your question is no, the proposals considered by the CWG are dealing explicitly and exclusively with naming and not with numbers. And so the multistakeholder review team, for example, is exclusively drawn from the naming community and meant to provide oversight of contracting for the names IANA.

CHRIS BUCKRIDGE: So in that sense, all three affected communities are working in that same paradigm of discrete stewardship of different functions.

MILTON MUELLER: Exactly.

MATTHEW SHEARS: Which if I may, does raise an interesting question which I'd like to put to the ICG members which is, if one of the three proposals puts forward something that is critical to their proposal but is not at all accounted for in the other proposals such as the issue of separability, how will the ICG deal with that or address that as it goes forward?

PATRIK FALTSTROM: So what we are doing in ICG when we have received the responses is that we are assessing the responses, whether they are complete and whether there are -- whether they're complete and whether there are conflicts between them.

So that they are covering, I would say, a slightly different thing doesn't have to mean that there is a conflict which means that a merged proposal cannot move forward.

So it all has to do with the outcome of that final assessment process. Thank you.

MATTHEW SHEARS: Okay. Bertrand, are you clarifying?

BERTRAND DE LA CHAPELLE: Just -- yeah –

MATTHEW SHEARS: Okay. Please go ahead.

BERTRAND DE LA CHAPELLE: -- a comment following up on Chris' question and Milton's comment.

I do understand from the work of the CWG that the proposal is, indeed, for the names. That being said, I'm not absolutely sure that what you said is accurately related to the MRT, because if the MRT is actually a

multistakeholder review team, it might be picked up from the community and not exclusively from the names community.

That --

UNKNOWN SPEAKER: ---

MATTHEW SHEARS: Okay.

BERTRAND DE LA CHAPELLE: That's interesting, because if you call it a multistakeholder review team, you are sub-limiting. That's not what I understood in the discussion, but I may be wrong.

MATTHEW SHEARS: Okay. Thank you. Anything from the remote? No? Okay.

Okay. Daniel, clarifying further?

DANIEL KARRENBERG: Yes, clarifying further.

Daniel Karrenberg, with -- firmly with his ICG hat on.

I suggest people repass very carefully what Patrik said. He was very careful. He's one of the co-chairs. I'm just a member of the ICG, so I can be a little bit more personal.

One of the nightmares I'm having about this process is any perception that one of the operational communities is going to have -- is not going to be careful to stick to their own part of the IANA function, and I think it's very important that we realize -- each of the operational communities realizes that anything, even though carelessness, that implies -- has implications for the other operational communities may at least delay this process, very clearly.

On the positive side, I don't see any of this happening, and I don't think it's a hard problem, either, because the functions are very clearly separated, so the -- contracting for the functions can also be very clearly separated.

So I'll leave it at that.

MATTHEW SHEARS: Thank you.

PATRIK FALTSTROM: Yeah. Let me be a little bit more explicit.

The discussion that we have between the chairs of the various groups and what we have from ICG with the other people around this table also has to do with the time line that of course a lot of people ask about in the corridors and elsewhere. And to continue on what Daniel said, the more -- the more the communities talk with each other -- and this is one of the reasons why I'm so happy to see so many people in this room. The more the communities talk to each other and align their proposals

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so that when the ICG is making -- when we in the ICG make our assessment, the lower the risk that we actually encounter any kind of issues when we are doing our assessment of the proposals, the faster we can move forward.

So the more you talk to each other, the more you -- you coordinate in whatever way do you that, the better. Thank you.

MATTHEW SHEARS: Yes. Oh, sorry. Yeah. Go ahead.

JONATHAN ROBINSON: Just to -- I mean, I'm a little tired so I haven't been as eloquent, and I thank Milton for one of his interventions but also just to recognize that I think I'm with Patrik. We have to work together not for the sake of creating a blurring of the lines of responsibility but to do our best to make sure the process is as efficient as it can be. Thanks.

MATTHEW SHEARS: Yes, please.

PAUL FOODY: Paul Foody. I'm grateful to -- to Ms. Cooper for the clarification regarding the ownership of IANA.com and the trademarks, but I'm specifically speaking to Izumi.

You mentioned in your presentation -- thank you very much. It was excellent. You mentioned that the NTIA are licensing, selling to ICANN for nothing currently.

What is it you were referring to when you were -- you were talking about that?

IZUMI OKUTANI: I'm not sure if I understand your question. Are you talking about the -- the fact I explained NTIA exchanges the contract with the IANA? The IANA contract with the ICANN?

PAUL FOODY: In your presentation, you mentioned that the NTIA licenses to ICANN currently something for which it charges nothing for -- for --

IZUMI OKUTANI: Oh, I was talking about the IANA contract. The -- so in delegating the IANA function operation, NTIA -- ICANN -- it's a zero-based contract. That's the part that I was explaining.

And so this part should be considered in a proposal after -- it will be the contract between RIRs and ICANN.

So it's -- I was talking about the NTIA contract.

PAUL FOODY: I see. Okay. Thank you.

AHMED EISA: Yeah. I'm Ahmed Eisa, ICANN fellowship from Gedaref digital city organization, nongovernmental organization, Sudan. Sorry for coming late because I was in the Middle East session.

I know ICANN is a contractor of IANA on behalf of NTIA and NTIA is intending to transfer the IANA function to multistakeholders based on four pillars, and I know now ICANN is a very big multistakeholders.

Do you think by the end of this transition, by September, that NTIA will transfer or tran- -- transfer the IANA function to ICANN?

MATTHEW SHEARS: Some crystal-ball gazing by someone on the panel?

JONATHAN ROBINSON: It's a very good question but I think that's the intention of the work. It is -- it is the intended outcome. I don't know if anyone's taking any bets on it, but...

[Laughter]

IZUMI OKUTANI: So NTIA has set certain conditions for -- so -- that will be acceptable for them, so from the perspective of the number resources, we made sure that our proposal meets the requirement that has been set by the NTIA. So of course at the end of the day, it's the decision of the NTIA to make on whether to transition to the ICANN, but all of us should ensure that our proposals are developed in the way that meets the requirements of the NTIA, and certainly for the names part, I think, you know, we have to think, is our proposal meeting the requirements that's stated? I think this is still something that you can contribute.

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MOHAMED EL BASHIR: Yeah.   From the ICG side, we're committed to achieve our initial mandate and initial time line and we're currently reviewing the time line just to reflect the situation that we're currently facing in terms of the CWG process and outcome of the proposal, which is why we're waiting. So from our side, we'll do our best to work hard to achieve the deadline.

AHMED EISA: Okay. Thank you.

MATTHEW SHEARS: I would just like to add that I think that everybody in this community who is working in these groups are committed to meeting that target date, and we're working very hard to do so.

Yes, please.

SEUN OJEDEJI: Thank you. My name is Seun from Nigeria. I work for University of Nigeria. I'm speaking on my personal self.

My question is to the ICG. Currently, we have two or three of the proposal that is ready. I see that as a pass mark, if we were to score it, out of three. Is there -- if by September the names proposal is not ready, is there any possibility that after the section of the IANA -- I mean, the numbers and the protocols side will be processed and at least that removes the meat of what if NTIA implements its power to transfer the contracts to another operator. At least we know that the names and protocol are somewhat out of that loop.

My other comment is not a question to the CWG, but you are mostly members of (indiscernible) so I'm (indiscernible) as judge on this comment.

My comment is that we see the (indiscernible) to note -- and also the ICG to note that all of us participating in this process, we don't have equal resources to participate. We have limited resources, and the longer you delay this, the more difficult it is for us to participate. So please, let's do this thing fast and let's (indiscernible). Thank you.

MATTHEW SHEARS: What –

PATRIK FALTSTROM: I can -- Patrik Faltstrom. I can start talking about the time line from an ICG perspective.

The September date is something that all of us have been using as a target date. It is not sort of the last date or the date when the world ends or anything. It has been the target date for the work that all of us are doing.

Regarding the completeness of the proposal that is handed over to the NTIA, we have all heard that Larry Strickling has said that he wants to have one, and only one, proposal that is complete and all the other requirements that NTIA has set.

That said, what we are doing in ICG is that we are currently investigating how far, for example, we can move forward with our assessments of the two proposals that we received while waiting for the -- for the third

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proposal, and we actually identified quite a large number of things that we can do and change our finalization process. Thank you.

SEUN OJEDEJI: Sorry. Just to -- I just want to -- so are you saying that basically if by September there is no names proposal, that everything will have been wasted, right? That's what you're saying?

PATRIK FALTSTROM: No, no, no, no. Not at all. It's the other way around.

The communities, including the ICG, will continue to work for as long a time as we need to be able to get one proposal together.

It has nothing to do with the -- with the date in September.

MARC BLANCHET: Speaking from my personal perspective as, you know, the IETF itself and IANA works just fine for the protocol parameters, so for roughly our perspective, you know, there is no absolute deadline.   Things are working fine, so it's -- so back to the question, there is not that much to do for the protocol parameters in September before or after.

NARELLE CLARK: Narelle Clark. I'm a member of the ICG –

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MATTHEW SHEARS: Let -- let -- just before you do, Narelle, I'm going to close the line because we haven't got a huge amount of time left and I see a lot of people want to make comments and ask questions, so go ahead.

NARELLE CLARK: Okay. Narelle Clark, member of the ICG and the Internet Society board.

                      We have to enter into this process in good faith, we have to go through this process in good faith and work towards these dates in good faith, and all of us need to apply the resources that we need to in order to work this through in as best as we possibly can in as timely a fashion.

                      If the gods can align or the stars can align, then we will get through it. Good faith.

MATTHEW SHEARS: Thank you. Daniel, you're there again. Is it on the issue of the time line?

DANIEL KARRENBERG: It is definitely on the issue of the time line.

                      Again, listen very carefully to what Patrik said and to what Narelle said, both of which I agree with.

                      It is, however -- and we should all work in good faith to have a complete proposal, as long as all the three communities want us to have a complete proposal.

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Whenever there are changes, and us being the ICG -- you know, I have my ICG hat on -- if any of the communities at a future date changes that opinion and says "We would like to maybe move forward singly or in a group of maybe those who have already submitted proposals," that needs to be out in the open, discussed, and clear messages sent to -- and that's speaking to Seun's question.

Currently none of those communities have said so, and that would only be considered once we -- that message is out there.

MATTHEW SHEARS: Thank you. For everybody here who is coming to the mic, if they can just state their name for the sake of the transcript. Thank you.

JARI ARKKO: My name is Jari Arkko, representing the IETF views, and I just want to basically say that I think it's, you know, maybe a little bit of a mistake to focus too much on the deadlines and what the NTIA does.

From an IETF perspective, for instance, we've been at this for many, many years. We've been improving the system and we keep improving the system as we go forward.

So I think the key thing here is that we have a plan and we are executing the plan, we're improving the system, making it as multistakeholder and as reliable as possible, so that the transition can happen, but it -- I think of the transition more as a recognition that the global system is in a good shape and, you know, the U.S. Government doesn't have to watch us all the time.

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And, you know, we can do things even before the, you know, formal recognition happens, and we should do things, because that is our job as communities that are running this thing.

MATTHEW SHEARS: Thank you. Seun, I'd like to take those who haven't spoken yet, if you don't mind.

Also, if you can keep it very brief because I would like to give the panel a chance for some concluding comments, so please –

ARUN SUKUMAR: Sure. Thank you. My name is Arun Sukumar. I'm from the National Law University in New Delhi.

If the IANA transition deadline date is extended beyond September, what will be the specific role of the ICG and the ICANN as the current IANA functions operator in determining the new date? Will the new date be decided exclusively by the NTIA, and how will that process of extension, which becomes as important as the transition, be made accountable to stakeholders outside the United States? Thank you.

PATRIK FALTSTROM: So the situation we have -- Patrik Faltstrom here.

The situation we have is that NTIA do have a contract with ICANN that runs until September 2015. That contract can be extended, if needed, and the information that we have from NTIA is that if they have to, they

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will extend that contract, which means that the -- the current operation and everything will continue just like it is doing today.

UNKNOWN SPEAKER: --

PATRIK FALTSTROM: I just go to know that I didn't answer his question.

The question was, then, what is the role of the ICG –

MILTON MUELLER: What is the role of the ICG and –

PATRIK FALTSTROM: Yeah. Can -- can I please answer the question, Milton?

Thank you very much.

So the answer -- the role of the ICG in the community is to continue the work that they're -- that we are doing until we have a proposal that we are handing over to the NTIA, just like -- just like we are doing now. Nothing is changing, depending on whether we are before or after the date in September 2015.

The process is continuing.

MATTHEW SHEARS: Please go ahead.

JORG SCHWEIGER: My name is Jorg Schweiger. I'm with DENIC, the .DE German registry.

                         My question or comment, actually, is towards Jonathan -- Jonathan and Lise, and probably trying just to fix our time line problem.

                         I think we are heavily overloading the solution space and I think there -- there are no policy decisions taken by the IANA function operator.

                         There are just clerical functions to be performed.

                         So I think currently these functions are performed very well by ICANN in a fine way, so why don't we just leave them there, control them by service level agreements, amend the ICANN bylaws to be in a position to reassign the IANA functions contract, and then we are done?

                         So what's the problem to this solution?

MATTHEW SHEARS: Thanks, Jorg. I think that what you've described is one variant of what we are working on.

JORG SCHWEIGER: Marvelous.

                         [Laughter]

                         [Applause]

UNKNOWN SPEAKER: So sorry, just to the extent that you are supporting that one variant, I think that should be noted and you should make that contribution to the group, if -- you know, and that's good. Thank you.

MATTHEW SHEARS: Go ahead, please.

SIVASUBRAMANIAN MUTHUSAMY: Yes. I'm Sivasubramanian Muthusamy from the Internet Society India Chennai, and whatever I wanted to say, he said that, and -- that NTIA's announcement was complicated.   ICANN's response to the announcement is even more complicated. That solutions that we are coming up with are very complicated and we can have a very simple solution. The simple solution is almost to do nothing.

As I speak, the -- the IANA functions are being performed and we don't have a CSC, we don't have a contract company, we don't have an MRT, we don't have an IAP, but the functions are being performed at the moment.

So we don't need anything new and we can keep it simple and the only task is to find a way to convince NTIA that we don't need to do anything except to improve our accountability.   And whatever technical requirement we can assign people, that can be done within the existing ICANN processes almost, so that's what I wanted to say. Thank you.

[Applause]

MATTHEW SHEARS: Lise, please.

LISE FUHR: Hi, I would like to make a short comment to that remark because I must say it is being performed, the CSC functions. The NTIA is doing a lot of this stuff today. So the whole thing is how to replace what NTIA is doing, and do we want to have it internal to ICANN or external to ICANN. Thank you.

MATTHEW SHEARS: Actually, I would like to make a comment as well. I think we are very focused on Contract Co. There is a diversity and a range of options that are in the discussion. And so I think we need to perhaps look at that diversity and range and look at those and see where we can find agreement. I don't think we should be referring so much to what people might perceive as the extremes. There are still a number of options that can be worked with. It is very much still an open discussion. Thanks. Nurani.

NURANI NIMPUNO: Nurani Nimpuno from Netnod. I'm also a member of the CRISP team. Since there were discussions about overlap and potential mission creep, I have more of a comment than a question to the CWG.

In the CRISP team, when trying to define the relationship with the IANA operator, it became clear that we need to be very clear about the actual function of the IANA operator in that we -- for the CRISP team, we talk about the numbering services. So throughout the whole document, we

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went through and defined the IANA. I think the term was the IANA numbering services operator, a bit of a mouthful.

But when reading the documents from the CWG, it talks about the IANA operator which leaves it very open to interpretation. And I think the ICG has a very challenging task trying to merge these three proposals. So it is a suggestion to be very clear about what particular function we are talking about. Thank you.

LISE FUHR: Thank you for the comment then. I think we're aware that we need to have this included in the proposal, too. Thank you.

PATRIK FALTSTROM: Patrik Faltstrom, ICG. I would like to clarify a thing regarding the extensions. I just checked in the contract between NTIA and ICANN, and actually there are two abilities to extend the contract. The first extension could be -- the first option is from October 2015 to September 2017, and the second is from October 2017 to September 2019. So those are extensions that can be used up to those, but also can be shorter time units, if needed, without changing anything in the current setup.

MATTHEW SHEARS: Seun, very quickly, please.

SEUN OJEDEJI: Two minutes, right?

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MATTHEW SHEARS: 30 seconds.

SEUN OJEDEJI: I want to just make a comment on what I have previously said. I think the reason why I made the previous comment is just because of the fact that right now we have just one proposal that is delaying us.

And then the fact is that if we don't at this point realize that we all need to get this one proposal done with, it will soon just be here in two years' time. And I would really suggest that we forget at this point about this is RIR community or this is a numbers community. We need to get the names proposal up and done with this process. Thank you.

MATTHEW SHEARS: Thank you. Okay. I'm going to -- I'm hoping that the panelists have taken lots of notes because we've had some fantastic contributions. But I'm going to ask them if they could perhaps just close with a comment or two and particularly what do they need from the community still. What would you like to see? What kind of contributions would you like to see? What kind of inputs or what kind of support? Thank you.

IZUMI OKUTANI: Izumi speaking from the numbers perspective. I think from the session today I heard remotely the perspective related to IPR, and then there was a question related to a separate possibility of separating the three functions of the IANA and how we handle that. So it is really good that we're hearing these questions and have chances to clarify. So if you

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have further questions, please come up to us, not just me but any of the CRISP team. And happy to continue with the dialogue.

MATTHEW SHEARS: Lise?

LISE FUHR: Well, it's been very good to be here. It's very good to get the feedback. We sent out a discussion document before the ICANN meeting. The discussion document is a very brief document. The proposal we sent out for public comment in December were actually including a lot of the work that were done on the analysis of the IANA functions, the contract, et cetera. So I'd like to have the focus on, of course, the discussion document but also be mindful of some of the things you're asking has been done in the original proposal. This work is still there, and it is still going to be included in the final proposal.

We have very good faith in that we will get this done thoroughly and in a timely manner. But we need feedback from you on the different models. And part of this is the separability issue, which is a key turning point here. Another one is, of course, the internal versus the external model. So we're hoping to get a lot of feedback from you on Thursday where we have the Q&A and, of course, discussions in the communities. And the more you kind of educate yourself in the different models and what the possible implication might be in both the better. Thank you.

MATTHEW SHEARS: Any other panelists? Otherwise, I'll -- Mark, yeah.

MARC BLANCHET: Very quick. One of my takes from this session, from many people, is keep it simple. Keep it stupid simple versus, second, I would like to reiterate, you know, think about not that it's perfect but rough consensus. And running code has been running pretty well. So something that if we try to define the perfect solution especially for the names, we may end up having a whole big structure that -- so sometimes we need just rough consensus and running code.

MATTHEW SHEARS: Thank you very much. Going to turn it over to Patrik to close the session.

PATRIK FALTSTROM: Thank you very much, Matthew. Thank you to the panelists. Thank you to the audience.

I think one thing that I definitely bring with me from this session, as I hope all of you do as well, is the request from specifically the CWG names, that they are working hard. They obviously do have a really hard problem. All of us are trying to tell them, Oh, why don't you solve it. It is so easy. But they do have a hard problem. They have now reached out to all of us to help them, to try to find -- to answer this questionnaire and read the document and come back with feedback. So, please, do that. We need to help and we need to work together. And with that, thank you very much.

[Applause]

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