SINGAPORE - IANA Stewardship Transition/Enhancing ICANN Accountability Information Session
Sunday, February 8, 2015 – 17:30 to 19:00
ICANN – Singapore, Singapore

BERTRAND DE LA CHAPELLE: Welcome, everyone. If you want to take your seats, we will try to start on time.

So, welcome, everyone. My name is Bertrand de La Chapelle. I am the moderator of this session tonight.

The objective of this session is to allow you to have a broad picture of how the different issues related to the IANA stewardship transition and the ICANN accountability processes are going to be handled during the week. It is not going to be an absolute in-depth discussion. There will be many different sessions during the week. The goal here is to basically have two groups of people on this panel.

The first four people that I will introduce will make presentations to launch the framing of the question.

And the other people who are on the right of this panel are actually each of them participating or sometimes chairing or co-chairing the various working groups that have been set up, working groups and subworking groups that have been set up, to handle those two issues.

So we will have a portion of the session for questions and answer in the end. And without further ado, I will launch the exercise with the four first interventions. And I will ask the different speakers to keep to the allotted seven minutes.

UNKNOWN SPEAKER: (off microphone).

BERTRAND DE LA CHAPELLE: I'm squeezing it a little bit. So the first person is Theresa Swinehart who, as you know, is the senior advisor to the President of ICANN on strategy.

Theresa, can you paint a general picture of what is going to happen this week and what are the different sessions?

THERESA SWINEHART: I would be happy to. So thank you, everybody, for being here and for coming for this session. And thank you also to everybody in the community for all of your work on this process. It's been quite remarkable.

While I've been asked to talk through what's happening this week, I think for many of us it almost feels like we've been here a week already working on things. Last Friday and Saturday, the IANA coordination group had its face-to-face meeting, its fourth meeting. And this morning already the ICANN board and the accountability working group had the opportunity to have a discussion. So work is quite underway.

But let me touch briefly on what's going to be happening in addition to this session here around community initiatives. On Monday, there's going to be a session on the responses to the IANA coordination group RFP that was put out with a specific focus on the feedback from two of

ICANN | 52
Singapore

the operational communities and also a discussion with the naming community.

And the ICG will have presentations from each of the operational communities to go over aspects of their proposals, a lot of time for questions and answers and dialogue. And you will hear obviously from others on the panel who are leading that effort.

It's highly recommended to attend this. It is a great opportunity to see all the work underway by the IANA coordination group. On Monday afternoon, the accountability working group will have its working session. This working session compliments the teleconference calls it's been holding and also the face-to-face meeting it held earlier in January.

This is a working session. There's another one later in the week. It's open to the members and participants to engage. Anybody can attend, though, as an observer. And Jan Scholte is going to be speaking to some of the areas around that as well to compliment that work. So that's Monday.

Now, we appreciate that there is a lot of other work happening at the ICANN meetings. So we're going to highlight these appreciating obviously that there's other efforts.

On Wednesday the accountability working group will have an engagement session. So this is distinct from a working session. The engagement session will provide an overview of the current status of the accountability working group. Again, it will be open to questions and answers and an opportunity for participants to engage with the working group itself.

Again, on Wednesday, the naming community working group, so that's one of the proposals into the IANA coordination group, will be having its working session. And it is strongly encouraged to engage and participate in that one as well. It is open to observers. The members and the participants will be leading their discussions.

But we're not done yet. So on Thursday, the accountability working group will be holding another working session, so its second one. This will be open to observers to observe the work of that group. And the naming community, again, the third operational community providing the feedback into the IANA coordination group will be holding a question and answer session for the community taking dialogue participation and exchanging views with the community around its work.

Some of the information will be around a document that they had released on where they are with their work product to date.

And then we obviously have the public forum session on Thursday afternoon. In addition, the supporting organizations and different constituency groups have their dialogues, of course, on areas around the transition and other workload.

So with that, it's a high-level overview of all the activities relating to the transition this week. I'm sure there will be multiple hallway conversations as well.

So with that, thank you very much.

BERTRAND DE LA CHAPELLE: Thanks a lot, Theresa. And thanks for keeping the time.

One thing that I might want -- before I give the floor to Larry Strickling, one thing I would like to highlight, the multistakeholder environment and particularly ICANN has a knack for producing acronyms, as you all know. So there may be in this room people who have very different levels of awareness about what the different processes are. So in order to replace the list of meetings that have been mentioned by Theresa, it's important to remember the very fundamental distinction that has been established after the announcement last year between two tracks, one that is dealing specifically with the so-called IANA stewardship transition, which is the evolution of the replacement or the transition after the suppression of the role of the NTIA in the current IANA workflow and chain of functioning.

And the second dimension that has been actually added in parallel is the discussion on the evolution and the improvement of ICANN's accountability as a whole. And as will be explained, it is important to understand that those two processes run in parallel. There is one group called the ICG that is running the part on the IANA stewardship transition.

And Patrik Faltstrom here is on the ICG. He may be available to answer some of your questions afterwards. They already had face-to-face meetings in the last two days.

The other leg is called the CCWG on accountability. And to make matters simpler, of course, the ICG has subgroups. There are three tracks because there are different processes for the parameters, the names, and the numbers.

I don't get into too much detail but think about this general architecture with two pillars: One on the IANA stewardship transition, one on accountability for ICANN as a whole. And on the pillar on IANA stewardship transition, the three subelements related to parameters, numbers, and names. This is going to be explored in further detail during the week.

And now I would like to introduce somebody that you may have already seen in this environment a little bit, Larry Strickling from NTIA, who is maybe in a position to explain a bit again what the intention is in the launching of this initiative and maybe a certain number of questions that you've introduced in a recent intervention that you made a couple of -- a week ago or two weeks ago. Thank you.

LARRY STRICKLING: Thank you, Bertrand. So, yeah, what I would like to do is take my time and answer a number of questions that have arisen in recent weeks about NTIA's role in the transition. And as Bertrand mentioned, I gave some remarks two weeks ago at the State of the Net conference in Washington. And I'd like to review and update some of the points that I made in those particular remarks.

One question at the outset I want to address is the impact of action taken by Congress last December with respect to setting appropriations for the federal government for this fiscal year. Some of you may have heard that Congress attached a rider to our appropriations that will restrict NTIA from using appropriated dollars to relinquish our stewardship of the IANA functions during fiscal year 2015.

As I stated in my comments at the State of the Net and I'll repeat here today, there is a little question that our announcement last March has led to a lot of concerns and a lot of questions being raised, particularly among members of Congress in the United States. As I said there and I'll say again here, we welcome their interest. We acknowledge the validity of many of their concerns. And we think it's important that questions about the transition be addressed and answered. And we think the best way to do that is through the robust and open multistakeholder process that's currently underway.

With respect to the appropriations restriction, we take that seriously. And we will not use appropriated funds this year to terminate the IANA functions contract prior to September 30th, 2015.

But I want to go on to say that the legislative language makes it just as clear that Congress didn't really put NTIA on the sidelines, nor did it put this process on the sideline.

I think Congress envisioned that the community would continue to work on the transition. And, indeed, it imposed reporting requirements on us to keep Congress fully informed of what's happening here and in the meetings that have been occurring to set the transition plan.

So we do intend to actively monitor the discussions. I'm here for the week. Other members of my staff, Fiona Alexander and Ashley Heineman are here as well and will be attending a lot of meetings and listening to the discussions.

Of course, we will continue to represent the United States at the meetings of ICANN's Government Advisory Committee.

And as I have been doing here already, we will provide informal feedback where we think it's appropriate. And I am as aware as anybody that we can't do anything and should not do anything that interferes with the open and participatory process that's underway. And we definitely support a process where all ideas are welcome and where participants are able to test fully all transition options.

And to that end, though, we think everyone has a responsibility to participate as they deem appropriate. And in our case, if by asking questions, we can ensure that the community is able to develop a well-thought-out plan that answers all reasonable concerns, we will do so. And I've been asked on many occasions what exactly is the United States looking for in a plan. And I have consistently answered that we are looking for a plan that preserves ICANN as a multistakeholder organization outside of government control which the community develops through an open and transparent multistakeholder process and has the broad support of stakeholders.

I've been very clear that no stakeholder or set of stakeholders has a veto in this process, whether it be governments, industry, or civil society. But we've been equally vocal in saying that all stakeholders need to have a voice in this process, including the leaders of ICANN who are stakeholders and community representatives in their own right and are important to the process of helping to inform a proposal here. And I have to say, as a comment, that I was very pleased to hear this morning that board members are planning to become more active in this process. I think it's clear that as leaders of this community, they have important knowledge and expertise that should be helpful to this process.

Looking at the process to date, we felt it was important to start asking some questions. And I did that back two weeks ago at State of the Net, and I would like to go back over some of those today. These comments relate to the December 1 proposal of the CWG naming group. And let me just go back over those, and I'm going to amplify them with some observations that I have made since I've been on the ground here.

That particular proposal proposes the creation of several new entities to be involved in the naming-related processes. And we asked two weeks ago, and I ask again today, for the community to consider whether the creation of these new entities might interfere with the security and stability of the Domain Name System both during and after the transition. And I also ask that the community consider that given the need to develop, implement, and test these structures prior to a final transition, can they get it all done in a time frame consistent with the expectations of all stakeholders?

I asked today at a meeting where some representatives of the CWG were present whether there had been any discussion or any estimate of the length of time it might take to implement some of these proposals that have been put on the table. And I have to say no one could answer that, and I hope everyone understands that implementation has to be factored into the time frame for transition. And if what's being proposed is going to take a year to implement, well, that will delay the ultimate transition of the IANA functions.

The proposal, we want to make sure and we ask the question whether it will ensure a predictable and reliable process for customers of the root zone management services. And I have to say, being on the ground

here, I've been somewhat puzzled at what seems to be a lack at least of any public reflection of the actual operational needs of the registry community as customers of the IANA functions.

I looked for the inventory of the tasks, the performance metrics, the recourse mechanisms; and I don't see those yet. I'm hopeful that, in fact, that's happening.   But I will note that this morning, Jonathan Robinson and Lise Fuhr, the co-chairs of the CWG, made the observation that the technical tasks of IANA today are being performed reliably and adequately.

And I think the question for the community is: What will keep them that way? And we would expect and hope to see that emerges in the proposals as they are developed.

And the last one I would just mention is the concern that whether the proposal can avoid recreating existing concerns in a new form or creating new concerns. It is pretty clear that there is concern about the accountability, the existing system. And, again, we ask: Does creating new committees or structures simply create a new set of accountability questions? And we do expect that these and similar questions will be addressed and resolved prior to the presentation of any transition plan to the U.S. government.

I don't have a lot to say on the CCWG working party or the working group on accountability. I will say it is apparent that despite their late start, they are making significant progress on many of the issues that they need to deal with.

I would simply add what I've said from the start, that it's critical that this group conduct stress testing of any proposed solutions to safeguard against future contingencies such as any attempt to influence or take over ICANN, whether it be the board or staff or any stakeholder group that would not be possible today given the ICANN contract with NTIA.

And we have encouraged this group and I was pleased to see today that it's on their agenda to address questions such as how to remove or replace board members, should shareholders -- stakeholders, excuse me, lose confidence in them, and how to incorporate and improve current accountability tools such as the reviews called for by the Affirmation of Commitments.

As both groups continue their work, it's important that the draft proposals are tested and validated, in order to give confidence that any process, procedure, or structure that's ultimately proposed to us actually will work, and it will help facilitate our review of the final proposal.

Lastly, I would say on this point that the plan has to be comprehensive and complete and it needs to address all of the functions included in the IANA contract, and I specifically noted management of the .INT top-level domain as one of those issues that needs to be addressed.

And then my last point, so that we can move on, is that I want to reiterate once again there's no hard-and-fast deadline here.

The September 2015 date has been put out there as a target because that's when the base period of the contract with ICANN expires, but this should not be seen as a deadline. If the community needs more time,

we have the ability to extend the contract for up to four years, but I hope nobody thinks they're going to need four years to get this done. We can extend it for less than that, on agreement with ICANN, and I do think it's important that the community continue to work with a sense of urgency and mission to complete this work.

But at the end of the day, it's up to the community to determine a time line that works best for stakeholders as they develop a proposal that meets the NTIA conditions and ultimately will work.

I want to thank everyone for participating in the process. I am confident that this community will get this right and will come out stronger at the end of the process, but we all have a stake in this transition and in ensuring that the Internet remains an open, dynamic platform for economic and social progress.

So with that, we'll be taking questions later on but let's get on with the other presentations.

Bertrand?

BERTRAND DE LA CHAPELLE: Thank you. Thank you very much, Larry.

[Applause]

Two points I picked from what you said.

The first one is to highlight that as I've explained before, in the process on IANA stewardship, there are three legs: Parameters, numbers, and names. And most of the questions that you've raised are specifically or

most importantly addressed at the proposal that was produced by the names group, the so-called CWG, and Lise Fuhr, who is here and co-chair of the CWG will have the possibility to chime in later on.

The second element that I wanted to highlight is the two elements that you commented upon regarding timing, the one thing regarding the ultimate deadline and the potential extensions, but the second element that needs to be kept into account is the distinction between the preparation and the production of a proposal and the time that is needed to implement it and to develop the implementation.

And anybody who is in this room who followed somewhat the new gTLD program knows the distinction between what was agreed in 2008 and the time that it took to implement it afterwards.

So just a reminder that producing a document on paper is sometimes something that needs a little bit more elaboration afterwards.

Now I'm happy to turn to Ira Magaziner, who, as you probably know, is the CEO of the Clinton Health Access Initiative and also one of the advisors to the CCWG on accountability.

But he also was, as most of you know, present in the Clinton Administration when the whole architecture for the creation of ICANN was in place.

And so fundamentally, the question that -- I'm very happy that he's here. The question I want to ask him, to introduce his presentation, is: How much of what is being done today is a fulfillment of what was intended in 1998?

IRA MAGAZINER: Thank you very much.

I'm going to talk a little bit about history because I think it's relevant to what's going on now.

The idea for ICANN started in my office in the White House in response to a couple of weeks that were quite difficult in 1996, and I want to bring you back to that time to describe the alternate universe that could have happened and that could still happen if things are not done correctly. Okay?

First of all, President Clinton had asked me in 1994 to develop some ideas about what could be done to help boost the long-term growth of the U.S. economy if he were to get reelected in 1996, which he did.

And at that time, in 1994, just to bring you back to that period, there were more people on the Minitel in France than there were on the Internet globally, okay? So it was a very different time.

But nevertheless, we saw the potential for the Internet, and what I said to him was, "There are three new technology waves that could help produce long term growth in the global economy," the Internet being one, the sequencing of the human genome and what it would mean for biotechnology would be a second, and renewable energy a third, and that what we should try to do is accelerate the policy environment for those three new technology waves to produce economic growth for the world and social benefit for the world.

And those of you who studied economic history know that it's technology waves like this throughout history that produce long-term economic growth, right?

So the Internet came first, and fortunately at that time, the other cabinet secretaries and senior officials didn't know much about what the Internet was, and so they said, "Sure, if Magaziner wants to do that, let him go do it," and I had a fairly free path to do it and helped develop the program.

UNKNOWN SPEAKER: Those days are gone.

IRA MAGAZINER: And --

Those days are gone. I know. Larry has a much tougher job than I had.

But we coordinated this out of the White House and set up an intergovernmental group to look at what needed to be done. And that resulted in a white paper which we then implemented in a series of international agreements and domestic U.S. laws that at that time there was discussion about putting bit taxes on every bit of transmission, some of you may remember. We got rid of that, made it a tax-free environment. There was discussions in the World Trade Organization about import duties on electronic commerce. We got rid of that. There was a lot of censorship talk. We got rid of that. Created a global environment for digital signatures, a global environment for the marketplace and the Internet community to set standards, rather than

ICANN | 52
Singapore

government regulation doing it, and did a variety of other things, about eight or nine different other things that produced a market-driven environment.

And the key goal of it was to allow the Internet to develop at Internet speed and to free up the creativity of many people to help create the Internet environment.

Now, during the course of this, there was one period of two weeks where I'd asked for a legal review of what was going on with -- with the Internet, and at that time the Defense Department of the United States, through an organization called DARPA, actually let out the contract for IANA to the University of Southern California, Jon Postel, and then the Commerce Department let out the names and the root server to a company that was then called Network Solutions.

And the legal counsel came back and said, "Did you know there are 53 lawsuits challenging the authority of these -- this way of doing business and they're working their way through different court systems and some of them are going to come to fruition and will likely tear apart the Internet, because you have a number of judges who know nothing about the technology who are going to be making those decisions?"

At the same time, I got a call from the head of DARPA, the Defense Advanced Research Project Agency, saying, "We want out of this, we don't want to have control of this anymore, and we're getting out next year, whatever you guys decide."

ICANN | 52
Singapore

I got a call from the University of Southern California president who said, "We've got all these lawsuits that we're the subject of. We don't want to do this anymore. We want to get out of it."

The International Telecommunication Union had approached me, and after 12 years of opposing the adoption of the Internet protocols, they all of a sudden decided they wanted to control the Internet and so they wanted to take it over.

At the same time, I got visited by a delegation from the U.S. Congress saying, "Look, America invented the Internet. We got to keep it under control. This is a matter of national security. Don't play around with it."

The FCC, the Federal Communications Commission of the United States, came and said, you know, "We want to regulate Internet telephony and" -- you get the picture. It was --

And so at that point, I was beginning to question whether we could really make this work.

Now, the idea for ICANN then came from that, and it had a couple of --

And by the way, during that period, the other big force that I was talking to, there were a number of different corporate groups and trade groups who wanted to make major investments in the Internet but didn't want to do it in the face of that kind of environment, that kind of unpredictable legal environment. And so they were coming and saying, "Look, we think there's a lot of potential here but we're not going to invest unless we see more stability here in what's going on."

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And by the way, the Internet Society thought it also should run -- run the Internet and had the right to do that.

So anyway, what we did was we had to balance a number of different interests, as you can see, but we thought that, you know, it needed to be an international medium, not one controlled by the U.S. Government, or else it would not take off, it would not win adoption globally, and it had to be a global medium.

Why not the U.N.? Well, the U.N. both represents governments, but it also moves slowly and it can get caught up in -- in global politics of various sorts, and the Internet had to move faster and the Internet had many stakeholders, not just governments.

And so turning it over to the U.N. didn't make sense either, or just to government bodies.

On the other hand, you didn't want to privatize the running of the Internet to commercial for-profit interests because it was too much of a global value to it to turn it over just to certain for-profit interests.

So we came upon, over the course of a year and a half of consultation and so on, to the idea which hadn't existed globally before of a multistakeholder group that would represent various interests and be grass-roots and democratic and basically a technical group, not a political group, but recognized by governments, so that it had the legal authority to do what it needed to do and could handle the lawsuits, had a sustainable revenue base so that it wasn't subject to appropriations and could do its business independently, but would be open and transparent and so on.

ICANN | 52
Singapore

And so ICANN came from that as a process.

Now, I made the decision when I left the White House that I should not be involved in ICANN because it would have set a bad precedent for the person who had been in charge of the process that set it up to then come in and work with it, I thought, because it needed to be independent.

So why have I come back and burdened you now?

It's because there was a piece of what we had in mind that didn't come to fruition until now, for a variety of issues relating to U.S. politics.

It was always the intention when we set up ICANN that the U.S. Government would give up its final authority. It made sense for the U.S. Government to have that authority in the transition period because you couldn't be certain what was going to happen and you wanted to preserve that stability, but it was always the intention that the U.S. Government would give that up to a global and stakeholder -- multistakeholder-based process.

And the current administration in Washington, and under Larry's leadership, is now moving in that direction. We applaud that, those of us who worked in the early days on this, and we think it's absolutely essential that this go forward and happen.

Now, as an outsider watching the Internet -- and I know all of you, because you're experts and you're involved in the details of this every day and every week, you can tell me all the problems with ICANN and all the things that it's not doing right and so on, and it's undoubtedly a

messy process. Democracy often is when you have a lot of stakeholders and so on.

But from the outside, just let's take a look at it.

I mean, basically the Internet has grown astronomically beyond what anybody would have conceived.

You've had WiFi. You've had mobile devices. You've had I don't know how many languages. You've had all these things happening. And you never read a major story about serious problems. Basically, the Internet is absorbing all that and it's functioning and it's growing and it's doing well.

So from the outside, you look at that and say this didn't work out too badly, compared to 53 lawsuits and all these groups vying for control and so on and so forth.

And so I think it's very important that this process finish and get to the final conclusion of it.

Now, just a few final words.

I think that the criteria that Larry and the U.S. Government have laid down for the transition are excellent. I'm known as a blunt person and if I had something negative to say, I would say it. I don't. I think what they've laid down is a very good set of standards. And I would particularly emphasize that the transparency and multistakeholder nature of developing the process and the transition plans that you're doing is the right way to do it, that it's crucial that the Internet remain open and interoperable. I think the biggest fear -- I know there were

some quotes from President Clinton that made people nervous. I've talked to him about this. The only -- I mean, he supports this process. The only thing that he's concerned about is to be sure that there are accountability mechanisms that keep the Internet open and fully interoperable and not able to be captured by either private special interests or governments that would close the process.

So I think that's crucially important.

And then of course the stability of the Internet needs to be maintained as we -- as we go through.

So let me just finish my remarks by saying you have a real challenge now as a group, as the ICANN broader community, the multistakeholder community, to create a process. I know it doesn't have to be done in any particular time, as Larry said. I would suggest doing it as quickly as you can, because I think there's a window of opportunity here to get it done and you ought to seize that window. And I think you have a real responsibility to do this carefully and correctly because just as the past 19 years have worked out pretty well for the Internet, it is in your hands how the next 50 years are going to work out, to make sure that this is all done properly.

So it is worth your time, it is worth your energy, and if you do this right, the world's going to continue to benefit from the Internet in ways we can't even conceive, going forward.

Thank you.

[Applause]

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BERTRAND DE LA CHAPELLE: Thank you. It's always interesting to see situations where the promises of one government are actually fulfilled. It may take time, but it's always good to notice when promises are being kept, so that's a good thing, as a former public official, I appreciate.

I just wanted to pick on two things.

Maybe allow us an element of confirmation. You have clearly confirmed that what is happening today was exactly what was intended. The other element that I picked on the CWG list was a brief discussion on wording between "private sector-led," "privatization" and "multistakeholder" -- "multistakeholderization" or transition to the multistakeholder community.

Can you just confirm that the two expressions are meaning the same thing and that it is what --

IRA MAGAZINER: Yes. So first of all, the use of the words "exactly intended" is giving too much foresight. You can never exactly. But certainly the process now is what was intended and what was written into our original white paper. It should have happened sooner. For a variety of political reasons in the United States, it didn't. But it's now happening, and so that's absolutely true. This is what was intended.

Secondly, the use of the word "private" versus "multistakeholder," what we meant by "private" always was multistakeholder. And it was in distinction to having a government-led process. And the governments

need to be involved, of course, and they are, and they need to play a role as multistakeholders, but it was to be led by the broad community, which is primarily a private community of different stakeholders.

So "multistakeholder" was always what we meant by a private solution versus a government-run solution.

And as I said, the reasons we -- we felt that way is that --

And by the way, this is -- you know, some people in the United States will say now, and are saying, "Well, look, if things are working so well, which they are, why change it? Why can't the U.S. Government keep the oversight?"

And the answer is that, okay, politically it may be working okay now, but if you leave all of this subject to any government, then political considerations could enter in in some future government that can't be predicted, and which could disrupt the whole global utility, and so you're much better off with a multistakeholder model, in the long run, and also because this is truly a global medium and it should be globally overseen. And as I mentioned earlier, the U.N. is mainly an intergovernmental body so it's not the right international body for this and it also moves slower even than this does. This doesn't move as fast as some would like but it's faster than the U.N. processes. And so that's why multistakeholder.

I hope that answers your question.

BERTRAND DE LA CHAPELLE: Absolutely. Thank you. Thank you very much.

Just a quick second comment.

To pick on a word that you've used, we use a lot the term "stability" and "security." You used a word that I think on a personal basis might be interesting to keep in mind in those discussions, which is "predictability," and I just wanted to pick it because it's an important wording.

Now, I wanted to give the floor to Jan Aart Scholte from the University of Warwick who is also one of the advisers that has been provided to the CCWG on accountability and maybe to ask you, within the time frame that is limited, to highlight some of the distinctions between the accountability related to the IANA per se and the accountability for ICANN in general. I understand that you have a few slides.

JAN SCHOLTE: Yes, thank you, Bertrand. And good afternoon. Nice to be here. Thanks for coming and listening. These remarks are adapted from things that I wrote in -- that I presented in London and are trying to reflect what's happened since then. They're just a set of questions. Again, I have to say unfortunately that since London I'm still not an ICANN expert. And I am beginning to think that no amount of time with this organization will turn me into one. But again, I'm one of the advisers. I'm an unpaid academic adviser, just to make that clear.

We've got two core questions, as Bertrand just mentioned. We've got one question about accountability, which is the core one, and the immediate one which is about how can accountability for the execution of IANA functions be best constructed for the post-NTIA circumstance.

ICANN | 52
Singapore

And that's the immediate and so-called track one question. But then there are wider questions about accountability in ICANN and global Internet governance, that's the track two. And there's a little bit of a question, how far the answers to one type questions caught up with two type questions and people are disagreeing exactly where that line would always fall.

Nine sub-questions within those two. What is accountability? What makes up accountability? What do you want accountability to do for you? Who is accountable? To whom are they accountable? Through what mechanisms are they accountable? How effective are those mechanisms? How equitable are they? And finally how accountable are those who exact accountability? So I think I have got about 45 seconds for each one of those. Yeah. Accountability, just again, people have different ideas but processes whereby the IANA contract holder answers to the affected people, the people who are affected by the IANA functions for the ways that the contract holder does or does not fulfill those functions. What comprises accountability? I would normally break it down, transparency, consultation, review, redress. I notice that in the discussions -- sorry, there's been more talk recently about review and redress and not so much about transparency and consultation. I just raised the question, does that mean that everyone's happy with transparency and consultation as they are? Maybe that's implied.

Second thing is, when I hear people talk about review and redress, they're often talking about punishments for wrongs done. And actually review and redress is also about organizational learning and

improvement. So it's not always about beating people up. And maybe one can remember both sides of that.

I notice that there's talk in the discussions also about checks and balances and independence, as dimensions of accountability. I wonder whether those are desired qualities of accountability processes rather than core components of accountability itself, but that's something we can argue about in the days to come.

Accountability why? I mean, that's sometimes maybe some people can remember. Why do you want accountability? Now, when I'm reading the papers that are coming out from the working group and so on, there's a lot of talk about you're going to be accountable for following the laws, the due process, the procedures. That's one thing for which you could be held accountable. And a second thing is about being held accountable, that the IANA functions function. That they do it. That they work. You could also, in addition, though, ask is accountability for financial management? Is it for Democratic participation and control? I mean, you could be held accountable for actually do you listen to everyone who's involved and so on. I've heard some people say that there should be accountability for distributive justice in the sense of making the Internet more available to those who don't have it at the moment. Is that an accountability question? Moral probity, I've heard some people say ICANN should -- or the IANA contract holder should be held accountable to meeting human rights standards and so on.

So I think there is still a question. So far -- as I say, so far these first two are the ones that are mainly appearing in the discussions, but I hear other people in the corridors talking about the other ones.

EN

Accountability by whom? I mean, that is who is going to be responsible for the IANA functions. I think most assumptions seem to be that ICANN, but there are arguments about whether is it ICANN forever or not. Accountability to whom? Okay, this is where the stakeholders come in. And if you've looked at the cross community working group's latest paper, you see a very, very long list of all kinds of possible stakeholders with all kinds of acronyms attached as well, Bertrand. You might break them down into saying they're the entrepreneurs, the advocates, the rulers, and the users. I think you can cover most of them into one of those categories, but then you get caught in ICANN-speak and it becomes more complicated. By what mechanisms are you going to have the accountability?   Well, there's this sort of veto U.S. government whether implied more than actually used, but that is an accountability mechanism that's now being withdrawn.   And intergovernmentalism either through the ITU or another intergovernmental organization, has been rejected.   There was an attempt in 2001 to do accountability by direct election. But that hasn't left a very good historical taste I guess with most people, so I don't actually hear anyone suggesting that for the present time. But it's a potential possible.

So multistakeholder arrangements is kind of the winner. But that of course doesn't tell you much because there are so many different kinds of multistakeholder arrangements, you really have to get into the detail and that is of course what people are talking about now. Alongside those multistakeholder arrangements you might have accountability coming from the wider world as well with outside deliberation and there might be judiciary forms also.

So, but then the last question's about this. One, you want the mechanism to be effective. Both Larry and Ira have already highlighted the importance of that, and the tests -- stress test and so on. You might also, though, ask about equitable mechanisms, too. So do they work, but also for whom do they work and are they including all interests and balancing them fairly. Because not everyone has the same interest. I do hear -- you know, you hear talk of an ICANN community and I'm -- we all do get along very well in this room, and that's very nice. But that doesn't mean that we all have the same interests. And also people talk about the public interest. Well, you always have to watch out. Some people talk of "the" public interest and they claim that term for themselves but it often isn't just the whole public but it's certain parts of the public. So you want to have a careful examination, especially when these sorts of language -- what exactly is happening here. Talk of bottom-up processes on an equal footing. It's nice -- just make sure that it is really, I guess. You might want to ask who is and is not in the ICANN community. Because there's a distinction between the ICANN community and the global community. And presumably one is supposed to -- and uneven accountability, look around this room and I think you'll see certain imbalances of country representation, regional representation, language representation, and so on. One can even go down to disability and so on. The other community isn't even and maybe you want to think about that. And I put be aware of the 58%. That refers to the 58% of the world's population that are not online, and they might have an interest in Internet governance, too. Finally then, accountability of accountability. Just thoughts for those of you in this room who are thinking to be involved in holding the IANA contract holder accountable. Accountability is reciprocal and everyone has to be

accountable, including the accountability holders. So look at yourselves also and say how transparent are you as an accountability force. How consultative are you? How much do you -- are your activities such to independent review? How much are you subject to redress when you claim to represent affected publics? And if we just say a little bit about representation, too, because I hear a lot of people talking about that they are representing and now there's also new talk about members and delegates in the -- again, just think a little bit carefully about what you're actually saying there. Perhaps when you're representing, are you speaking for? Speaking for that implies that you have been explicitly mandated by some kind of election or law or something. And I think a lot of times when people are saying that they are representing, they are not actually speaking for. Not in an officially mandated way. That doesn't mean one doesn't have the right to speak, but it's not quite the same as being an elected member of Parliament. You could speak as. You could speak as. You say I'm from a certain country or I'm a disabled person or something and then you say I claim to -- I claim to know more about this because I come from a particular position. That's fine. You could also claim to represent because you speak with a particular group. That's also fine. And very often you're speaking about. I'm thinking about -- well, no names. But representing and speaking about is not quite the same. So there's a lot of things to think about maybe about the accountability of accountability holders. And again, how to forge an accountability of the ICANN community, the people who congregate in meetings like this, to the wider global community of both current and prospective Internet users. Again, I'm glad it's your problem and not mine.

[Laughter]

BERTRAND DE LA CHAPELLE: Thank you. Thank you, Jan. I think there will be many opportunities to dig deeper on those -- on those questions regarding accountability in the sessions during the week. Before opening up the Q&A, I would like just to relist the other people who are on the panel here. I mentioned already Patrik Faltstrom who is with the ICG, which is the overarching steering group that deals with the first pillar on IANA stewardship transition. Sorry for repeating it, but sometimes it's useful. Lise Fuhr is one of the co-chairs of the CWG which is -- the CWG stewardship is one of the three subgroups that deal in this first pillar and the group that deals with the names proposal. Izumi Okutani is with JPNIC and is with CRISP which is the group that deals with the IP addresses proposal. Andrew Sullivan, next, is director of architecture at Dyn and IAB and he is representing the group that has prepared the proposal related to parameters. So you have the three sub-elements in the first pillar. And Thomas Rickert on his own is representing the whole other group, the CCWG, on accountability.

So I will open the question and answer, but I would like to tell the -- the people I have just mentioned that there are two elements that I would like you to contribute in response to the questions when it seems appropriate. Is one thing is how within the ICG you will coordinate or correlate or make converge the three different groups, on parameters, on addresses, and names. And the second question is how the articulate will evolve between the first pillar on IANA stewardship

ICANN | 52
Singapore

transition and the second pillar on general accountability. The overarching question being, we are here for a week.

What are the expectations of progress and what should be different at the end of this week from the beginning of this week. I know the groups have already worked a lot. But keep that in mind when you ask your questions at that stage to identify what can be achieved during the sessions during this week, what can be the common objectives. There are very different stages of evolution of the proposals, but it is important they converge as much as possible during this week.

So who wants to open the fire on the Q&A? There is a microphone here.

Sebastien.

SEBASTIEN BACHOLLET: Hello. We don't have interpretation, then I will speak in English. Sorry about that.

For the last speaker, I was a little bit surprised when you say it's your problem and not yours because if you are -- you are not a member of the 58%. You are using Internet. Then you are directly concerned.

And if you want, join an At-Large structure, become a user representative within ICANN, and we will -- you will help us to do the work.

My point is how we will take this opportunity of this week to have the input of the participants and not to give them the sort of the people

ICANN|52
Singapore

who are members of the working groups. We need to do bottom-up. Stop doing top-down. Thank you.

BERTRAND DE LA CHAPELLE: Siva.

SIVASUBRAMANIAN MUTHUSAMY: My name is Sivasubramanian. Do we have to have a separate view of IANA accountability and ICANN accountability? Why can't it be a simple process of ICANN accountability if IANA functions are going to be part of ICANN?

BERTRAND DE LA CHAPELLE: Who wants to answer this question? Maybe one way is to recall how the two tracks have emerged. And I see that Fadi has left. It would have been interesting...

Lise?

LISE FUHR: Thank you for that question. I hope we will get a simple process. Actually, you have to view it as you have the IANA stewardship. That's the contract that needs to be transferred. And how to do that, we need to find out. There are several elements in that contract that needs to be taken care of. Some of it is the technical part, the SLAs, as Larry mentioned. And, yes, we're very satisfied with how IANA performs at the moment. So there is no question of moving IANA out of ICANN.

ICANN|52
Singapore

But there is two working groups established, and those two are working very closely together to coordinate that we're not doing the work double.

BERTRAND DE LA CHAPELLE: Thomas, you wanted to chime in, and Andrew.

THOMAS RICKERT: Yes. I would like to comment on the notion of bottom-up versus top-down and also on the expectations for this week.

The accountability cross-community group has based its work on previous public comment periods' output. You might recall that during the last summer after the announcement was made by the U.S. government, ICANN has conducted public comment periods. And there were certain "asks" from the community as to what needs to be done in terms of accountability.

So we took that as a fundamental basis for our work. So I guess that clearly evidences that we are not trying to do this top-down or that we are trying to impose that, our findings on the community. That's the starting point.

Then our group has more than 160 participants and members, plus roughly 40 observers. So there is huge coverage, although we are not as good in all geographic regions as we are in some. So I would encourage all those that have taken interest in this subject matter, to join, listen in, make yourself heard.

ICANN | 52
Singapore

We have structured our work in different phases. So in the first phase, we have established the status quo. I mentioned the outcome of the public comment periods to take into account the community's wishes. Then we've created an inventory of current ICANN accountability mechanisms so that we actually are all clear on what is already there. Then we worked extensively on definitions. And the questions that Jan Aart presented were one of the fundamental documents that we used for this exercise.

And then we looked at -- based on that and based on the consultations we regularly had with the CWG, we established a catalog of, number one, contingencies. So what do we need to look at? What do we need to stress test to ensure the accountability mechanisms that we're establishing are robust? So what are the contingencies that we need to equip ICANN against?

Then we look at community empowerment tools, right? So if the historic relationship with the U.S. government is going to disappear, what can replace this? Some call this a stick that the U.S. government had, and how do we now replace the stick? And we've come up with a catalog of main topics that can help empowering the community to replace this role of the U.S. government.

And, thirdly, we came up with a list -- we were thinking of review and redress mechanisms that need to be in place, and we keep on working on those.

So we're looking at requirements. We have not yet looked at implementation. And before we move to the implementation phase, we want to check with the community whether we've forgotten

anything. So we have a document that you can find on our Wiki that you can comment on, if you want to. But, also, we've spoken to the board, to the GAC, to the respective communities, and we will continue to do so. And I would like to draw your attention to the outreach or engagement session we have, where we have allocated time slots for all these topics to receive community feedback.

So my expectation and the co-chairs' expectation for this week is that we ensure to be truly inclusive with our exercise, that we hear all the concerns and hear all the additional input so that the basis for implementing accountability mechanisms is actually robust and carried by the whole community.

BERTRAND DE LA CHAPELLE: Thank you. I have Andrew on my list and Patrik afterwards and Izumi.

ANDREW SULLIVAN: Thank you. On the narrow question of why we need separate sort of accountability for IANA and then the wider question, I think it's important to remember that the IANA functions respond to more than one community, right? There are different functions.

And so, for instance, on the accountability to the protocol parameters community, it's just a different mechanism.   We already have a mechanism, and it is working fine for us. And so we want to continue that mechanism. And it is going to work differently in the case of the names community because the same organization is involved in both sides of that, of the operation.

The other thing that I would say -- and I'm going to take off my IANAPLAN hat here for a moment and just speak personally. It seems to me that in the names community itself there is a narrow IANA function and a big ICANN function. And these are really separable issues. It is not that they are the same thing. And you need to tease those things apart and think about them perhaps differently, and that may be the reason for the separation of the considerations in this community. But I can't speak for it authoritatively obviously.

BERTRAND DE LA CHAPELLE: Do you want to chime in right now or listen to the other comments? Unless it is on that very specific, let's continue briefly with Patrik and then Izumi.

PATRIK FALTSTROM: Yes. Patrik Faltstrom, one of the co-chairs of the ICG, which as Bertrand said is one of the sort of the two legs.

We have been spending two days together here, Friday and Saturday, and as some people in the room know, we sent out an RFP to get the proposals from the three different groups. We have got the responses from two of them in time which was in January this year. And one of them, the domain name CWG, which Lise is one of the co-chairs of, has informed us that they are delivering in June.

That, of course, put the timeline that we originally had into question or jeopardize the timeline. But let me just clarify because I've got a lot of questions on this issue, so what's really happening here.

EN

I'm trying to explain this in a way to answer Bertrand's question, what are we going to do this week.

So the work -- the time that we need in ICG is the same, okay? Which means that whenever we have all the proposals, then there are certain assessments regarding overlap where there are conflicts between them, et cetera, that we cannot do before we get all the proposals.

On the other hand, there are a lot of things we have identified already since Friday that we can do before we get all the proposals on the table.

And let me just give one small example of what we all can do to also listen to -- to answer Sebastien's reminder of bottom-up process, we can talk more with each other just like we're doing here. Because when we are doing our assessments in the ICG, if it is the case that we find gaps or overlaps or conflicts, we are not -- the ICG will not resolve these issues. We have to and we are by our charter pushing things back to the operational communities.

And as you know, like the formal pushing back question/answer, we think that the fastest round-trip time is two weeks for a response and then we evaluate the response for two weeks. So every round trip that we have to do because of some miscommunication or non-coordination will add another four weeks in calendar time, and that's probably the fastest we can do.

So the better synchronized the proposals are before they reach the ICG, the better the result will be and the faster we as a community will be able to deliver. And it will also be a much clearer indication of a well-functioning multistakeholder process.

ICANN|52
Singapore

So just because we see the bubbles on the chart, on the picture on the screen, it looks like silos. We are not working in silos. We are working together to solve this problem, but we partitioned the problem and trying to work it out. But we all have a responsibility to do it in a synchronized way. Thank you.

BERTRAND DE LA CHAPELLE: Izumi.

IZUMI OKUTANI: Izumi Okutani speaking from the numbers community. All the individual speakers have spoken the points that I wanted to speak.

I strongly agree with Andrew that different operational communities have different levels or different interactions in terms of accountability. So I do actually find it very efficient that we actually have them separately rather than combining.

And I am also having another hat actually being a member of the ICANN accountability cross-community working group. And I already am seeing some interaction going on between IANA names cross-community working group and then ICANN accountability cross-community working groups. I think we're working quite well over all in specializing in each of our elements but, yet, collaborating together. That's one point.

And I forgot what I wanted to say. Oh, yes. So on using this opportunity during the ICANN meeting, I actually find it would be very useful to use this opportunity to hear from you. We have had discussions within the

number resources community about our proposal, and we have reached consensus. But I'm sure there may be other members, participants of the ICANN meeting who may not have fully paid attention. So if you have any questions or something that you observed that you think that we may have overlooked, then please let us know.

And then I think it would be helpful to go through the formal process to hear your feedback, of course, I believe which will come from the ICG. But then make use of this human interaction opportunity. If we hear in advance verbally, I think it would give us a good idea of what the comment or question is coming from.

So I'm not saying we can formally incorporate verbal feedback, but it is still very useful to hear what you think about our proposal. Thank you.

BERTRAND DE LA CHAPELLE: Thank you, Izumi.

Just a quick opportunity to feed back and then afterwards.

SIVASUBRAMANIAN MUTHUSAMY: Sivasubramanian again. The rationale of what I was saying is even if the requirement for IANA accountability and ICANN accountability are different, even if there is a requirement, if we go by the rationale that IANA functions are coordinated by ICANN, ICANN is so well organized. ICANN has such an accountability framework in place. And ICANN is going to improve that accountability process.

If we have it under one heading and under that, there are requirements for -- specific to numbers, those are examined as subcomponents of ICANN accountability, it would be a much better way of doing things.

BERTRAND DE LA CHAPELLE: Thank you.

Please.

DANIEL KARRENBERG: Hi. My name is Daniel Karrenberg. I speak for myself. I am an engineer. I have been around for a while. The thing that I take away from this session and the last couple of weeks is that I hear the NTIA saying, Gee, ain't that a little complicated? Specifically to the CWG process. But maybe we should also take that to heart a little bit here in our own process. And I want to reamplify what both Izumi and Patrik have been saying.

If we take this whole process in a very formalistic way, it will not terminate. So I think we should really, as far as the process of developing the final proposal is concerned, basically drop any -- or as much as we can sort of shyness of actually talking to each other. I think that's very important.

Now for my question because, of course, you have to ask a question. And the question goes a little bit to the CWG. I am wondering -- and I realize I put you on the spot here. So it's not really -- it's not really fair.

But I wonder: Is there any chance to actually simplify things? And would there be a chance actually once things are simplified to move

them to the ICG a little faster than you were expecting lately? And this is a genuine question. It is not -- not a suggestion, not a demand, not a criticism, or so on. It is really a question.

BERTRAND DE LA CHAPELLE: I'm afraid this is for you, Lise.

LISE FUHR: That's okay. And it is a very good question. If there is a chance of simplifying things, well, we sent out an original model that got a lot of comments on being too complex. So actually now we send out a discussion document that I really hope you will all read where we are trying to have two models: External-to-ICANN and internal-to-ICANN model. And I hope this would give opportunities to, well, make it more simple if that's the wish of the communities.

We've tried to be open and inclusive of different models, and I think it's very important not to close down any models at this stage. So this is why we actually created this discussion document. We sent out some questions.

And we're having a session -- a Q&A session on Thursday where I hope as many of you can participate and actually come with feedback to us because like all the others, we're very interested in feedback.

If this will simplify things, the honest answer is I don't know because that's -- well, what directions do the different groups want us to go? We're actually trying to find a solution that converges the wishes here. We have a very complex community of the gTLDs and the ccTLDs that

are different in the way they want things to be and have different needs, as actually Jan raised. Do they have the same needs? We're not sure. So that's what we're trying to find a solution on accomplishing every customer to IANA's need.

And you say can we do it much faster, I hope we can do it much faster. But we're working as hard as we can, and I know we're taking a lot of people's time. At the moment, we're having at least two meetings a week. And, well, we plan to continue and to do it as fast but not jeopardizing any details, any thoroughness in a proposal.

Thank you.

BERTRAND DE LA CHAPELLE: Thank you, Lise.

Just one opportunity to highlight something in this slide. As you see on the left are the three elements that I've mentioned before, but we haven't detailed those two elements in the CCWG on accountability. And the distinction between two work streams, one is dedicated more to what is necessary for the IANA transition, and the other work stream is on the more general accountability.

You know that the accountability question regarding ICANN in general has also been the subject of the Accountability on Transparency Review Team exercises put in place by the Affirmation of Commitments. So there are many discussions on the question of accountability.

Just a reminder, not historically, but when the NTIA announcement was made, the first discussions were related to the transition and the IANA

stewardship transition. And it is during the meetings, if my memory is correct I even think it was here in Singapore, that the notion that a second track was necessary. And let's be honest. I mean, let's not fool ourselves. It is obvious that the transition of the IANA stewardship is a moment to exercise an element of leverage to improve ICANN even better for the other functions.

I mean, let's be clear. This is the general idea.

The challenge that we're confronted with is, on the one hand, to use this leverage, which is a unique moment, and on the other hand, not to believe that this is the moment where we will make ICANN perfect, because this will take another set of iterations.

So I think it is important to understand that the moment this question of the second track was raised was basically a year ago here in Singapore, and since then, I think -- and Larry can confirm -- there has been an explicit mention by ICANN but also by NTIA and a lot of other stakeholders that those two processes need to go hand in hand, which was not necessarily clear at first, and this is why it is a huge opportunity but also a delicate challenge.

And I can testify that there is a strong effort by the CWG, the ICG, and the CCWG to work together. I was just looking at the -- at the agenda and I noted that actually there is no joint session on how the articulation can be made, so on a personal basis, I may encourage your different sessions to invite more ostensibly the other group to facilitate during the week the discussion of -- publicly of the bridges.

Thomas, you have a comment, and Lise, and after, Mr. Foody.

THOMAS RICKERT: Yes. I feel encouraged to speak a little bit to Work Stream 1 versus Work Stream 2 since you mentioned it, and I also use this as a sales pitch for our engagement session again, which I think is important.

If you look at the topics that we have collected in terms of community empowerment, there are topics such as that there must be an accountability mechanism that is capable of approving ICANN's strategic plan and budget. It must be capable of rejecting or approving bylaw changes. And with that, it must be capable of preventing ICANN from altering or expanding its mission. And then there must be a mechanism to reverse board decisions or to dismiss one or multiple board members as matters of last resort, if all else fails. Right?

But if you look at that, if you look at these measures that, in our view, need to be in place or committed to, which is the definition for Work Stream 1, then basically you have the tools at the fingertips of the community that allow for certain other accountability mechanisms to be rolled out at a later stage. Because it's unrealistic to flesh out everything and have everything tested and implemented prior to the transition, but if you -- if you can control the mandate, if you can call the board to action if need be, if you can reverse board decisions if need be, and if you can remove board members, you have all the tools that you need in order to shape or, if need be, turn around the organization. And that's, in the view -- the preliminary view, I should say, of our working group, is what's needed to be done in Work Stream 1. Thank you.

BERTRAND DE LA CHAPELLE: Thank you. Does anybody else... no?

Mr. Foody.

PAUL FOODY: Hi. Paul Foody speaking as a domain name registrant.

If, as you said, the -- when the Clinton Administration established ICANN back in '98 this was as was intended then, I'm wondering why it is that Bill Clinton came out and said he was opposed to it last year.

BERTRAND DE LA CHAPELLE: I'm sure that Ira will seize the opportunity to make the --

IRA MAGAZINER: Yeah, I'll answer.

So first of all, he didn't say that. I think it was -- it's been widely reported and I think he's quoted by opponents of this process.

PAUL FOODY: That's the trouble with the media, you see.

IRA MAGAZINER: Sorry.

PAUL FOODY: That's the trouble with the media.

IRA MAGAZINER: Well, you know, it's -- it's not just the media but it's -- so let me clarify.

I have spoken to him about this and he still believes in the policy we've put in place, that this process should take place. The specific concern that he voiced in a -- he was kind of asked a question without knowing the context of what was happening, and the specific answer related to that question was about, you know, could the Internet be captured by those who want to -- those governments who might want to close the Internet, might want to control the Internet, and in the context of an American political discussion. I'm not going to get into what governments, but the idea that, you know, the openness of the Internet would be violated.

And so he then posed a question to somebody he was talking to in a panel about, you know, "What do you think about this," but the question was more, you know, "If you were going to try to censor the Internet and close it, isn't that a bad thing?" And, you know, the answer, of course, is yes.

So that was then taken by certain people in the U.S. political scene who want to keep U.S. control over the Internet to say Bill Clinton is on their side in this, which he's not.

So what I can say to you is that the accountability work that is being done is very important, and I think what's important to President Clinton and important to me and important, I think, to almost all of us, is that when the U.S. Government gives up this kind of authority, that there's a set of principles, however they are manifest, having to do with the openness of the Internet, the interoperability of the Internet, preventing the Internet from being captured by any particular

ICANN | 52
Singapore

commercial interests, et cetera. That those principles are clearly enshrined and that there's an accountability mechanism to make sure that some future intergovernmental move or some future commercial move or some future board doesn't violate those principles. That's the concern, and I think we all probably share that concern.

So I think, you know, the question of when he might speak on this or not -- we're being taped here so I'm going to be careful here -- but there's a potential member of his family who might decide to make a --

[Laughter]

IRA MAGAZINER: -- a move into U.S. politics. Don't know yet whether that will happen, but if it does, his speaking on things becomes secondary to her speaking on things, and so this becomes a very complicated matter of family politics, to which --

PAUL FOODY: Do they talk to each other, maybe?

IRA MAGAZINER: All the time. But it's a very complicated matter of family politics which I can assure you can often be more complicated than global politics.

 [Laughter]

So now that I've said more than I should, let me leave it at that.

[Laughter]

But anyway, be assured that he's supportive of this process.

PAUL FOODY: Thank you very much.

BERTRAND DE LA CHAPELLE: Thank you. Are you talking about Chelsea? No, I'm sorry.

[Laughter]

Any other -- any other questions? If that is not the case, I think it's a very good way to finish this panel or this session.

Once again, looking at the week to come, I think we've highlighted and I encourage you to really have a strong look at this architecture because it describes really the different tracks and how you can follow during the week the different sessions. Not only to follow but also to give input. There are lots of documents but I hope that the main questions that are to be discussed this week have been highlighted in this session.

The important point that I want personally to highlight is, having followed the different discussions, there is a lot of actual convergence that has happened, and one of the difficulties is to take stock of those convergences. The physical presence during the week of the ICANN meetings is always the moment that needs to be used, at best, to try to document what are the elements that have actually obtained a level of consensus or agreement, and particularly the ones that have attained a level of consensus on the objective, even if the discussion can continue on the way it can be put in place.

ICANN | 52
Singapore

I will not get into details. There are many sessions on that. But I wanted to highlight this, and I've tried after the different interventions to pick on a few words. It is important that the wording and the understanding of what is being achieved is really growing during this week.

This is, as we discussed, a very important conjunction where this announcement about the possible -- the transition is actually triggering a very important self-awareness and self-improvement for ICANN as a whole.

So as it has been said, it's an important moment and this week is probably one of the most important in order to align the different processes.

To finish and take a chance of the different of the few minutes that are left, maybe can we move from the -- from the end and start with Thomas?

Just, for each of you, could you say in two sentences what you really want to achieve this week? What is the one key question that you would like people to mull over and come with comments, given the stage of the discussions you are in the different processes that you lead or participate in?

Thomas?

THOMAS RICKERT: Yeah. I'm afraid I need to repeat myself. We've come up with interim work results and we would like all of you to double-check whether we are -- whether we've done a good job or whether something's missing.

ANDREW SULLIVAN: I was so busy taking notes that I can't -- the key thing from our point of view that we think we -- we concentrated on the narrow function that we're trying to satisfy, and I think that that is a useful way to structure the thinking about this. That, you know, concentrate on the narrow and then you can expand to the larger problem as well.

There are those larger problems, but we have a very specific transition we're trying to achieve. Let's focus on that.

BERTRAND DE LA CHAPELLE: Izumi.

IZUMI OKUTANI: So as I made comment earlier, I'd be interested to hear any inconsistencies that people observe from -- well, protocol parameters, but not just that. You know, there's the situation of like what's considered so far from names. I'd be very interested to hear your feedback and I've partially already, you know, achieved this by highlighting the part from the protocol parameters.

BERTRAND DE LA CHAPELLE: Lise?

LISE FUHR: Yes. And the CWG really wants to have an active dialogue about the different models so that's why we sent out the discussion document that in a very few pages -- I think it's 10 or 12 pages long -- explained the models that are in play. We have some questions there, and we'd like feedback, dialogue, good ideas, whatever, just to have a sense of where are the communities regarding these issues. Thank you.

BERTRAND DE LA CHAPELLE: Patrik?

PATRIK FALTSTROM: Yes. I would like, one week from now, to get an email from Lise saying --

                              [Laughter]

                              [Applause]

BERTRAND DE LA CHAPELLE: No pressure.

PATRIK FALTSTROM: -- "We -- with the help of the community, we've -- and by good responses to the document we sent out, we've found a model that will make it possible for us to deliver to you and ICG on May 10."

BERTRAND DE LA CHAPELLE: Wow.

[Laughter]

Jan?

JAN AARTE SCHOLTE: Perhaps in all seriousness, that good and thorough and systematic attention be given to the accountability relationship of those who are making these accountability proposals to the wider -- the wider constituencies, because what you don't want is to come out with proposals that are then open to criticism and attack because they are not engaging with the wider global community, and I don't think you want to be vulnerable in that way.

BERTRAND DE LA CHAPELLE: Ira?

IRA MAGAZINER: I would just reiterate that I think there's a political window of opportunity to get this done and I think you want to try to move quickly. Yes, be broad-based and bottoms-up, but move quickly to seize this window of opportunity that's there to get this done properly.

BERTRAND DE LA CHAPELLE: Larry?

LARRY STRICKLING: I think people are being way too nice so I'm going to throw a hand grenade.

It's apparent, just in the time I've been here, that the CWG work is becoming the critical path to getting this thing done. I think it should be apparent to anybody who has watched the presentations of the CWG and the presentations of the CCWG that much of what the CWG is looking at seems to me to be a direct overlap of the task that's been given to the CCWG, and I think that the community really ought to sit down and think hard about why there are two tracks looking at the same thing, and does it make sense to be more efficient and move the accountability questions into the CCWG.

[Applause]

BERTRAND DE LA CHAPELLE: Theresa, do you want --

THERESA SWINEHART: Everybody is here for a week. Some have been here longer. Use the opportunity to figure out how to reach consensus and agreement in order to solve this. There's a lot of other work to do. Thank you.

BERTRAND DE LA CHAPELLE: Thank you. I think I should thank Larry for, as usual, being forceful.

I will try to just finish by saying, in the line of what he just said, what is clearly emerging, I think, in those discussions is that the articulation between the two tracks is the key issue that we need to address this week.

ICANN | 52
Singapore

Whatever the outcome is, whether it should be merged, transferred, whatever, the articulation with the -- between the two tracks is key. Why? Because most of the discussions -- and Lise can correct me if I'm wrong -- in the CWG is between different perspectives, some actors saying "We do not trust that the accountability of ICANN in general will be strong enough to guarantee that the IANA function will be accountable and therefore, we need a specific, very detailed accountability mechanism for the IANA function," and others will say "We have a track that says we need to develop the accountability of ICANN and if we do it correctly, then it provides an element of solution that simplifies things."

Those two positions are defensible. They have their rationale.

I personally believe, as Larry was actually pointing at, that the question of the articulation between the two tracks is one of the most important discussions that you can have this week.

And as I was pointing in -- pointing to earlier, there are different sessions that will take place. Please, all of those who will moderate those sessions and will participate in those sessions, try to use them to weave the thread between the two tracks, because this is probably one of the ways we can be all better off at the end of the week than we are at the beginning.

With that, we have amazingly managed to be one minute late, so thank you very much for having come on a Sunday, end of the afternoon, and enjoy this beautiful week, the nice weather that will be outside and that you will absolutely not see during the week.

Goodbye.

[Applause]

[END OF TRANSCRIPTION]