SINGAPORE - ICG Face to Face Singapore
Friday, March 6, 2015 – 09:00 to 17:00 SGT
ICANN – Singapore, Singapore

PATRIK FALTSTROM:	So welcome, everyone. This is the open face-to-face meeting of the ICG on IANA stewardship transition.
	Can we please have people get seated and we'll start in a few minutes.
	So let's try to start the -- start this meeting.
	I would like to start by welcoming everyone, all the ICG members, the secretariat that is helping us for the first time, the new secretariat.
	We also thank Alice and Ergys from ICANN that was the old secretariat. Thank you very much.
	[Applause]
	Luckily for us, Alice and Ergys will not go away. They will still be the contact point for the support that ICANN is giving.
	I also would like to explicitly mention that we -- unfortunately, we will not have Demi, Lynn, and Alissa here for various reasons. Jean-Jacques, we will miss him as well.

As much as possible, these people will try to participate remotely, and some of them unfortunately cancelled on very short notice, and let's hope the various reasons why they are not coming, that everything is under control and will end up in a positive way.

There are also a few people that have not yet arrived in the room, but we will -- we have to start anyways because we have two quite long days and a lot of important issues to talk about.

Some logistical issues.

I'm happy to see people -- ICG members sitting around the table so close to each other. It's comfortable, isn't it.

We are actually looking into, for tomorrow, to try to expand it, extend a little bit, so people can have both computer and paper.

Unfortunately, then, you need to sit a little bit further away from each other, but I hope that will work better.

At least we will try to ensure that we get more space for the next face-to-face meeting, if we cannot adjust until tomorrow. We'll see how it goes.

We will have some breaks for coffee and also for lunch. There will be a box lunch that will be brought to the room or just outside the room.

We also have the ability -- we also have coffee and other support in my back left corner in the room, so you can go there and pick up coffee and tea or whatever you need whenever you want.

I will probably walk there myself quite a large number of times today.

So I think that is everything for the logistics.

Oh, yes, one more thing.

During one of the breaks, you will get the name badges for the ICANN meeting. We have the badges here in the -- here at the secretariat, so you don't have to run away to try to pick them up. They will be distributed.

And I think that is everything for now, and we'll try to sort out the rest of the things when we are -- when we're moving forward.

So let's move into the agenda.

Regarding the agenda, there was one agenda proposed to the mailing list. Shortly thereafter, Alissa sent in -- based on the discussions that we have had, sent in suggested changes to the agenda.

Because of confusion between myself, Mohamed, and Alissa, when the secretariat asked us whether the old agenda was to be published or some updated version, we approved the agenda without the suggested changes from Alissa.

So the posted agenda was first sort of the old one that ICG members, in the form of Alissa, had already had issues with.

That was the main reason for myself to then, when I arrived here yesterday, suggest a new agenda, and the only changes that was made was to actually implement the suggestions that had already been posted by Alissa to the mailing list before the old version of the agenda was posted.

There was a question from Mr. -- from Kavouss why the accountability time slot was shortened, and I do appreciate the need for talk more about the accountability, and of course that is really important for us, so if it is the -- so the issue that I have heard so far on this agenda is that the time for accountability is too short, and that is something specifically that we should talk about, but I'm happy to receive other kind of input on the agenda as well.

Kavouss.

KAVOUSS ARASTEH: Good morning, everybody. Very happy to see you all here. No matter if you are close physically or not, from the feelings we are always close together.

Before starting, Patrik, I wish to request you to send a message to Alissa of -- expressing our best wishes to her to have whatever plan she has in a most smoothest and in a most agreeable way.

ICANN | 52
Singapore
8-12 FEBRUARY 2015

So this is a little bit of protocol that I always use. Sorry. Being international character, I'm always to do that one.

Now, coming to the point that I mentioned -- Kavouss Arasteh -- for some of us, maybe all of us, the most important element amongst others are accountability. So at this stage we believe that it is not appropriate we specifically mentioned reduce the accountability and so on and so forth. We try to do our best to address all issues. No doubt it is in the hands of the chair and the way he conducts the meeting, but at least we -- or myself associates a very important, crucial, and fundamental issue is accountability and we need not to reduce the time while we have important other items.

So I have some concerns to reduce discussions of accountability because I would come to the point of the report of the numbering group and I see there is a lot of issues relate to accountability which has not been addressed. Thank you.

PATRIK FALTSTROM: Daniel.

DANIEL KARRENBERG: Daniel Karrenberg. Good morning.

I think when making an agenda, it's important to see what is important for us to make progress and also to show respect to

ICANN | 52
Singapore
8-12 FEBRUARY 2015

other groups who have provided input to us. I think what's most important for us right now is to take in, discuss, and respond to the responses we have had from the numbers and the protocol parameters. They have worked to our time line, accommodated us, and provided input to us. I think it would be a very bad signal if we wouldn't make it a priority to fully discuss and respond to their input.

If we don't do that, we will damage our relationship with them going forward.

So I'm in favor of giving that the absolute priority at this meeting.

Secondly, the names community has communicated a new time line to us from their perspective. I think it is important for us to adapt our plans accordingly. That's our second priority. And I think we should do that before we do anything else.

And then if we want to do -- want to discuss other things, we can do that, but I think these should be our priorities.

PATRIK FALTSTROM: Joseph?

JOSEPH ALHADEFF: Thank you. Perhaps -- Joseph Alhadeff.

Perhaps in an opportunity to marry the comments of Kavouss and Daniel, I think accountability is a tremendously important topic, but there isn't that much to discuss in terms of the formal liaison but there is quite a bit to discuss within the context of the proposals we have received.

So perhaps we discuss as needed in terms of the formal arrangements between the groups and we remember to reserve any time we've saved to deal with this issue as it comes up under the proposals because that's, I think, where perhaps the crux of some of these issues are meaningful for us at the moment.

So perhaps that might be a way to address both of the concerns; that we give the proposals as much time as necessary but we recognize accountability as an important issue, understanding that the formal arrangements between the organizations may be less ripe for discussions than how accountability is treated in the actual proposals and their relations to potential accountability of ICANN.

PATRIK FALTSTROM: Thank you very much.

Is what I hear a request for change of order of items on the agenda to start with the two proposals that we have received, numbers and then protocol parameters, and give them two hours

each; and then after that, talk about names; and then time line; and then accountability?

Is that the order that I hear people suggest we should discuss things?

Let me take this one more time.

Numbers, protocols, names, time line, accountability.

And we do, if we have to, have time all day tomorrow as well.

Okay. I got a question from the Paul to the left that didn't use a microphone.

Why did I change the order of names and protocols.

Sorry. Numbers and protocol parameters.

The reason why I changed the order is that Jari, which is to present from protocol parameters, told me that he would have issues to have -- to talk about protocol parameters before approximately 11:00 because he needed to make a change based on input before he is -- he is presenting what he's going to present.

So it was purely a practical reason.

If you have similar or same issues, in that case let's talk about it.

PAUL WILSON: Well, I don't like to talk about numbers before lunch --

[Laughter]

-- generally.

PATRIK FALTSTROM: So Paul, let me just be clear here. In general, it is okay for you to change the order?

PAUL WILSON: Not if it means talking about numbers before lunchtime.

PATRIK FALTSTROM: Oh, okay. Thank you very much.

PAUL WILSON: Yeah.

PATRIK FALTSTROM: Kavouss.

KAVOUSS ARASTEH: Thank you, Patrik, and thank you, Joseph. Too, Daniel.

My difficulty was not order of priority. My difficulty was yourself email saying let's associate little time or less time to accountability. That was not something that I appreciated.

But order of priority, I have no difficulty, if everybody agrees the order of priority, as long as we do not mention let's associate minimum or less time to accountability. We don't want such a qualification. Thank you.

PATRIK FALTSTROM: Let me just explain the reasoning behind my suggested change of order. That was to have the ability to extend the time for accountability after we have been talking about each one of the other issues.

I also explicitly mentioned that I'm not after giving the -- each one of the operational communities' proposals more time and basically run over the discussion of accountability. We should still have an allocated time slot for each one of them. If nothing else, to force ourselves to come to conclusion.

Not that we should stop a discussion about the proposal prematurely. We should use the timing that we give each one of the items a time allocation to force ourselves to reach consensus.

Daniel?

DANIEL KARRENBERG: I think the -- hearing every -- all of this, the agenda as it is projected would work without any change, and that's nice for predictability.

PATRIK FALTSTROM: Alissa?

ALISSA COOPER: Hi. Can you hear me okay?

PATRIK FALTSTROM: Yes.

ALISSA COOPER: Okay. Thank you.

First, I just wanted to thank Kavouss for his kind words. Very much appreciated.

And with respect to the agenda, all I wanted to say was that my question, really, was -- about the accountability slot was what it was specifically that we intended to discuss. Because originally it was scheduled for an hour, and obviously I agree with everyone that accountability is very important, but it wasn't obvious to me what specific topics we should discuss, and also, you know, how to prepare to discuss those topics.

I think for all of the other items, we have a lot of material, we knew what we were supposed to do in advance to prepare for the discussion.

So if someone could articulate that, that would be helpful for me.

And if there are things that we should prepare for that discussion, then perhaps moving it down further in the agenda would help.

I have no objection to spending more time on it than is currently allocated, the 15 minutes, but I was just asking about the specifics of what the session should be about.

Otherwise, I have no opinion about the ordering.

Thanks.

PATRIK FALTSTROM: Thank you, Alissa.

While people -- I don't have anyone else in the room that have flagged.

While people are thinking about what we should do, let me explain another protocol matter for the room itself and how we'll run the discussion.   Something that I forgot to talk with the secretariat about is how to handle remote participation. The way we are -- the way remote participants should try -- should get into the queue is to raise their hand or otherwise communicate in the Adobe Connect room that they would like to speak, and the secretariat will flag to me that they will -- they want to get into the queue. So that's how we -- that's how we handle that.

So the change of the order of accountability and the reports from the operational communities was something that I suggested just

because it might be easier to see what accountability discussions have not yet been discussed and/or it might be the case that some discussions on the topic from one of the operational communities do result in an interest of discussing those accountability issues in more general terms.

That said, it seems to be the case that we have some issues moving the discussion of the operational communities' proposals earlier in the day than what they are currently scheduled, so it might be the case that we still should keep the agenda as it is, although Mohamed that was going to run the accountability -- the short accountability slot has not arrived yet, so that also creates a little bit of logistical issues.

But Daniel, I think your suggestion was to keep the agenda as we have it, but coming back to accountability tomorrow, right? In that case? That was your proposal?

Let me just clarify that, get a clarification. Thank you.

DANIEL KARRENBERG: Yeah, that's -- that was the proposal, with the caveat that we should aim at finishing the high-priority tasks before we go to the low-priority ones. And I -- again, let me repeat, high priority is responding to the communities that have responded to us and time line.

PATRIK FALTSTROM: So the suggestion then is to keep the agenda as it is and move further accountability discussions and timeline, if overflow, to tomorrow after we have been discussing specifically the proposals from numbers and protocol parameters. Is anyone objecting to that proposal?

Okay. In that case, let's stay with the agenda as it is. Thank you very much.

Next item, the minutes from January 28. Let me quickly ask the ICG members whether anyone has anything they would like to discuss from these minutes? There were some proposed changes on the mailing list. That was taken care of. So it is the revised minutes that we are discussing. Does anyone have any issue with the minutes? I declare them approved. Thank you very much.

So the next thing regarding the secretariat, logistics, and telephone conferences, we will come back to the telephone conferences and face-to-face meetings tomorrow. Talk about that when we know a little bit more about where we are after these two meetings.

But let me give an update on where we are with the secretariat. As you know, we have a new secretariat which has taken over quite a large number of things from the secretariat that was run by ICANN. There were certain things that Alice and Ergys are still taking care of, and there is a document specifying the division of labor between the two parties.

ICANN | 52
Singapore
8-12 FEBRUARY 2015

I would like to, once again, repeat the thanks that all of us have been given to the individuals, the ICG members that were helping with the procurement of the independent secretariat. And I think we are now into the transition period where we are going to move the mailing lists, the Web site, and getting a calendar and such practical issues up and running.

Where we are at the moment is that we are going to use the new domain name. That will have implications on the Web site and also the mailing lists. We will give information when we are going to do the change from the old to the new.

We do have a first version of the Web site up and running that we chair and co-chairs of ICG have had a look at that. We are -- so we have done already one round trip of comments on the new Web site. So I think we will see that up and running very shortly. So that's basically where we are, that you will see operational changes in the near time.

Jean-Jacques, please.

JEAN-JACQUES SUBRENAT: Thank you, Patrik. This is Jean-Jacques speaking. Two or three remarks.

First, as Adiel has left the ICG and he is now vice president of the ICANN staff, I wanted as a member of the subgroup that had been tasked with recruiting a secretariat. I would like to thank him and

ICANN | 52
Singapore
8-12 FEBRUARY 2015

say that it was a pleasure to work with him and the other members of that group.

The second thing is to congratulate the winners, which is the Singapore ISOC Chapter, acting as secretariat.

And the third is a more general remark. We were blocked on the selection of a secretariat for a very long time. And I would like to make a statement here that it was really not the fault of the members of the recruiting group of which -- to which I belonged and which was headed by Adiel.

It was really something due to personal difficulties on someone's side, and that was related to ICANN staff. So I would like here to register my recognition that, of course, there can be personal problems but that especially with an organization like ICANN, there must always be intending to take over a job if for any reason the person designated for that job is not able to accomplish it in a timely fashion. And pending his or her return, then the organization must designate a person who will take up the slack immediately. Thank you.

PATRIK FALTSTROM: Thank you very much.

So given that Mohamed has not arrived, let me -- okay. Let's stop there.

Regarding the secretariat and logistics, do we have any questions? Thank you.

In that case, let's move into the next point on the agenda. Mohamed has not arrived yet, so I would like to wait with the accountability discussion and start with the ICG timeline and have the accountability just before the break. Milton?

MILTON MUELLER: Just a quick question. Is it possible to amend the agenda so that we're looking at it -- you know, you have the old one and it has been amended. It would just be nice to have the correct one up.

I thought we moved accountability and the timeline to tomorrow.

PATRIK FALTSTROM: No, we decided -- that was my proposal, and it was rejected. So we are not moving it.

MILTON MUELLER: Oh, okay.

PATRIK FALTSTROM: What we decided -- so what we decided -- what my proposal was. Okay. We can still change this because we need to get things done here. So if we need to change the agenda while moving, that's fine with me.

So we had some issues with moving the protocol parameter discussion, numbers proposal earlier into the day where I got that feedback from Jari and Paul.

MILTON MUELLER: I thought Paul was joking.

[Laughter]

UNIDENTIFIED SPEAKER: He never jokes.

PATRIK FALTSTROM: He is from Australia, and I don't really know what time it is down there or something compared to Sweden, you know?   We are whacky up there in the north.

So, anyway, it was hard to move that earlier.   And, yes, I see you're flagging.   I'm still trying to explain what I thought.   Let me reiterate what I thought the conclusion was, and then we can discuss whether we're still going to do that.

We're going to keep the discussion of numbers and protocols as on this agenda, okay?

Up until the protocol parameters, we are going to initiate and start the discussion on accountability and the timeline.

ICANN | 52
Singapore
8-12 FEBRUARY 2015

Given that that time, given the feedback that I have, is not enough, we will continue the discussion on those two items tomorrow. That was the proposal.

Jari?

JARI ARKKO: Yeah. Apologies for causing trouble for you regarding the scheduling. But I think I'm actually okay with the original order. So no worries there.

PATRIK FALTSTROM: Kavouss.

KAVOUSS ARASTEH: Yes, Kavouss speaking. If due to the circumstances you have to take up the proposal of the protocol, take it. We will discuss the accountability and the timeline after that. And then I had another point that you refer that Mohamed will report on that. But I believe that ICG has two liaisons to CCWG. These two liaisons are very well-placed to report you back on the accountability as far as the CCWG's concerned. But not now, at the time that you propose. Thank you.

PATRIK FALTSTROM: Thank you very much, Kavouss. You now propose that the time we have on the agenda regarding accountability should be reporting back from the liaisons. That is one very good example of what we can use the agenda time for. And I would -- and I think those kind of proposals for content for the various agenda items is something that I as the co-chair really appreciate. So thank you very much for that.

Anyone else that would like to say something? Okay.

So given that we -- let's then start with the reporting back. Do we have any reporting back from the ICANN accountability? Kavouss.

KAVOUSS ARASTEH: Thank you, Patrik. There are two ICG liaisons in accountability. One was me. The other was Drazek. Either of the two could do that. If you would allow me, I would say that the accountability cross-community working group, CCWG, is in very good shape. They have two work streams. Work stream 1, accountability that must be in place or committed before the transition takes place. Accountability beyond that in the long-term manner for the proper operation of the system which continue to be after the transitions, this is that one.

They have created four working areas. One working area relating to the existing accountability. The other working area relating to the comments that have been received during the accountability

ICANN|52
Singapore
8-12 FEBRUARY 2015

discussion -- the term earlier is relation with CWG. Accountability on the naming and the four areas of working is contingencies and the tests that should be done.

It is in good shape. We have very two or three good chairs. The issue is very well taken care positively and very efficiently.

And recently now two working parties have been created. One working party dealing with review and the redress. And the other working party dealing with how the community could be empowered to make necessary decisions.

And the last one with the latest information, they have started the work. We have the new chairman or two committees for that. And the first document became available yesterday or today. And the work is in good shape.

What I want to report from my understanding is the chairman of ICG has fully informed the co-chair of the CCWG that ICG does not expect any outcome from CCWG in relation with the transitions. That is an issue that I do not agree with because the work stream 1, according to the charter of accountability, is any accountability is required to be in place or committed before transition takes place.

How ICG could claim or could confirm that does not expect any output from the CCWG in relation with accountability. Whereas, the work stream 1 does clearly mention that.

And how that statement made before being discussed in ICG, if ICG does not expect anything from CCWG on accountability -- which I don't agree with that -- that must be a decision of ICG but not decision of the Chair. So I would like to discuss that tomorrow or whatever time that you want, that we need to go in accordance with the charter of CCWG. That means we need to have accountability required to be in place or committed before the transition takes place. And this accountability is not only for naming. Numbering and protocols also have some elements of accountability, and we need to have one single accountability for everything before transition takes place. Thank you very much for that.

PATRIK FALTSTROM: Thank you very much, Kavouss. And I do understand that you -- let me just clarify here. You gave a reporting back as a liaison and then you gave some input on things as well. So you were making an efficient statement there by talking about both things.

Keith, let me give you the floor as the other liaison to the accountability group.

KEITH DRAZEK: Thank you very much, Patrik.

Keith Drazek for the transcripts. I would like to thank Kavouss, my colleague and co-liaison to the CCWG accountability.

I agree with everything in his excellent summary of the reporting back. I think the CCWG accountability is making significant progress. I think there is excellent work being done. I'm very encouraged by the work that's being done including the timeline that it's on.

Kavouss and I both participated in the face-to-face session of the CCWG accountability in Frankfurt just within the last two weeks. And, again, I was very encouraged by the progress. I won't repeat the things that Kavouss said. I agree completely that the work of that work is very constructive and is progressing well.

There is also good coordination between the co-chairs of the CCWG accountability and the CWG transition. So there is ongoing engagement and dialogue and work between the two groups to identify areas of concern, areas of opportunity for communication and to try to identify, I think, dependencies between the two groups, which is very important. And I think goes in part to what Kavouss has raised.

Moving to the second point that Kavouss raised -- and I think this is really important. It is important on a number of levels, is that if you look at the charters of all of the various groups, all of the moving parts, including our own charter, we as the ICG have been tasked with coordinating the proposals from the three operational communities.

The fact that there is a CCWG accountability on a separate track, if you will, is really an artifact, a holdover of the original plan for -- by ICANN to keep two separate but parallel tracks.

So it is a challenge for the entire community because so much of the accountability discussions, especially work stream 1, as Kavouss rightly noted, have potential impacts on the recommendations coming from the operational communities on the transition. Without the benefit of the work coming from the accountability CCWG, the they are in a bit of a vacuum and not well-informed by the accountability process.

So at some point, my sense is that there will need to be a syncing up of the various activities of these groups.

The challenge that I see is that the ICG was really just tasked with the transition functions and not the accountability track. The operational communities are supposed to be submitting their proposals to us and we're supposed to do the assessment and the consolidation and forward a single proposal to the ICANN board and to NTIA.

The accountability group was never intended to submit anything directly to us. They are supposed to submit something directly to the board.

Now, I recognize that this is, you know, confusing and a challenge and may not be the most efficient way or the most beneficial way forward, but that's sort of the structure that we have today.

So Kavouss I think has raised a very important question; that, you know, how do we ensure that all of these moving parts come together at the end of this process to be able to come forward with a single recommendation.

So let me stop there. Thanks.

PATRIK FALTSTROM: Thank you very much. Alissa?

ALISSA COOPER: Thank you, Patrik.

So a couple of things. And I was hoping, also, that maybe we could get the flowchart from the CWG at some point projected because I think that that would help quite a bit, but I can talk before we do that.

So a couple of things.

The first one, in response to Kavouss, this, you know, specific message that I sent to the CW chair -- CCWG chairs, which was in response to a message that they sent to me and Patrik and Mohamed and which we've discussed before, is that they asked if

ICANN | 52
Singapore
8-12 FEBRUARY 2015

we were expecting a response to the RFP from them by January 15th.

And I said, "No, we are not expecting a response to the RFP from you by January 15." Because we weren't expecting it. We were expecting something from the names CWG and now, of course, we know that it will be somewhat delayed but I think we are still expecting an RFP response from the names CWG.

So all of those characterizations of things that I said about what we as the ICG were and were not expecting, they are not quite correct.

What I said to him is that we were not expecting an RFP response by January 15.

So now I think at least I can see the flowchart, and hopefully everyone else can as well, and I -- hopefully people have seen this before because it's been out for quite a while.

And I think the salient point, and to build off of what Keith said, is that our link to the names community is from the CWG. And so you can see in the flowchart, the CCWG on accountability is clearly a very important part of this whole puzzle and, as Keith said, needs to be coordinated in its work with the CWG, but the body that we are expecting a response to the RFP from is the CWG and not the CCWG.

Now, that doesn't mean anything about how much of a dependency there might be between the output of the two groups or how closely they might be working together. I know they're working together very closely and that their outputs may be very dependent on each other. It just means that in terms of who we are expecting a complete proposal from for the names functions I think our very solid agreement had been we are expecting that from the CWG.

And then the last point, on this question of whether the CCWG is intended to explain the new accountability regime for numbers and for protocol parameters, I disagree. I do not think that is what that group is chartered to do.

I do not expect it to produce accountability mechanisms for numbers or protocol parameters unless it does so in coordination with those communities, and I actually think that the -- those communities have fully specified their expectations as far as accountability for themselves in the RFP responses that we have already received.

So I think that the CCWG charter is more limited than as was expressed. Thanks.

PATRIK FALTSTROM: Joseph?

JOSEPH ALHADEFF: Thank you. Joseph Alhadeff.

I wanted to perhaps follow up on Keith's intervention. I think he laid out exactly what we're expecting and what is expected of us, but, you know, as we start to read the proposals that have come in, in some way we are replacing some of the current obligations with new contractual obligations, and that's fine, but in some way when the NTIA role steps out, some aspects of accountability may be a backstop to the credibility of those contractual obligations, and there is a linkage to the accountability issue to our work.

So while it's not a direct report, of sorts, some of those accountability procedures may affect the ability to have some of these proposals enforceable or some of the methods in which they are considered over time credibly enforced.

So, you know, perhaps one of the things that we do as we put the assembly proposal together is highlight those areas where -- without prejudging what the accountability function is, to suggest that part of the NTIA oversight needs to be replaced by some aspect of an accountability function. It is not up to us to define that function; it is up to the other working group to define that function. But it would be up to us to suggest, perhaps, that some areas require an accountability constraint of some kind in order to assure compliance over time.

ICANN|52
Singapore
8-12 FEBRUARY 2015

PATRIK FALTSTROM: So I would like to encourage people to please make their statements short because we will not be done today if we speak -- make so long interventions, so please short.

Milton and then Daniel and then we'll move to the next point on the agenda and table the rest of the accountability discussion for tomorrow.

Milton.

MILTON MUELLER: Yeah. The -- this will be short.

So this is why I wanted to move this agenda item to tomorrow is because we're talking about something that we can't do anything about.

The CWG -- whatever you think about the interdependence of these things, the CWG has to have a proposal to us before we can discuss the interdependency of that with the CCWG. That's just a fact.

So until we have a proposal from the CWG, this is all purely abstract discussion and I suggest that we shouldn't have it now.

PATRIK FALTSTROM: Daniel?

ICANN | 52
Singapore
8-12 FEBRUARY 2015

DANIEL KARRENBERG: I agree with Milton and I also absolutely agree with what Alissa has said.

And since I heard into Kavouss -- and that's maybe what I heard -- into Kavouss' statement that Alissa acted improperly in her statement that we didn't expect any input from the CCWG, I'd like to say that I fully support Alissa's statement and it was quite proper to make on our behalf.

PATRIK FALTSTROM: Thank you very much.

Let's now table the rest of the discussion for tomorrow and move to the time line discussions.

As you have noticed, we have got feedback from the names CWG with information about the time line that they -- that they have -- that they are envisioning.

This, of course, is something that creates some issues for us, given the time line that we have on our work, and this is something that we need to talk about seriously because it has big impact not only on our work but it also impacts, of course, the whole IANA transition.

Is there -- and let me ask people, ICG members, whether they, first of all, would like to give some input on the status of the

ICANN | 52
Singapore
8-12 FEBRUARY 2015

names CWG and explain on the -- on the -- on the data that the names CWG sent to us.

Milton, I understand you raised your hand. Is this what you would like to explain or --

Okay, okay. Sorry.

So is there anyone from -- that would like to report back from the names CWG on the background for the -- from the timing issues that we got from them?

Okay. Kavouss.

KAVOUSS ARASTEH: Thank you, Patrik.

I'm not liaison of ICG to CWG but I think that we have four liaisons there, four liaisons, and perhaps one of them could. But I think the issue is quite clear. In view of the very complex issue that they face, they are not in a position to meet the objective deadline -- objective time limit. Neither 15th of January nor 31st of January.

And we have asked them, based on the conference call, what time they think would be -- would be achievable, and they have given some time and now we have to take that. Still, this is the discussion of today. Who knows what will happen during the next three to four months? The time line that they've given may also

ICANN | 52
Singapore
8-12 FEBRUARY 2015

be still extended, so we have to be very clear on that, and we have to also think of the statement made by Larry from the NTIA that there is no hard-and-fast deadline for this transition. We have to do it properly and correctly. Thank you.

PATRIK FALTSTROM: Yes, Kavouss. I think this is exactly what we have seen and this is one of the reasons why I wanted to initiate this discussion by getting some more input from the liaisons to ICG from the names.

Given that we don't get that explicitly, anyone that would like to speak up on the topic?

Daniel?

DANIEL KARRENBERG: This is Daniel.

I'd like to, first of all, thank Alissa for revising -- making a proposal for a revised time line so that we have something tangible to talk about.

I think it is important that at this meeting -- not in this round of discussion but at the conclusion of this meeting -- we come to agreement on what our envisaged time line now is.

And what we can take into account is the input we got -- get from the other groups, particularly the CWG, of course, and our own judgment.

But I think we should definitely make a statement at the end of this meeting like, "This is how we see it going now."

Now, I have one comment on the proposal that Alissa made and the fact that she elected to put only one public comment period on the combined proposal in the end, and I have no fixed position on this yet but I am a little bit worried that we are dealing ourselves short again by being too ambitious.

So I think -- at the moment, I think we should probably allow ourselves some more -- some slack time and maybe a second round of public comments, or at least some slack time, because my worry remains, as I stated in our meeting in Istanbul, that as we keep missing self-imposed deadlines, the credibility of our process and our group will suffer.

So again, I think at this meeting we should -- at the end of this meeting we should make a statement about what our new expected time line is and we should put in enough slack so that we don't miss it in the end again and lose credibility.

PATRIK FALTSTROM: Wolf-Ulrich.

WOLF-ULRICH KNOBEN: Thanks. Wolf-Ulrich Knoben speaking, GNSO.

I'd like to come back to the very beginning of the discussion of the time line we had in London and then in Istanbul and after that, so -- when the work was starting. So -- and also, over the last weeks.

The perception in the other groups was that the ICG is pushing ahead for a deadline by setting a time of 15th of September of this year.

I would like to say that the ICG is not doing that. So we never pushed ahead, you know, a deadline.

So the only thing what we were doing, and what we were discussing, was a kind of -- of time line, and to have a kind of target -- target date where proposals -- where proposals should be ready, keeping in mind that the discussion is going on and there might be flexibility needed in that time line.

So that is the situation we have, and it is very reasonable, so coming from the discussion from the CWG and in conjunction with the CCWG, what the time line proposal now is, from my point of view.

So we only should think about and we should, in priority, discuss what does it mean also with regards to the -- what we have to do towards the NTIA, because our task is, well, to put forward through the board the combined proposal.

ICANN | 52
Singapore
8-12 FEBRUARY 2015

What I should need to ask how -- how do we react with regards to putting forwards a proposal?

I do not have any problem with what Alissa has put together with regards to that time line here. I also think maybe the public comment period, there should be -- I guess there's an uncertainty about that, how it should be dealt with, but from my point of view at the time being, this time line is reasonable. Thank you.

PATRIK FALTSTROM: Alissa?

ALISSA COOPER: Thanks, Patrik.

So I just wanted to maybe respond a little bit to Daniel and Wolf-Ulrich and point out a couple of items that I raised in the email when I sent this version around, because I know it's been very busy and people have been focused on other things.

So from my perspective, there's a couple of good reasons to -- for us to at least start a discussion about revising the time line. You know, whether -- whether we get it published by the end of this meeting or not, I'm not sure. There might be some thorny issues there.

But -- but there's a few reasons to have the discussion.

One is that, you know, the numbers and protocol parameter communities and -- I mean, all of the communities have been working extremely hard, but those two did submit their proposals to us when we asked for them, and the staggering with the names community I think actually gives us a good amount of time to try and process those and get back to those communities in a timely fashion, based on all the work that they've put in. I think we owe it to them a little bit -- especially all the people who, you know, lost a lot of their holiday time -- to get that done.

And so I think, you know, it's a good -- it's a good plan to express our expectations back to those communities, you know, fairly soon, so that they understand that we appreciate their work and they know what we're expecting from them next.

And so that's -- that's -- that was one reason why I thought we should do this now.

The other one, of course, is that there is some bearing between when this work gets done and, you know, what happens with the contract itself, and so having, I think, more notice that the -- the completion date of the whole process might slip is probably better than having less notice. So that's another -- another good reason to think about this now.

And then the -- the only other thing I would say, that I said a little bit in the email, is that, you know, I tried in this time line to take account of the ICANN meeting schedule and I think when we

started -- when we first met, you know, last summer, personally I was one of the people who sort of said we shouldn't necessarily benchmark everything against the ICANN meeting schedule. You know, we can meet at other times and so on and so forth. But obviously it's extremely useful for the bulk of the communities who are interested in this transition to have the ICANN meetings as the demarcation points. And so if we want to have a discussion about adding back in a second public comment period or, you know, giving ourselves more slack, as Daniel was talking about, I think that's fine, but I think we always need to be mindful of the ICANN meeting schedule a little bit. Especially if we -- if we're -- if the second half of the process is very names-focused.

And so just to keep -- something for people to keep in mind is that if we build in more time, we're likely building in, you know, another meeting cycle's worth of time, at least. It's hard to just build in extra months, I think, in some of these cases.

So just a few things for people to keep in mind as they look at this.

PATRIK FALTSTROM: Thank you very much.

On the queue, I have Milton, Joseph, Kavouss, and Manal.

Milton, please.

MILTON MUELLER: Yeah. Again, I just have this nagging feeling that we're discussing this backwards and that after we do our work with the assessments, we can have a nice leisurely talk about the time line and about its implications, and that we will have a better idea, for example, what, if anything, we're going to ask the communities that have already submitted proposals, and that might enter into our discussion of the time line. I just want to -- with that as a preamble, I want to say the credibility of this group I don't think is at stake with ICANN -- with the time line because we're not the ones missing the deadlines. It's other people.

The other thing that you keep forgetting about, maybe some kind of Freudian repression of memory, is that the U.S. Congress has intervened and has made it impossible to us to meet the September 30th deadline. We cannot give the NTIA anything -- they can't do anything with it until after September 30th. So that's no reason to, of course, keep the pressure off. We need -- the pressure is good. Especially for the names community, which is known for an expanding universe notion of time.

So again, I would like to have this discussion in more detail, but I think we would have it tomorrow or when we've done the other more immediate things.

PATRIK FALTSTROM: Joseph?

JOSEPH ALHADEFF: Thank you. Joseph Alhadeff.

I would agree with Daniel that there is -- there is a risk of credibility if we keep on posting time lines and then amending them in a constant basis. I think we need to make sure we have considered looks at time lines.

I would also agree that there's a concern of only one public comment period following the final proposal because if the comments engender significant changes, then there's probably the need for one last look.

The other thing which has to be the credible input to any time line is that after the first submission, we also have to be ready for the potential of an iterative process, because the first submission is not necessarily the accepted submission.

NTIA could come back and say, well, we think these are changes, in which case it is not just us who have to look at the proposal, it is probably the underlying communities who also have to look at the proposal. So that could be also a significant extension of time. Perhaps one of the ways to deal with credibility and also to deal with the valid points that Milton has raised is to talk about a conceptual timeline because I think no pressure will mean that the process will continue for as long as continuing can be possible. So the concept of a deadline is an important motivating factor. Perhaps we can state the deadline that is a little more fluid and

ICANN | 52
Singapore
8-12 FEBRUARY 2015

build the contingencies into the timeline to say assuming these factors.

PATRIK FALTSTROM: Thank you. Kavouss.

KAVOUSS ARASTEH: Yes, thank you. Kavouss speaking. I follow and agree with what everybody has said. I would like to add that after the first draft of the CWG there was complaint about the timing of the comments very short and how the people, almost, they complained about that. Therefore, any timeline in particular for the activity of the IGC, you need to have two things: More than one timing commenting period and, second, sufficient time for comments but not very short. It will be very difficult.

I think we had one very short which people complained of that. That is our charter. We just gave seven days. It was not sufficient. So we have to be careful this time to give sufficient time.

Another thing that Wolf mentioned that I also read, ICG was criticized pushing the entire community for the particular time we should be very clear that we did not establish any timeline of our own at the time based on the NTIA 15th of September, and we are working backward and established 15th of January.

So it should be understood that ICG does not impose any particular time frame for the community. It is the system that enable us or push us to have some timelines.

Now coming to Daniel's proposal at the end of the meeting, we have some mistake about the timeline. We must be very, very careful. This timeline even after what Milton said, we have to work it quite clearly. It should be mentioned in a very cautionary manner in a way that this is still our objective. It is not the deadlines. And may depend on many things, and we should mention that this is irrespective and independent of decision of NTIA, how far or how long the contract will be extended, one year, six months, two years, and so on and so forth.

But this timeline should be very careful worked out at the end of this meeting if you want to have something. But it still may not be met this objectives because of the other outside our mandates or outside our control, in particular CWG.

By the way, CWG work very efficiently as well. Sometimes they have daily meetings, every day. So we should also recognize and appreciate the work that CWG has done. Thank you.

PATRIK FALTSTROM: Thank you very much.

Manal.

MANAL ISMAIL: Thank you, Patrik. So while I agree with what Milton said, it is not our fault missing this deadline, I also agree with what Daniel and Joe said, if we keep putting deadlines and missing them and pushing them forward, this would definitely affect our credibility.

So in taking also into consideration what Kavouss said regarding the community, I would say that we should work this timeline very closely with everyone else who is involved with the operational communities and with the wider community and seek feedback on this timeline. The first timeline we were driven by the target date. But this time we're driven by the process. So we should be able to calculate it more accurately and commit to a deadline that is practical and achievable. So just to highlight before announcing a new deadline, we need to consult with the operational communities and the wider community. Thank you.

PATRIK FALTSTROM: Thank you. Alissa.

ALISSA COOPER: Thanks. I was just going to note that when we first published the timeline, we had a graphic like this and we also had a narrative explanation. And so that's something else I wanted people to think about, is if we need a revised narrative explanation to go along with this graphic which is something that doesn't exist yet. I mean, we have the old one, but I did not take the time to write

the new words that would go with this. So that's something else we would need to do if we want to publish this, if people think that that's something that we should do. Just wanted to flag that.

PATRIK FALTSTROM: Thank you. Daniel.

DANIEL KARRENBERG: Just very shortly, to motivate why I think it is a good idea that we make a definite statement on our position about the timeline by the end of this meeting, my motivation is like this. There is ICANN week coming, and the one question that is going to be asked in the hallways: Where is this process going now that we missed the original target date? And I think all we can do to reassure the wider community that we're still working on and that we have a plan we should do. I think an essential element is a time plan.

I think it would be really bad if by the end of this meeting we'd say, We don't know yet. We first have to consult the operational communities. I think we have all the input from the operational communities that we want from all three of them.

So I think we should make as definite a statement as we can in order to keep momentum in the process and to keep communities that we, this time we should be driven by the process and not by the end date and we should give ourselves as

ICANN | 52
Singapore
8-12 FEBRUARY 2015

much room as we can. But I think we need to make a statement. Otherwise, we are doing ourselves a disservice.

PATRIK FALTSTROM: Thank you. Michael.

MICHAEL NIEBEL: Thank you. I want to congratulate those communities that have been delivering and that we should take it seriously and look through this. And also as Milton said, in the discussion on those proposals, we will find some of the issues and some of the questions that will then feed back in the loop.

Do I take it from the room, I think there are two different things. One is missing the target that means at the end of the day or the two days, are we all saying we will not meet a target deadline for us that will enable the transition after the September?

And in this context, Milton's statement about Congress was interesting, but maybe we can discuss that tomorrow.

So that's one statement. And the second statement is if when everybody in the room agrees on that, what's a new realistic timeline?

And, again, I also want to say, this timeline was target driven. It is not that it was the invention of the ICG. It is not that it is credibility or not. But, of course, if one agrees that September is

not a realistic date, then what is a realistic timeline given the discussions we will have over the two days?

PATRIK FALTSTROM: Thank you. Wolf-Ulrich, do you -- yes, please.

WOLF-ULRICH KNOBEN: Thank you. Let me state, missing the target is not an accident, I would say, because that is normal in management processes -- in many management processes we have. And this is a management process we have here.

So the -- the discussion we have, we had set a timeline and the others come back and say, yes, we do our timeline, we do our schedule because you set the timeline.

So now we get back and say, well, you have -- send us a schedule, and that's why we are setting a timeline in that way. So this is a discussion we are going on.

And the only thing is the communication and the rationale behind of that. That's what I agree, so we have to be -- to find out and to communicate in the right way to the community both things.

The first thing is the flexibility of the first timeline is not the end of the process. And on the other end, we have to set a good rationale for that, for what we are doing. And, therefore, we should work on that.

ICANN | 52
Singapore
8-12 FEBRUARY 2015

And I agree with Daniel on the very last statement. We have to send out to the community. Thanks.

PATRIK FALTSTROM: Thank you. Keith.

KEITH DRAZEK: Thank you, Patrik. Keith Drazek.

So briefly, I typed this into Adobe chat, but I think it is worth saying here again, is that the CWG transition has communicated to us and to the community a revised proposed timeline that in the best-case scenario allows for meeting the September 30th, 2015 target date. And I think we should as the ICG be working towards that communication -- or based on that communication, that there is still the hope and the potential or the possibility for meeting the September 15th date unless and until we hear otherwise.

Obviously, we need to work our process to make sure there is adequate time for us to do our work. But I think we need to be focused very clearly on the communication of the CWG regarding the timeline that it hopes it can meet and then go from there. So I think to the point of communications at the end of the week or communications from the ICG, I think we simply at this stage can say the operational communities have either given us their proposals or have given us a timeline for giving us their proposals

and we look forward to receiving those that we will all as a community continue to work hard together to make that September 30th, 2015 target date, if at all possible. And if it appears at some point in the future that it is less likely or unlikely, then we'll adjust.

Thanks.

PATRIK FALTSTROM: Thank you very much. I have on the queue Manal, Narelle, Russ, and Alissa. And then I think it's time to break for coffee.

MANAL ISMAIL: Thank you very much. First of all, I support what Keith said but also very quickly in response to Daniel's comment, I didn't mean that we shouldn't have a view on this. But proposing anything concrete is okay but, again, should be put for public comment or something so that we can make sure that everyone is committing to the same time line. So just to make sure I make my point clearly. Thank you.

PATRIK FALTSTROM: Thank you. Narelle.

NARELLE CLARK: Thank you, Patrik. Narelle Clark for the record.

I think I heard earlier on a suggestion that there should be an additional comment period after the -- after the proposals have another go-round. That's one thing concrete that I heard. And I think that would be a good thing if we did try to work that in, even if it is only a relatively short one.

I would like to make a comment on the concept of deadlines here. They really do need to be there. They do need to be realistic, but also firm, on the basis that this type of work seems to me to be like housework. It fills the time available.

So if we curb that time available, we should be able to get to what I would hope to be an optimal solution.

As Daniel said, I think in one of the previous meetings, the perfect is the enemy of the good, and that's something that's really stuck with me and I think we need to apply it.

So how -- the question is how realistic is all this.

I mean, Keith just said that the CWG has given us a concrete timetable that they think they can work to, which ties it into the September 30th deadline, so now, frankly, I'm a little bit confused. So perhaps if we could clear that up, I would be a lot happier. Thank you.

PATRIK FALTSTROM: Russ?

ICANN | 52
Singapore
8-12 FEBRUARY 2015

RUSS MUNDY: Russ Mundy, for the record.

                              I would like to support Daniel's comment earlier that it's perhaps -
                              - the most important piece here during this meeting is to arrive at
                              a public statement that we can make about the time line.

                              It would be good if we could achieve agreement for actually
                              publishing a time line by the end of the meeting. I don't know
                              that we can do that. I think it's more important for the broader
                              community that we say something about what we have in hand
                              and what we see going forward than actually to finalize the -- the
                              time line, and we can cover that -- the details on that tomorrow.

                              Also, I'd like to point out what Elise identified on the mailing list in
                              terms of if the date for 30 September is not met from a
                              contractual perspective, this is not a problem. It's clearly stated in
                              the contract that the contract can be extended. So the recent
                              statements that have been put out by various folks that it's more
                              important that it be done right than it be done immediately fits
                              fine with the contract contents and requirements.

                              But I think we have to strike the fine balance with achieving things
                              as fast as we can, yet doing it as effectively as we can in the time
                              constraints.

PATRIK FALTSTROM: Thank you very much. Alissa?

ALISSA COOPER: Yes. I wanted to respond a little bit to the notion put forward by Keith and seconded by others that we, you know, continue moving forward assuming that we will meet original target deadlines and just wanted to point out that that's a -- there's a significant contrast. There seems to be sort of two camps in the room. Because on the one hand, we heard I think earlier from Daniel and others that, you know, we want to make sure that we can establish a time frame that we can hit and it hurts the credibility of the process to make unreasonable assumptions.

On the other hand, the idea that we would get a proposal -- a complete proposal to NTIA on the original timetable, even though the names proposal would not come to us until six months after we originally had planned for it -- we asked for it in January and this their best-case scenario it would show up in June -- that implies that we would -- we would achieve everything that we said that we need to do, including individual assessment of the names proposal, potentially going back to the names community, doing the assessment of all three components together, potentially going back to all three -- or, you know, one or more communities after that piece, and then running potentially two public comment periods, in taking those comments into the proposal, and then delivering it to NTIA in July, August, and September.

ICANN | 52
Singapore
8-12 FEBRUARY 2015

And I will -- I will just point out to people that we've taken, you know, one month thus far to start the individual assessments of the other two components, and so if you -- if you try to think how we could get all of that done and do it in a fair process that gives all those communities enough time to assess things, gives us enough time to assess things, I have to say that I would -- to me, that sounds like the ultimate unreasonable expectation and that would -- that would put more pressure on everyone involved in this process than anything that we have written down in a time line thus far.

So, you know, I just want to point that out to people if -- there seem -- that is -- that is kind of a view in one extreme and then there was a view, I think, in the other extreme, which was, you know, whatever we say needs to be -- you know, should be perfectly reasonable and we shouldn't miss timelines again, and we -- I think we need to find some way to converge those two views because they're (indiscernible) from each other.

PATRIK FALTSTROM: Thank you very much.

I do have Paul, Keith, Kavouss, and Daniel in the queue and we have four minutes.

I will let all four of those people speak and then we'll take the break, so I'll cut the line there. So Paul first.

ICANN|52
Singapore
8-12 FEBRUARY 2015

PAUL WILSON: Yeah. Hi, everyone.

Look, I hope we are maintaining the hope of a -- of meeting the 15th -- September -- September 2015 deadline.

If we -- if we were to drop it at this stage, you know, months away from that deadline, I think there would be a huge amount of frustration and disappointment and disillusionment amongst the communities who have done the work so far.

The obvious question is if -- if it doesn't happen at that time, then what's the risk to the work that's been done already, what's the implication, does it stand, does what's been done stand or was it done sort of for nothing because somehow the entire ground is possibly going to shift. And I think that needs to be -- there needs to be some mechanism or some statement, in the event of the deadline not -- not standing, to give some reassurance what's -- that the work that's been done by the numbers and protocols communities is not for nothing; that if it's going to take longer than -- if the whole process is going to take longer, then it's not going to create a problem for those who have done the work already.

I hope that's the intention behind the idea of the IETF plus RIR proposal that Alissa has put on the timeline there, because if it's not, then there will be a perception that some are being held hostage to -- by others in this process, in some sense.

ICANN | 52
Singapore
8-12 FEBRUARY 2015

And I think if the -- for the RIRs, if we have to maintain -- if we're asked to maintain the mechanisms that have been put in place for a longer period of time or a perception of an indefinite period of time, or to reassemble those mechanisms afterwards, then that's going to be pretty hard. There's going to be a serious issue, as I said, with disillusionment -- disillusionment and probably participation as well. Thanks.

PATRIK FALTSTROM: Thank you very much. Keith?

Okay. Keith withdrew himself from the queue.

Kavouss and then Daniel and then we'll break for coffee.

KAVOUSS ARASTEH: Thank you. Kavouss speaking.

Patrik, I think we are hearing so many things entirely from each other. The 15th of September was based on that we receive all proposals by 15th of January. From one community, we have not received, and if I understood well, it will be June. Therefore, that cannot be met.

I cannot agree with the proposal saying that two communities have done their job means that they have to send something to NTIA partially.

NTIA is not concerned about a partial arrangement. They want the complete set.

And it is mentioned that prior to the evaluation -- execution of transition, all this must have been arrived, implemented in the bylaws and in the articles of incorporation.

I don't see any point that we say that two communities have done their job; therefore, 15th of September is met. No, is not the case. The whole thing should be done. We cannot achieve 15th of September and we should avoid to pushing for that. I don't understand -- (indiscernible) said that there is a (indiscernible) the 15th of September can be met. Cannot be met. Will not be met 15th of September. Thank you.

PATRIK FALTSTROM: Thank you very much. Daniel?

And Daniel takes himself off the queue.

So let me try to summarize where we are.

I hear a number of different discussions going on at the same time here, very much and similar to what Kavouss just said, I think.

I would like to focus our discussion on the time line -- or I would like to separate the discussions on the time line from what time the ICG needs to do our work well, what process do we need to

do our work well, regarding the number of public comment period, the length of those, et cetera.

When we are going to do those depends on deliveries from the operational communities, the -- and various other external events, and we need to discuss how to do those -- that kind of communication as well, of course, but I think it's important that we decide on what kind of time we think we need for various things to be able to do our work according to our charter in -- in a -- in a proper way.

So separate a little bit -- in the discussion we're going to continue tomorrow, separate our work and our part of the time line from what we think about others.

And then we, of course, have to compile all of that and see whether we are going to make a statement and what that statement in that case will continue [sic].

So let me suggest that sort of division of the discussion of time line in those three parts and table that for tomorrow, and with that, let's break for coffee and let's reconvene at 11:00. Thank you.

[BREAK]

PATRIK FALTSTROM: So a couple of practical things, we have all the name cards are now ready to be picked up so you can pick them up here in the back, if you haven't done so. You can pick them up at lunch or something or whenever you get some more coffee.

I also have -- we also need to decide around lunchtime what to do with the potential evening session of today. We have the ability to -- for people to do -- have some group meetings including working in this room to make it possible to have remote participation. If it is the case that we feel that is needed, then we should decide on what those groups should talk about.

Some of us, including myself, do have other commitments. For example, I cannot be present tonight. But we should be able to have informal sessions.

I also heard people talk about interest of trying to gather to have an informal dinner together. That is, of course, something that I encourage people to socialize with each other. If we have anyone being interested in holding the token or trying to arrange a dinner, please announce yourself to the other ICG members, and we can try to see what we can do regarding arrangement of that.

So let's go back to talk about that around the -- when we gather after lunch. We can decide how to deal with the evening session.

So with that, let's move to the next item on the agenda, the protocol parameters proposal.

ICANN|52
Singapore
8-12 FEBRUARY 2015

So, Jari, let's start with you going through the -- your view of the current situation. Thank you.

JARI ARKKO: Thanks. While on the agenda we have two hours, so I will just speak for one hour and a half --

[Laughter].

No, really, I have something very short, I think, just going through the summary and the assessment versions and touch upon a couple of the issues. Then we can open it up for discussion. I think the crucial item, of course, is if the ICG wants to ask or say something to the IETF or if we are comfortable with going ahead as planned.

So I think most of you have seen this but just to summarize the IETF process that we went through. We used the normal processes where we created a BOF working group. We had a proposal that went through adoption stage, had discussion in the working group. We had a working group last call. We had an IETF last call. And, finally, the IESG approved the document as we do with all the other things at the IETF.

And the process, indeed, went through. For most parts, I think there was very broad agreement or even unanimous opinion.

ICANN | 52
Singapore
8-12 FEBRUARY 2015

On a couple of aspects, there was more debate and rough consensus. The areas that we had those debates on -- and I think those were, for instance, the -- whether we should specify exact contract language in the proposal or just leave -- provide guidance and then leave that to the negotiating entities, the role of iana.org and whether we had enough statements of justification from the chairs of the working group. All of those things had been raised multiple times. When you see some of those comments come up to the ICG or forums, just keep in mind that we've seen it many times during the discussion. And, in fact, it was also considered by the IESG as we approved the documents.

In the end, there was agreement or decision by the IESG that we have rough consensus on this topic and we can move forward. That's roughly the high-level story.

We have been working on assessments, Milton, myself, Jean-Jacques. And by now there is actually four separate assessment versions in the document repository because I just sent one update a few moments ago feeling that after Milton said this, I felt we needed -- or I needed to update my original one at least.

We had some discussion on whether there is one assessment or multiple, and I think the answer that we heard from the mailing list was that we multiple -- although I'm hoping that we could actually find agreement between Milton and JJ about the update

during these two days. I'm certainly willing to work for that. Hopefully the one that I provided is a little bit closer to that.

But, again, the important question is whether the ICG is asking or commanding the IETF to do something. Please clarify this or something along those lines.

And for that, I think the assessments are not really -- I mean, they are key but it is still the ICG decision to say whether we are comfortable as is or we're asking something extra.

I did want to go through a couple of the issues that we discussed in the assessments and also during the process. The first one is inclusiveness or openness. And I don't want to go too much into depth in that. I'll just observe we did talk about that on the list, and we have to be sort of careful in setting any expectations for the openness and inclusiveness. And one of the principles we at least operate on at the IETF is that we have to be in some sense fair and look at the overall community opinion rather than raise any particular aspects of that.

But I think we had that discussion on the list. If you think we need to pursue it further, raise it here, insert a comment later.

The other thing that I wanted to talk about is contracts and negotiation because that's been, like, one of the discussion items during the IETF process, how do we do this. And we came up with

ICANN | 52
Singapore
8-12 FEBRUARY 2015

a conclusion. But since then, there has also been some questions in the ICG and elsewhere.

And so the proposal the IETF sent us has some items that the working group believed are necessary to be negotiated, basically that the data in the IANA system needs to be in the public domain and also it needs to be a smooth transition in case of operator change and that maybe set some requirements for the current operator -- at any particular time, the current operator to be able to promise and contract for that kind of service as well.

And there may be additional ones. I think the bodies responsible for these types of negotiation in the IETF are reviewing and bidding contracts every year. And we do get some input on -- I mean, not only some our own ideas as well as get some additional input elsewhere about things that need to be resolved. But the working group believed that those two things were the ones that needed to be set aside in future contracts. And the working group opinion was that for those two things, the specific negotiations and the detailed languages are in the administrative committee of the IETF and in the domain of our legal counsel. And, of course, obviously when we talk about agreements, as of now, we cannot make agreements on our own with other people. Those other people have to agree as well for better or for worse, so subject to agreement when we are negotiating with other parties.

So at this point, we had the guidance from the working group. We have several additional pieces of feedback from Milton and others. The IAOC, the administrative committee, has taken that input and is working on this matter. For some aspects of that, we can actually proceed now and we do that as a matter of our normal business like around this time of year. We are updating our usual SLA with ICANN for IANA services, and we're doing that right now.

For some of the aspects, it might not be so easy. For instance, the U.S. government might be able to say some things at this point, and some of the things they will not be able to say until they make a decision on their whole transition system.

And I don't know how much you guys know about the IAOC, I just want to briefly introduce what the IAOC is. It is a committee of the IETF, just like the IESG, which is the steering group deciding on document approvals, or the IAB. It is mostly NomCom selected body of individuals from the IETF. It also has the IETF chair and IAB chair as ex-officio members. Russ and I are members are that.

In addition, it has members nominated by the IESG, IAB, and ISOC board as representatives. It is a community board with a few additional members.

They work with the IETF legal counsel and various other people and entities as needed on a case-by-case basis.

ICANN | 52
Singapore
8-12 FEBRUARY 2015

And that's roughly what I had to say. So the two items were inclusiveness and openness and the important thing ahead of us is maybe not to rehash all discussions that we had already in the IETF but decide how we, the ICG, are going ahead in this matter and, of course, the other matters with other communities.

I don't know, Russ, do you want to say something additional? Did I forget anything?

RUSS HOUSLEY: No, I think you covered it.

JARI ARKKO: I think I will leave it at that and open it up for --

RUSS HOUSLEY: But you didn't talk for an hour and a half yet.

JARI ARKKO: Sorry. I can talk about something else maybe. Skiing?

PATRIK FALTSTROM: So, Jean-Jacques.

JEAN-JACQUES SUBRENAT: Thank you, Patrik. This is Jean-Jacques. Can you hear me?

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PATRIK FALTSTROM: Yes.

JEAN-JACQUES SUBRENAT: Good. A remark and a question. The remark is I would like to thank Jari for initiating this draft and to Milton for pretty substantial additions. My own part was very minimal.

But my question is as follows. Looking at the result, which is very thorough, extremely detailed, I was wondering what impression this would give to the communities we represent because it's known in detail. I understand that it can be usual to point out without any ambiguity all the care which went into making sure that proper consultation was conducted, et cetera.

But the tone of it, now that I'm looking at it again, is very self-justifying and almost defensive. You know, we went into this and we did all the right stuff at IETF and IAB. I didn't expect when we started out that it would be so detailed and almost self-justified.

So my question is: Am I alone in having that impression, or do people -- does anyone share this concern about appearance? Thank you.

PATRIK FALTSTROM: Do you want to respond to that immediately?

JARI ARKKO: Yeah, maybe I can. I mean, I assume myself -- and it is me just talking now -- feel maybe a little bit similar as you do. I think that the broad task that the ICG has is to say, you know, we looked at your process and you -- what your process required and we are moving on rather than go into, like, detailed recalculation of the arguments that were held earlier.

In some sense, a shorter response is -- may be more useful. Although I understand the need for us to perhaps show that we have done our homework at the ICG and we have looked at all the different issues and we didn't just stamp an approval.

PATRIK FALTSTROM: Thank you. I have Michael, Kavouss, Alissa, and Daniel.

So, Michael.

MICHAEL NIEBEL: Thank you, Michael Niebel. Thank you, Jari, for this explanation. And I think the detail is no harm there.

My remarks are regarding the questions under 3, proposed post-position, oversight, and accountability arrangements. One is just for clarification because you have already relations with ICANN in a formal manner. But just for -- because it has been discussed in other contexts and will be discussed in other contexts, which is

ICANN | 52
Singapore
8-12 FEBRUARY 2015

the legal personality that will do these contractual relations? Just for the record.

The other issue I wanted to mention is when you say, however, in the absence of the NTIA contract, a few new arrangements may be needed, now, the "may" is the thing that I'm questioning. Are you not convinced that you see that or is the "may" significant?

The third and last element is when you say, When it is the preference of the IETF community that as part of the NTIA transition ICANN acknowledges that it will carry out the obligations established under -- and so on and so forth -- of the current IANA functions contract between ICANN and the NTIA to achieve a smooth transition to subsequent operators, now, is it the conviction of the IETF that such an acknowledgment is legally sufficient? That was all.

PATRIK FALTSTROM: Jari?

JARI ARKKO: Okay. So I'll try to do the first two and then Russ will answer the third one.

So the legal entity, largely, in any IETF matter where we contract for meeting space or whatever is ISOC. Although, of course, we also want -- formally recognize that the IAB and IAOC, for

instance, in IANA-type matters are behind -- or the IETF is behind the agreement as well.

Regarding the "may" -- and there was some amount of debate about this in the working group, and this is what they wanted to put in. It could have been a different word as well obviously. And for many other things, it could have been slightly different. But this is what they felt was appropriate level of requirement.

And, Russ?

RUSS HOUSLEY: So regarding -- the third point is actually related to the first point. The transition we wanted to have ICANN commit that they would assist in a transition if at some point there was a decision to go to a different operator for the protocol parameters registries.

The document we have in place today is an MOU that was signed more than 15 years ago and we have an SLA that's signed annually. So that seemed to be the place -- we didn't want to open up the old document so we wanted to put it into the SLA.

And that is signed each year by ICANN and by the IETF's administrative director.

So given that the IETF is not a legal entity in the first right, this seemed like as good a solution as we could get to that problem.

PATRIK FALTSTROM: Kavouss?

KAVOUSS ARASTEH: Thank you very much. Sorry. My question is in a way that I see it to be raised.

I request to clarify: Does NTIA today exercise any sort of oversight or stewardship in regard with the activities of IETF?

If the answer is "yes," what are those and what will happen after the transition?

So I have three questions. I take it one by one because sometimes it might be difficult to remember all the questions.

Is it possible to answer this question?

Thank you. And I have two more questions. Thank you.

JARI ARKKO: And thank you for accommodating for my limited short-term memory.

[Laughter]

So from my perspective, the oversight and the stewardship that the NTIA has had for us in this case has been mostly about the ability of them to stand back and let the communities grow and be able to develop the mechanisms that are needed to deal with

all the necessary tasks by themselves, and that is indeed what has happened, so I -- for that, I thank the NTIA for their cleverness to allow this to happen.

And today there are no tasks that they perform for us.

In theory, they perhaps could, but everything that is being done today is handled by the IETF and ICANN as part of our normal business, and so the oversight is completely today already in -- on our side.

PATRIK FALTSTROM: Kavouss?

KAVOUSS ARASTEH: Yes. The answer is what you have given me before, that currently there is no oversight to be done by NTIA. If there is such a sort of oversight and accountability, it is inside the IETF and IAB. That is what I understood and you confirmed that. There is no oversight required, and after transition nothing will happen and no more action is required.

Now, the question is that in order to be sure that everything is perfectly done, do you have any procedure for the -- any review and redress, currently?

And if "yes," how it works.

And then the question after that, after the redress and -- the review and redress, what the decision would be, that this decision would be mandatory or decision would be optional.

If there is any request for redress, would it be mandatory or would it be optional? Thank you.

JARI ARKKO: So we're not entirely sure if we understand the question completely, but there is constant tracking of operations going on between ICANN/IANA and IETF. In fact, in both directions. They provide a review of things that we ask them to do and point out issues in those requests, if there are any; and we from the IETF side are tracking the behavior and performance of -- of IANA and, you know, we're doing that at a very detailed level, both at the level of request as well as overall statistics, and we're, you know, very happy with the performance in the last several years.

But the answer is that there is review and there's also review of the overall situation periodically with IAOC, such as updating the SLAs, as well as the IAB.

Does that answer your question?

KAVOUSS ARASTEH: Yes, you answered my questions, but I just say as my last question: Do you see any sort of empowering the community to

have more direct arrangements in order to revert or to modify or override the decision it's taken? Does -- have you foreseen any empowering of the community in future after the transition?

Because still we have NTIA that if there is a necessity, it comes in, but when NTIA is not out, does the community -- is it foreseen to have any sort of empowerment to come in and to take action, if necessary? Thank you.

JARI ARKKO: That's a good question.

So the IETF community is in charge of deciding what the policies are, so we -- our community makes the decisions regarding what allocations are actually made, and IANA executes those decisions. And so that is really what's -- what's happening.

So the community's already completely empowered to do that part of it.

In addition, there's, of course, the question of whether the overall arrangement needs to evolve in some way in the future, and the IETF is in a position, I believe, to make suggestions and decisions regarding how that should evolve in the -- going forward, and, you know, up to and including changing the operator, if that should ever be necessary. And the service that we have gotten from IANA has been so excellent that I don't think that's really

ICANN | 52
Singapore
8-12 FEBRUARY 2015

conceivable at this point. But -- but everything is basically in the hands of the community and IETF to decide.

So I think the empowerment is there.

PATRIK FALTSTROM: Thank you very much.

Daniel and then Milton and I put myself in the queue.

DANIEL KARRENBERG: Okay. Maybe before I make my own comment, I might have a go at trying to have you -- Kavouss and you communicate a little bit better.

I think what I heard Kavouss ask is what are the mechanisms to correct the situation where the IANA function operator doesn't do what the IETF wants.

Is that what -- in essence? Yeah. So can you answer that question?

JARI ARKKO: Right. So -- so we have this, you know, daily operational -- or almost daily operational interaction where we can take up issues and, you know, occasionally there are some issues and we deal with that.

And if -- if that were not to be sufficient, then we can take the matter higher up, you know, all the way to the relevant boards -- ICANN board in this case, or -- if there's disputes between the IAB/IESG and ICANN board, and deal with the issue at that level.

The MoU actually sets the IAB as the ultimate authority in case of a dispute, so if the IETF and ICANN do not agree, then IAB decides.

And even going beyond that, if even that is not enough, then both sides have the ability to say no to the contract and walk away with a six months' notice.

So those are the mechanisms.

Of course the, you know, more blunt tools are really extremely blunt and would only be used in emergencies and I don't see the need for them in the foreseeable future, but we do this daily thing all the time.

DANIEL KARRENBERG: So now for my own comment. And this is, in part, a reaction to what Jean-Jacques was saying.

I've been participating in the IETF in the past. I've been involved with the Internet Society, who is the legal body behind the IETF. So I have a -- some knowledge about how it operates. The proposal we have received from the IETF and the process that led to it, in my view, are absolutely consistent with the IETF's culture,

ICANN | 52
Singapore
8-12 FEBRUARY 2015

with its bottom-up governance procedures, and I think both the content and the process are fully acceptable.

I think -- I propose that we, as the ICG, thank the IETF for their proposal and come to consensus that it meets all the criteria and that we will take it into our process as we have received it and that we ask no further questions about it.

PATRIK FALTSTROM: Milton?

MILTON MUELLER: We will be asking questions about it, Daniel. I'm sorry. That's not going to fly.

It's not that there's anything seriously wrong with this proposal, but this -- I'm -- this is just not what we can do. We cannot be a rubber stamp that doesn't even care about how these things work, whether they are consistent with the other proposals.

I have a tremendous respect for the IETF and for its culture and its processes, but I think the fundamental philosophical disagreement here is that this is an ICG process. It's our RFP. We have to give the proposal to the NTIA.

If we wanted bilateral negotiations between the IETF and the NTIA, that would be a different question.

ICANN | 52
Singapore
8-12 FEBRUARY 2015

So let's not -- you know, we don't have to be so precipitous or preemptive in our approach to this because there's no fundamental problem with the IETF proposal. It's just some fund- -- some simple questions about completeness, about what it means, about how it translates into the overall process that we're running. I just -- we just need to engage with those and not try to shut down discussion of that.

We just -- you know, we can solve these problems. They're not -- they're not big problems.

So let me -- let me just make the comments I was going to make. I'm kind of reacting to Daniel here.

First of all, Jari, in terms of your response to Kavouss' question, I think you should have been a little clearer that the NTIA has never had any authority over the IETF and it is not standing back from using that authority. As far as I know, it has never had any authority over the IETF. It has had authority over ICANN. And because you are interdependent with ICANN, there was a strange period around 2000 when the IETF approached NTIA and said, "Wait a minute, guys, you've -- you've just established this structure and you really have to figure out how we relate to it."

And that's where we get to RFC 2826.

Now, Russ said -- take your time. There's going to be a lot of stuff to answer.

Russ said the IETF did not want to open up 2826, and I think that was one of the issues with this whole proceeding was that there seemed to be a group that had decided in advance that they didn't want to open up 2826 and there was another group that couldn't understand why.

So an explanation as to why you didn't want to open that up, why it would not be advisable to make that simply more legally solid, this is the problem you're kind of running into now.

For example, I have to totally agree with Mr. Niebel. This word "may" is very bothersome.

You know, we're making a proposal here. Either you're going to do something or you're not. We'd like to know that you're going to do something. Why would you put a word like "new arrangements may be needed"? What are the conditions under which they would be needed or would not be needed?

Again, these are minor tweaks to the proposal, but I just -- I -- some of us have trouble understanding why you wouldn't just answer that.

And also, the jurisdiction --

JARI ARKKO: Milton, can I respond to some of that before I forget what you asked about?

MILTON MUELLER: Okay. All right. Go ahead.

JARI ARKKO: So the NTIA authority, just for the record, no IETF document has ever recognized NTIA as having any particular role. If that helps people understand the situation, then hopefully that's a good answer.

And then the "may" part, I understand that that -- that was one of the things that caused the working group to have a discussion, but this is what they -- this is what the community decided, right?

So this is where the community was, and we could argue about that, whether that was exactly right or wrong, but we're here -- here, I think, to recognize the role of the communities also in this, and I don't think I -- you or the ICG can really override what the community does.

So I mean, this is -- this is going to be the same thing with other communities as well. We might not always personally agree with what they say, but, well, this is how the community processes work.

PATRIK FALTSTROM: Milton, back to you.

MILTON MUELLER: Yes. So again, it's not that we're trying to overturn or even challenge the decision of the community, the operational community in this case.

What we're trying to do is say your proposal has to be coherent and complete, and people are having trouble understanding the completeness of a proposal that says "may" instead of "will," a proposal that does not tell us what the jurisdiction of this MoU is, that makes it unclear how, in a dispute, these things would change. It's not entirely clear how, you know, these -- these acknowledgments that were put into the proposal, which are good, when is that going to happen.

It's those kinds of things that -- that we're concerned --

JARI ARKKO: Let's see if I can quickly respond to that as well.

So the main thing -- and I'm speaking for myself as one of the IAOC members who has gotten now this feedback from the working group and many other people about what we should do.

I think my position, at least, is that it would be really, really good if we had those two provisions listed in the document. I think we can live even without them in an emergency situation, and that's part of the reason for me, at least, for supporting the "may" language.

ICANN | 52
Singapore
8-12 FEBRUARY 2015

But I -- I would -- you know, I'm going ahead with the intent of negotiating those things, rather than leaving them out.

You know, you all can think about some scenarios where we might not have an opportunity to make all the agreements that we like. I think the IETF is currently in a position where we can, you know, reasonably well claim that we have transitioned. There are some additional things we would like to do, but we are already there. And I don't want to move from that position.

PATRIK FALTSTROM: Milton?

MILTON MUELLER: Well, that raises an intriguing possibility, then, in the sense that if we agree that the NTIA currently has no real authority or stewardship over the IETF, could the IETF part of the transition move forward on a different independent schedule?

In effect, why do we need the permission of the IET- -- of the NTIA to put into place these new arrangements?

And I guess Russ has never really answered my question as to why you didn't want to open up 2860.

RUSS HOUSLEY: So first, why did we not want to open up 2860 is we could not imagine a negotiation that would give us a stronger position than exists in 2860. We can only think of it being -- the IETF ending up in a less powerful position.

I can tell you that that is the reason that the charter actually pushed that off-limits.

With regard to your other statement, the IAB wrote to NTIA several years ago and asked that in a future version of the contract, that the protocol parameters not be included. And so really, the only party who has a concern there is ICANN.

PATRIK FALTSTROM: So I have myself, Russ Mundy, Kavouss, Alissa, and Manal on the queue.

So let's start with myself, and I am -- and let me ask --

I have two questions.

I do hear, and given my involvement in the IETF historically, I'm -- I do believe that I'm pretty well informed into how the IETF process works, and -- and I think I understand the proposal that is laid forward by the protocol parameters operation community, but I still have a question regarding the actual actions that IANA function is taking regarding certain sort of requests for the protocol parameters.

ICANN | 52
Singapore
8-12 FEBRUARY 2015

At the moment in the contract between ICANN and Department of Commerce, there are several very, very detailed statigrams [phonetic] and steps that the IANA function is taking, depending on what kind of parameter it is, whether it is an appointed expert assignment, whether it is an appeals process, and various other kind of things.

Those very detailed statigrams are things that, as far as I remember, is not included in that MOU and also not in this proposal from the protocol parameters community. So which means that that sort of promise from ICANN or the IANA functions operator to actually do things in a specific manner might actually go away. Is that something that was discussed, whether this is something that you feel should still exist somewhere or is it something that you feel comfortable just with the current audit process, is something that is -- that is stable enough? Thank you.

JARI ARKKO: So I believe the documentation we have is stable enough for the system to be running as it has been running. I do also want to know there are some things between the contract between NTIA and ICANN that talk about what NTIA could potentially do with protocol parameter requests, like review them. And I just want to be clear that the IETF has no part in such an agreement and we do not consider it appropriate for the NTIA to engage in such

activities such as deciding whether a particular protocol parameters should be allocated or not. It is an IETF decision.

Some of that contract just simply drops out.

PATRIK FALTSTROM: Elise, yes.

ELISE GERICH: I just want to factually say that those processes that are in the response to the contract are processes that were developed with the IETF and are in accordance with their guidance to us. And they're in the contract because there was a request in the contract to document what our processes and procedures are. Those processes and procedures were not made up by the IANA department independently or ICANN independently. They were in conjunction with the IETF and have always been under the MOU and the annual supplemental agreement that we have in place. So it's not an NTIA-driven thing. It was an IETF/IAB-driven set of processes based on their policies and the IANA considerations in the RFCs.

PATRIK FALTSTROM: Thank you for the clarification. My second question or second thing I would like to bring up is that from -- I hear from Daniel, you suggest that we should thank the -- this operational community

for the proposal they sent in. I also hear from Milton that we have some questions to ask.

I think -- not speaking as the co-chair of ICG but just as a member of ICG, I think that if it looks like if we are going to thank the communities or send some kind of questions, I think that we need to remind ourselves that a review over completeness of the proposals of all the three proposals together, at that point in time, we in ICG might discover some gaps which means that we might at that point in time might have to go back to these communities.

So just because we are thanking them for the proposal they are sending now, doesn't mean we might not come back to them later. That's at least what I think.

JARI ARKKO: I want to quickly respond that we are, of course, not negative in any way to discussion about what the next steps are and the questions. We are very happy to answer questions any time. It is very clear that there are next steps both in terms of how we proceed just from our own perspective as well as how do the different pieces fit together and it covers gaps. We are very happy to revise and add and change, if needed, again, hopefully not overriding community consensus.

PATRIK FALTSTROM: Russ Mundy.

RUSS MUNDY: Thank you, Patrik. Russ Mundy for the record.

One of the things I would like to remind folks is that there is a couple of relevant SSAC publications to this discussion that the SSAC worked quite hard at putting together and getting published. There is actually three: SSAC67, SSAC68 and SSAC69. 68 and 69 are particularly relevant to this discussion, I think, because it gives at least a perspective on, first in 68, what is the contractual relationship between NTIA and the IETF. And essentially there isn't one was our conclusion. There are pieces and steps and information, lots of details within the ICANN response which is part of the NTIA contract.

And as Elise just pointed out, these were developed jointly between the IANA functions activity and the IETF. But though it's in the contract, there's nothing that in any way ties this to the IETF.

So we have an unusual -- a very unusual relationship, I think. As the lead author of this document of 68, I spent a fair bit of time trying to figure out how that information got in the contract to begin with. Because as the other Russ points out, it has been asked to come out in the future.

Well, honestly, I have to say I was not able to identify any publicly available information that says why it was in there in the first place. I did get some private information, but that's really -- I'm

ICANN | 52
Singapore
8-12 FEBRUARY 2015

not able to share that. But it's sort of a fact of life that it is in the contract, but it is not really binding for the IETF and how it works.

Now, I think it was Milton that asked earlier why are we even looking or bothering. Well, because it was in the NTIA letter that came out, you said you have to include the IETF in this review. So I think that's a simple explanation to that question.

So if anybody does want pointers or further details offline relative to the SSAC documents, I'm happy to provide those. Patrik can also.

PATRIK FALTSTROM: Thank you.

Kavouss.

KAVOUSS ARASTEH: Thank you, Patrik. Kavouss speaking.

First of all, there is no problem that we verbally thank. But thank does not mean that we agree. Thank is thanks. That's all. Thank you very much for the work you have done. We are examining that. That's all.

Number two, once again, we should not rush and put a rubber stamp that we are happy, finished, go away.

Now, I come to the main point. Patrik, as the co-chair of the ICG or vice chair, it seems from the discussions that there is some legal gap between the work that we are doing. On the one hand, our charter mentioned that the transition requires the activities of the three communities be considered. And now we come to the point that one community has nothing to do with transition at all. So why is it in our charter? Our charter is wrong. Why we ask them to do something if they have nothing to do with the transition? So we have to come up with this situation.

Second, there are some things we don't know that are in the contract that have not been implemented. They may be requested to be taken out. These are the gaps. There is nothing about the community to be empowered to make any redress or any decisions. Community is the collective words. There is a legal entity. It is not the physical entity. We don't know how it works. There is no modality for that.

Therefore, there are legal, procedural, and other issues including accountability which is not clear with respect to the activity of IETF. And we do not separate that, and we could not put any rubber stamp that this is saying that it is done. Thank you.

JARI ARKKO: So, yeah, again, we come back to the question why are we at this table to begin with. So you can view this in two ways. One is that the IETF is kind of far along the way already, and we don't have

ICANN | 52
Singapore
8-12 FEBRUARY 2015

much to do. It doesn't mean we don't care about the rest of you and we want to be in the same boat. We also have things that we would like to achieve beyond what we have today, right? So we have a motive to do more and want to be a part of the transition. So that's the rationale.

And for the second part of the question, not entirely sure how to respond.   But, of course, when we talk about community organizations, it doesn't mean that it's only the community, individual members having lots of different opinions.

There's usually some amount of structure. That's in the case of IETF, we have the steering group that ultimately decides what our position is with regards to any particular documented issue.

We also have specific entities or boards to deal with specific issues. We have the Internet Architecture Board that has some tasks and has a charter. We have the IAOC, which we discussed. And we have a legal model, which has ISOC has our ultimate legal entity.

So I don't think it's right to say that there is no community. Of course, the community's opinion needs to be interpreted and this is how the community organizations all work.   Ultimately, someone has to make a decision that this is what the community said and that gets implemented.

PATRIK FALTSTROM: Alissa.

ALISSA COOPER: Thanks. So I wanted to speak to a couple of points that have been raised. The first is this notion of rubber stamping. I don't really think anyone was suggesting rubber stamp in particular because multiple people have taken a lot of time to review the process and determine what they think.

And I do think it's conceivable that these communities deliver what we asked for in the RFP. And just because we don't go back to them with questions doesn't mean we're not -- doesn't mean we are rubber stamping what they did, which is also not an argument that says we shouldn't ask them questions if we have them.   But I'm just saying that we should be open to the possibility that, you know, perhaps not in this case but maybe for the other communities or maybe for the IETF that they meet all the requirements on the first try. We do our due diligence. We do a review. Not asking them questions doesn't mean we are rubber stamping what they did.

To the second point about why are we reviewing a proposal about protocol parameters at all, I would say, you know, if the NTIA would like to remove protocol parameters from their contract right now, then we can stop. But as it is, as it stands, there are provisions in the contract, as Russ just talked about, that relate to protocol parameters. And given that the contract is meant to go

ICANN | 52
Singapore
8-12 FEBRUARY 2015

away, I think that we, therefore -- that is the reason why we are in the situation, because it is part of the NTIA contract, not because it is anything related to 2860.

And then, lastly, I was wondering if -- at least from my perspective it would be helpful if Milton or anyone else, if you could maybe articulate the specific questions that you think should get asked back to the community. I know we've kind of -- we talked about them conceptually, and there's some text in the assessment about them. But they're not really specifically phrased as what would the question be.

And I think for me, that would be helpful to understand what is the specific question that you want to ask back because then we can have a little bit more of a focused discussion about whether we need to ask those questions or not.

And I will just say -- just give an example of why I think having that discussion would be helpful. Milton and I have had a bit of back and forth in the Adobe room about the question about jurisdictions of the MOU. And he asked: What is the jurisdiction? And I responded with text from the proposal which is that the agreement does not specify jurisdiction. And his question back to me was whether we can fill this gap.

And the reason why I think -- so if that's the question that we want to ask back to the community or understanding what is the question I want to ask back to the community really matters here

because in the community, in the IETF, the question of jurisdiction was discussed at some length, right? And in the RFP, we did not specify whatever the accountability mechanisms are need to have a particular jurisdiction. And I wasn't expecting necessarily that if we don't get three proposals back that say the jurisdiction is Switzerland or the jurisdiction is China or it is global or it is United States, that we would -- we don't have a particular bar that we were looking for necessarily.

And so to understand whether a question back to the community is a very specific question that has already been dealt with in the community and that they have delivered a consensus answer to us about, it would help to understand what is the question.

On the question of jurisdiction in particular, I don't think we will get a different answer if we ask the same question again. So that's why I think it's helpful to kind of hone in on what the specific questions are. Thanks.

PATRIK FALTSTROM: Manal.

MANAL ISMAIL: Thank you, Patrik.

Actually, I'm not going to ask a specific question on the protocol proposal per se but rather on a more global level and asking us as

ICANN | 52
Singapore
8-12 FEBRUARY 2015

an ICG working group how do we see the final deliverable. I mean, is it going to be, like, three separate proposals or is it going to be one unified proposal?

And just because this would affect my personal assessment to whatever is being proposed. And let me use one example, the jurisdiction. If one proposal has a concrete jurisdiction while two other or one other doesn't, how would this be reflected in the final proposal? Are we going to put one jurisdiction for all and impose it on all or three different separate proposals? Am I able to make my point clearly? Or...

PATRIK FALTSTROM: Yes, I understand your question. Let me -- I'm open to hear what other people are saying after we have gone around the room. What I have heard so far as co-chair here in the group is that when we have conflicting word or different responses from the various communities, we are to encourage the communities to talk to each other and resolve the issues and come back to us.

So from my perspective, this has been one of the cases when we have to ask the communities questions or encourage them to discuss.

Manal?

MANAL ISMAIL: Sorry. Just very quickly, then I think despite the fact that we had not received the names proposal yet -- but, again, I think they are already getting into very, very specific details. So at least it's obvious now that there is discrepancy between the level of details going through the names proposal and the other two proposals.

So, again, is there something that we can start doing in that respect during this period of time for the ICG? Like, advise them to talk together or whatever? Thank you.

PATRIK FALTSTROM: Jari.

JARI ARKKO: Yeah, so I think we discussed this previously. The key issue is where are the discrepancies. Not everything is the same. So we need to have a synchronization where synchronization is needed. Like, if the IETF and the numbers community don't agree on when those special purpose addresses, that's a big problem. If the different communities handle some other things differently, that may not be a problem. And I'd probably classify your jurisdiction and accountability under those. As long as those are achieved in a satisfactory manner, then I think we don't have an issue.

Just to give you a silly example, we are not aligning policy processes between the different organizations, although I would

ICANN | 52
Singapore
8-12 FEBRUARY 2015

really like to charge as much money for port numbers as some people charge for TLDs.

PATRIK FALTSTROM: Manal.

MANAL ISMAIL: Thank you, Jari.

Just so -- I'm just seeking clarification to understand how things would go forward. So if the names community come, for example, with a specific jurisdiction, does this mean that you're going to adopt this normally or you're going to work differently?

JARI ARKKO: I think in that case we would just work differently and, you know, in a very technical level or practical level, if you look at the proposals, I think we will have -- you know, they have to be explained, you know, like in a different section. There will be some overlap, some -- some interaction points that we have -- probably have to highlight in our own part of the proposal that actually goes to the NTIA, but we don't have to align every single piece of it.

PATRIK FALTSTROM: Thank you. I have Daniel, Joseph, Wolf-Ulrich, Kavouss, Russ Mundy, and Milton.

So Daniel.

DANIEL KARRENBERG: I'd like to motivate a little bit my earlier formal proposal to thank the protocol parameters community for their input to us and ask no further questions.

It's exact- -- my motivation was exactly the one that Alissa gave just two turns ago. We should focus on the formal communication we, the ICG, want to have with the protocol parameters community at this stage. That doesn't preclude that at a later stage when we have received the names proposal we might not have additional questions.

The important thing right now is to focus on what more do we need to know to do our work at this stage.

And I very, very much support Alissa's suggestion to focus exactly on that.

So if people who are taking turns after me would focus on "Let's ask this specific question," that would help us quite a lot.

PATRIK FALTSTROM: Joseph?

ICANN | 52
Singapore
8-12 FEBRUARY 2015

JOSEPH ALHADEFF: Thank you. Joseph Alhadeff.

I just wanted to highlight that there was at one point the question of, well, if the -- if the protocol parameters were taken out of the IETF contract, we wouldn't need to have that discussion at all. And I think the conversation between Jari and Manal indicates that, yes, we still need to have that discussion because what we're looking at is an ecosystem of obligations, and some of them go directly to NTIA but some of them deal with the interdependencies of the operational communities.

And while I take at full face value that NTIA is not the issue for protocol parameters, the interaction with the others and how that works may be something that we have to consider in the final proposal.

So I think there's room for that.

To Daniel's point, we don't have a specific question at the time, but we do think that that interaction among the three operational communities is important when we get to assembling the final proposal.

PATRIK FALTSTROM: Wolf-Ulrich.

WOLF-ULRICH KNOBEN: Thanks. A couple of comments.

ICANN | 52
Singapore
8-12 FEBRUARY 2015

The question you asked, Manal, is very, very good, and we have to talk about that.

And as well, I was also thinking why we are dealing with the protocol parameters right now when it turns out the -- it seems to turn out that they may be independent of the other communities with regards to their IANA relations.

And one thing I've perceived through the discussions, and on the mailing list as well, and from the proposal is that the IETF community is basically satisfied with the status quo. So that's -- that's what comes out of this.

And the question is why should they change or why -- under which conditions it's -- they are triggered, may be triggered, to change that and even to come to the idea to separate their part from the -- from the existing situation within a combined -- which is a kind of combined situation for the IANA services.

So that's what I would -- what I would like to ask.

The first question is, then: What could be a trigger for you to say, "Okay, we step away from that -- from that combined approach towards a combined solution of the transition"?

That is my first question.

I have -- the other question -- concern, I would join the concern of the open question of the -- with regards to the jurisdiction. As

well, I was asking myself if you proceed with an MoU, what does it mean with regards to the jurisdiction?

And, well, in addition, I also would like to say -- or to join that we have to thank the IETF, but we have, in addition, also to communicate some message which is motivating them. Not just to thank -- "Okay, thank you, we have received your proposal and we are thinking about that" -- but to give a kind of signal and we have to think about that, which is -- which tells them that we take it seriously and which tells them and gives them an idea of what is to be done with that in the near future.

Thank you.

PATRIK FALTSTROM: Thank you. Kavouss?

Sorry. Jari. Jari first.

JARI ARKKO: Yeah. Just to answer on the trigger question, I -- I think -- I mean, just to clarify our position, the IETF, you know, is a willing participant in this system of changes that we're going through, or this transition process, and we recognize our interdependency with the other parties, and we want to make sure that that -- you know, everything is well-specified and that we actually identify

any gaps, if we see them. So I mean, that's the reason why we are here.

And I think the IETF doesn't want to -- the community does not want to make huge changes. I mean, the changes are really very, very minor. If you look at the -- the whole picture, I -- I don't think we should try to engage them to -- you know, "Please make a bigger change because we need a bigger change." I mean, they -- if it works, don't break it.

PATRIK FALTSTROM: Kavouss?

KAVOUSS ARASTEH: Yes. Thank you. Kavouss speaking.

Yes, Jari, you mentioned that there is no practical -- no role of the NTIA. That may be. I am not sure. Nevertheless, since -- and the IETF for parameter protocol working with the two others, there is a relation. Therefore, I strongly am not in favor to treat each proposal separately.   We have to have an overall picture of everything when we send the report of the ICG or conclusion or outcome of ICG to NTIA. It would not be appropriate to say that we have no problem with this but that we have a problem with the others.

That is number one.

ICANN | 52
Singapore
8-12 FEBRUARY 2015

Number two, there are legal and jurisdictional problems. Memorandum of understanding is memorandum of understanding. Has no legal status. It's like declarations. Sometimes some declaration, if universal, they have some customary law, but they do not have covenant law. They are not treaty. Letter of intent does not in any value, legal value, so we have to see the legal aspect of that.

Apart from that, there is a degree of accountability. Even if it is not detected or rectified by IETF, there is a degree of accountability which should be included and which should be put into the overall accountability of the entire system, and that has not yet been addressed.

The review and redress and the appeal panel which applies to all three operating communities is also an issue to be discussed. Therefore, we could take the proposal, further study that, and come up, but we would not separately discuss them and send them to NTIA and think that this is the area that we don't have problem. We should have problem or not problem, comment or not comment on overall aspect of all three issues. Thank you.

JARI ARKKO: Yeah. I was just trying to respond at least to parts of that.

ICANN | 52
Singapore
8-12 FEBRUARY 2015

The legal value of MoUs and such, I think it's important that we do not engage in amateur lawyering in this room, or elsewhere either.

I think we do have to look at these things, but it's not necessarily as trivial as we might think.

Normally when you run a company or any kind of organization, you do want to ask the opinion of the lawyers, but you don't necessarily want to have them run the show either. You have to assess the risks and the situations.

In this particular case, it's a very difficult situation to have, you know, absolute guarantees of anything, you know, whether they are, you know, jurisdiction residing in Finland or somewhere else, and whatever the legal contract format is, because we have a situation where willing partners are engaging in -- you know, they have decided that they -- they work together and there's an ability for those partners to say, "No, you know, we don't want to work with you anymore."

You can't make people do more than that.

And so I think that's one aspect.

The other aspect is, we at the IETF believe that our value in the system doesn't come through the contracts or courts forcing someone to enforce anything in particular. It comes from the value of implementers and other people in the world recognizing

the IETF as the entity that knows about stuff like port numbers and who decides about these things.

So I think that's the ultimate protection that we have for any future thing, and if we lose that trust to the world, then, you know, we have no -- no role, but I think that's a better protection than the contracts are.

So I mean that's the rationale for why the working group believed what it believed. Or the IETF community.

And then accountability, I think that's very clearly explained in the document, actually in a very detailed manner, and it's a system that runs and has run. We have some running code about this, so I think that's far more than can be said of some other systems.

PATRIK FALTSTROM: Russ Mundy?

RUSS MUNDY: Thank you, Patrik.

We have, I think, a number of questions that we don't know and can't know the answer to until all three of the operational communities have submitted their information.

My personal view on the jurisdictional issue, which is something that has been raised several times today, is that there is no reason

ICANN | 52
Singapore
8-12 FEBRUARY 2015

why the jurisdictional issue would have to be the same for all three communities.

What we've been asked to provide to the NTIA is an integrated proposal. If there's no conflicts and no gaps and all three jurisdictions are separate, distinct, but they all make sense for their communities, then so be it. That's the Russ Mundy view at this point.

There may be several other questions of this nature.

But unless there are things that we see right now with the two proposals that we have in hand, I'm -- I'm falling very heavily on the statements that Daniel had made earlier -- maybe not quite to the extent that he made them, but very similar -- very close to that, and that could be because I've dealt with both communities for a number of years and so I may be more comfortable with what's said than other people.

But again, I want to urge people to look at SAC69 this time, which has a number of questions in it, and hopefully they are sensible questions and people should think about those as they do their reviews, and it might stimulate a more hopefully focused discussion. Thank you.

PATRIK FALTSTROM: Milton?

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MILTON MUELLER: Yeah. So that's good. Just to immediately follow up on what Russ said, I want links to 68 and 69, if you can provide them. I've been searching for them unsuccessfully using search engines, so I would appreciate it if you could email a link to those lists to -- to those reports --

RUSS MUNDY: I'll be happy to put all three in our Dropbox location.

MILTON MUELLER: Okay. That's also good. Fine. And I think that's the kind of detail that I'm looking for.

What I want to do now is clarify what exactly those of us who are questioning the assessment -- or the proposal, what we're after. Okay? Because I think there's a tendency, maybe on the part of Daniel or -- to think that this -- this is some kind of challenge to the autonomy of the IETF to make a decision, and that's not what it's really about.

What we're concerned about is the stability and solidity of the change in an overall basis.

This is a fairly unique thing. The U.S. Government has been wrapped up with these coordinating functions since their inception, and we're trying to disentangle them.

It's very controversial in the U.S.

When you mention -- you know, here you say "the global multistakeholder community," we all know what you mean. We're all very happy with that.

If you say that in front of a Republican Congressman or even a Democratic Congressman, you sound like you're some religious fanatic talking nonsense sometimes. Okay?

So we're asking you questions about how do you operationalize jurisdiction, what happens when a dispute happens, how do you know the U.S. Government is really out of this, because that has to be -- we have to be confident about the final proposal. Okay?

So it's not appropriate to respond by saying, "We love the IETF. They have a great process. We're just going to accept it."

We want to know that the final proposal that comes out of this is something that will work institutionally.

It's about establishing a sustainable long-term institutional framework for the governance of the IANA functions. And like I say, we're nibbling around the edges of your final proposal, just those little parts of it that aren't clear to some of us, and I think that's just how we need to deal with this. We just need to make absolutely sure that -- that this is, in fact, operational.

PATRIK FALTSTROM: Thank you very much. Any comment on that?

Yeah. Daniel.

DANIEL KARRENBERG: Since I was mentioned --

[Laughter]

I did say nothing of what Milton just put in my mouth.

The only thing I said is let's concentrate on the questions the ICG wants to ask of the protocol parameters community. That's all I said. I didn't say anything about autonomy, about love, about legitimacy or whatever. That's all I said. And I said I personally have no questions. I think the proposal is good. I think the process was followed. And I answered specifically to Jean-Jacques, "Yes, it may sound strange to some of us but to those who are familiar with the IETF, it's perfectly clear and not strange." So that's my position.

I have not heard anyone so far proposing a concrete question to the IETF. Can we please get to that?

PATRIK FALTSTROM: So we are actually -- in fact, we happen to be at the point in time when we should move into that portion of this session because I am -- we have now -- I don't have anyone on the list anymore, so I think we have gone around the table.

Okay. Narelle?

NARELLE CLARK: Just in response -- sorry. Narelle Clark for the record.

Just in response to Daniel's comment, I did actually hear one concrete question that should go back to the IETF, and that is: In what jurisdiction do you think the MoU operates?

And I personally do think that that is answered within the context of the IETF submission to the ICG. It is somewhat indirect, however, because it does point you off to a bunch of other documents, and I think that was the comment I made when the re- -- we got the proposal as a draft about a month and a half ago.

So I leave it to you.

PATRIK FALTSTROM: Jari and then Kavouss.

Jari?

JARI ARKKO: Yeah. So the questions -- I think it's important that we sort of try to separate like, you know, if there's any disagreement about, you know, what -- what the response is, as opposed to having an actual question or requesting for more information.

I think it's quite natural that we ask for more information and -- because I -- as I've tried to say multiple times, there are further steps here in this room and back at the IETF.

You know, some of the things that I've promised that we are working on, and we are, one is the sort of more generally usable explanation of how the process went through and, you know, why the decisions were what they were and -- and what happened. I think that's going to be a useful thing for us to employ going forward.

I've explained the IAOC process. Hopefully you found that -- that useful.

Like Narelle, I believe we have provided an answer on the jurisdiction. You know, it may be the case that not everyone likes the answer, but that's a different statement than not having an answer.

And I guess I'm still waiting for -- for other things, but the point is that there are these ongoing processes, so yes, we will be making more clear in the future what the contract -- contracts actually will be. We will provide more explanation that's generally useful outside this room. You all are experts, but not everyone outside is.

And I would be happy to provide more information to other things as well. I don't want to go into a process where the ICG disagrees

with something that we've done in the community because that would be a difficult arrangement to have.

PATRIK FALTSTROM: Kavouss?

KAVOUSS ARASTEH: Yes. Kavouss speaking.

I just want to clear, perhaps I was not clear. I raise three distinct questions. The problem is that IETF believes the community is the IETF community.   In my view, community is multistakeholder global community but not only IETF. So we need to know how the multistakeholder global community would have the empowerment to come in when it is necessary. Currently, this is a legal entity. It should come to some sort of practicality and some operational. That means put in a modality form. That is not clear. It is discussed in other areas but not in IETF. This is one question.

And, second, accountability and the review and redress, I raise the question that because IETF is working with the two others, they need to have this accountability and this address. So together in an integrated manner with the others, it is not the case that IETF working entirely separately.   It is working with respect to the needs of the two others or two others with respect to the need of the IETF. They are together working. They are not a separation. These are three questions yet to be answered.

PATRIK FALTSTROM: Alissa.

ALISSA COOPER: Thanks.   So I completely agree with the move to ask specific questions, even just in Kavouss' most recent articulation. I'm not sure that I know what the question is that we want to be putting back to the IETF. So maybe phrasing them as questions would help.

I would also say, again -- and this is, like, to Narelle's point, we need to assess the actual questions because I think it is very important that we not ask the same question that we already asked in the RFP.

Just to take the example of jurisdiction, we need to ask a different question than what we already asked if we expect to get a different answer. It might be a more refined question, whatever it might be. But if we ask the same question again, I expect that we will get the same answer.

I also wanted to respond to a couple other points that have come up. Milton was talking about the strength of the proposal, and I'm not sure that I fully heard everything that he said or understood. But I think -- I don't think the bar has been set such that we -- the objective of the ICG is to somehow accommodate the whim of every member of Congress who might be interested in this topic. I think we have criteria, that the proposal needs to meet those

criteria from NTIA. And that is -- that is the goal and the objective. That's what we have to do. We have to deliver a proposal that meets those criteria.

And I think we need to ask ourselves as we go through this process if we are meeting that standard or not and not some other standard that hasn't been articulated or that someone might be able to dream up or that might exist in the mind of a policymaker somewhere. I think we have criteria and we know what they are.

And, lastly, I just want to emphasize something that Jari said and that I think those of us who are familiar with the IETF community are trying to express. But we spent a lot of time in the IETF process itself discussing, which is the root of the authority of the protocol parameters. And I think the reason why you see the response as it is and why it is a little bit difficult to understand if you don't have a fully executed contract with a very specific U.S. state jurisdiction identified and the signatures of 15 lawyers on it why the IETF community and the people who are involved in the process still feel confident in the proposal, it might be hard to understand that if the Internet protocol architecture context is not your home and the one that you're familiar with.

But it is really important from the engineering perspective to realize that the authority of the protocol parameters comes from the decision of implementers of Internet technology and Internet

ICANN | 52
Singapore
8-12 FEBRUARY 2015

protocols to them. That's where the authority comes from. It doesn't come from a contract or an MOU or a database that's printed on a Web site. And that's why I think there's a little bit of impedence mismatch when we talk about these things because from an engineer's perspective, that's really the root of the authority. All of the other protections are very good and useful, and we're glad that we have them. But the root of the authority comes from the decision of people to use the protocol parameters and to use a particular parameter. If they decide to use a different parameter that isn't specified by IANA and the critical mass go that way, the authority will lie in that new place. Those are my three points. Thanks.

PATRIK FALTSTROM: Thank you very much.

I see comments on the -- in the chatroom here from Milton regarding the questions, suggestion that we do not have to formulate the questions here on the fly, that we can vet that on the list, if I understand things correctly.

What I think is important, though, is that we are -- we in the ICG is working efficiently and that we are not dragging on for some time now when the operation community, when the protocol parameters have come with something to us that we should also respond promptly. As long as it doesn't extend the time it takes for us to respond, I think that is a fine suggestion. Of course --

because it is also very important that we ask the right questions and that we agree on what they are.

So I don't have anyone else on the list.

Okay. Yes, Michael, please.

MICHAEL NIEBEL: I'm not quite sure -- Michael Niebel -- whether there is a question. But I just want to reiterate and have confirmation. Although we have now discussed that there's no connection between IETF and -- necessary, and NTIA. In your contribution, you say that you -- you make the connection yourself with the contract. And it is the question of the transition in case you want to change from ICANN to somebody else.

And I just wanted to know whether my impression is correct, that the formulation -- it is the preference of the IETF community that as part of the NTIA and transition, I can acknowledge that it will carry out the obligations established under C7-3 and 161 of the current IANA functions contract between ICANN and the NTIA to achieve a smooth transition to subsequent operators should the need arise.

And my question: Is there again confirmation? You have said we don't want to change. Such an obligation is not part of the current MOU. Therefore, it is a very light thing. And when you say it is the preference of the IETF community, I would like to

know whether you're convinced that such a light declaration is sufficient to satisfy the need for stability and continuity.

RUSS HOUSLEY: So I can tell you that the IAOC has taken that preference from the community and put forward some draft language, sent that to ICANN. It is currently under legal review with ICANN to see if it will be added to the SLA that will be signed in the next few weeks.

PATRIK FALTSTROM: Thank you very much.

Let me suggest that given that there are no more people on the speak list, that we ask everyone to think about questions. We try to work on the list and online and also talk with each other and come back to the topic tomorrow and see what the status is regarding questions and break early for lunch because the lunch is already in the room. So we move the lunch to now 12:30 and still have lunch for one hour. So with this, let's reconvene at 1:30.

Thank you.

[LUNCH BREAK]

ICANN|52
Singapore
8-12 FEBRUARY 2015

PATRIK FALTSTROM: So I would like the ICG to be seated so we can reconvene the session.

So I'm extremely happy to see all ICG members here. There are a few I am missing because they might have other things to do because this means that people actually were listening when I -- when we were closing for lunch and I came back according to what we agreed to and not according to what was on the agenda.

So a few things. First of all, I would like to remind everyone to state their name before they speak. I am myself extremely bad at that. Lucky enough I'm chairing today so by default they just say -- the scribes just say, oh, it was probably Patrik that was speaking.

Another thing I would like to say is that I would like to welcome Alan.

[Applause]

Which has now joined us replacing Adiel. Do you want to introduce yourself and say a few words? You don't have to. Why not just say hi so we can hear what your voice sounds like.

ALAN BARRETT: All right. Hi. I'm Alan Barrett. I have just been appointed to the ICG by the NRO, and I'm replacing Adiel Akplogan who stepped on. I live in South Africa. I've been involved with the Internet in South Africa since around about 1990.

PATRIK FALTSTROM: Thank you very much.

So with that, let's move to our next agenda item to discuss the proposal from the numbers operation community. And I give the microphone to Paul Wilson. And my goal is to run this session approximately like the previous one, that we are going around the table.

Sorry. Paul starts by describing the proposal, and then we go around the table and see what questions people might have. So, Paul, over to you.

PAUL WILSON: Thanks, Patrik. I don't know how I'm supposed to state my name before I start speaking. But I'm Paul.

[Laughter]

And I've got a presentation here, which is an update on CRISP -- the work of the CRISP team which, I think as everyone knows is the RIR IANA Transition Stewardship Proposal team.   So this proposal says -- this presentation says a bit about -- where the CRISP team comes from, how it shepherded the five proposals from five different RIRs to create a single CRISP proposal, and some issues about the timeline and process. So I hope it's helpful for me to just go through this.   I don't mind if people have questions for clarification during. But it might be better if I just get through the slides before we get into the meatier discussion.

The CRISP team was proposed in about mid-October last year and a draft proposal, a process proposal was put up by the NRO, by the regional Internet registries, and it was open for a comment period before it was actually adopted.

But in adopting the CRISP proposal, what that meant was that the team -- the CRISP team would be assembled with 15 members, three from each of the RIRs.

And so each of the RIRs went through its own -- a process of its own choosing to appoint these members who were expected to come, two of them from each community and one from the RIR staff. So those appointments were announced, and that gave us the CRISP team of 15 members which started in early December with its first teleconference and then proceeded to have 13 more -- 14 teleconferences in total up until the 15th of January when it submitted the CRISP proposal in compliance with the ICG's deadline.

And along the way there as well, it developed the first draft proposal on the 19th December, the second in January. The third one then was the one that was submitted.

So what the CRISP team then was actually working on, what they were representing, was the work of the five different RIRs. And you can think of the CRISP team -- this sort of question about the nature of the CRISP team has come up in discussions. But you can think of the CRISP team as rather like the ICG in that it is

comprised of representatives of different communities whose role is to represent the activities, the processes of each of their respective communities, and bring those processes together to form some -- to form the joint outcome just like the ICG is doing.

And what happened during the course of the last year after the IANA transition process was kicked off -- and this precedes CRISP, in fact, was that the five different RIRs had -- in succession, they had their five -- their regular round of meetings which happens in the second half of the year, five successive meetings involving the respective communities where this issue was raised and discussed. And that is the issue being the formulation of the plan for -- the numbers community plan for IANA transition.

So in order of the meetings that happened, the process in each community was an extended process involving online and face-to-face activities. But the main opportunity for substantial discussions was, as I said, at the conference during that second half of the year.

So in order -- in time order, the five RIRs had five meetings starting with APNIC which put forward a strawman proposal, a proposal which included the establishment of an IANA service level agreement and an Affirmation of Commitments respectively covering different aspects of the relationships between the RIRs and ICANN.

And that initial draft, reasonably bare bones proposal, was then followed by consideration at each of the subsequent four RIR meetings. So in the LACNIC case when the discussion came to their meeting, they supported the structure of the SLA plus the AoC and they also in addition put forward the idea of Multistakeholder Oversight Numbers Council, the MONC, which was detailed in their proposal as an external means to provide accountability and oversight of their processes.

The RIPE community took a simpler approach focusing on -- or suggesting that their only needs to be a single agreement, the SLA. ARIN tended towards SLA plus AoC. And AfriNIC tended towards an SLA only. So you would have to look at the details of each of those five proposals and the discussions in each of the regions to really see what the communities were talking about, what the communities were prioritizing, and the specific details, for instance, of what would go into the SLA, the AoC, the -- under the responsibility of the MONC in LACNIC's case.

But the task of the CRISP team, the Consolidated RIR IANA Stewardship Proposal team, was then to put together one proposal just as the task of the ICG is to do that.

So what was decided there was that when you look at the diversity of the different views on the SLA and AoC, that those views could be encompassed by, I think, simply putting all of the terms that were proposed for those two agreements into a single

agreement. And that was the -- that was the sort of the consensus, the converged view there.

And then there was also the idea of an appointed review committee which in some sense takes the performance tasks that the LACNIC community proposed with their MONC team.

So the essence of that proposal then is that ICANN continues to be the operator of the IANA functions. That was one key component right through the -- all of the RIR consultations; that there be an agreement or two agreements. As I said through the RIR consultation, there were different views on one or two. But, in effect, there would be in the end a single service level agreement for IANA functions which would be an agreement between the RIRs and ICANN.

The RIRs collectively would also establish this review committee which would review the performance under the SLA of ICANN. It would advise the RIRs in the community about that performance. And it would have members selected from each region similar to CRISP.

Fourthly, the final proposal did also include provisions that the intellectual property rights related to IANA should stay with the community. And that's something that came in in Version 2 of the CRISP proposal in response to community comments.

The SLA, I think everyone knows the SLA is not detailed as a final agreement or final document but there were 11 principles which were enumerated in the CRISP proposal which are all described, all included here on this slide: So separation of policy development and operational roles; a description within the agreement obviously of the services provided to the RIRs under the SLA; an obligation to issue reports on transparency and accountability; security, performance and audit requirements; a process for the review of IANA's operations; terms for -- to cover failure to perform; term and termination; continuity of operations; the intellectual property rights issue; dispute resolution; and fees.

To recap on the timeline and process, I think you've seen this. There were three drafts which came out before the final one was sent to the ICG on the 15th.

Some notes here about transparency. I think the CRISP team, the NRO, and the RIRs have all undertaken the maximum transparency that they could find, that they could achieve through this whole process. For the NRO, which is the aggregation point, if you'd like, for RIR activities in general but it is certainly proposed -- it certainly served that purpose in the case of the transition planning process. The NRO proposed the CRISP team structure in about mid-October last year and opened that up for public comment before finally the team was established and it first met

ICANN | 52
Singapore
8-12 FEBRUARY 2015

in early December. So there was quite a period of time between mid-October and early December, relatively speaking, for community commentary about the nature of the CRISP team and the structure and the acceptability of that structure.

The NRO's got a very comprehensive bunch of information on the NRO Web site which provides that sort of central point of aggregation for all of this information. That includes the CRISP team itself, which was -- which also has operated transparently with two different mailing lists available fully archived. The 14 meetings that took place were open for participation by community members. So they were open live with Webcast. And the information is all there on the Web site.

And then as I said, the work that the CRISP team was to bring together five separate regional processes. And each of those five processes at each of the five RIRs was also very well-documented, very thoroughly documented with each of the RIRs hosting their own Web page with full details of the various different planning processes.

I think what happened in every case there was the process undertaken was based on established policy development processes which each of the RIRs oversees and manages as part of their community-driven policy development processes. So those processes themselves are well-known to be transparent and accessible to anyone who is interested in participating.

So as far as the assessment goes, myself and Wolf-Ulrich and I think Milton have completed the assessment forms for the Numbers proposal. Not Milton? Sorry, Patrik was the third one that came in.

So under Section A1 and A2 really about concerns raised in the responses, we have documented that there were light concerns received by two individuals and response to those concerns has actually been posted by the chair of the CRISP team just in the last couple of days. So the 4th of February was when these latest late concerns were addressed by the CRISP team.

On the question of measuring consensus, this is something that the RIRs are well-familiar with as per their familiar established policy development processes. But that said, the CRISP team did actually document how consensus was going to be reached, how it was going to be measured and assessed and reached. And I think it is correct to say that as we did in the -- as I did in my assessment, that there were no unaddressed concerns remaining about the CRISP team proposal. That was not to say there was no opposition because it seems that one or two of those individuals who had commented did not state their satisfaction with the responses that they received. But it's true -- it's true to say that those late concerns and concerns that happen during very active discussion throughout the process were very conscientiously

ICANN | 52
Singapore
8-12 FEBRUARY 2015

addressed by the CRISP team. So both -- concerns were both recognized, acknowledged, and responses given.

The completeness and clarity of the proposal, I think that was demonstrated by the consensus support. But we can go into the details of that if anyone likes.

The second part of the assessment process is about the NTIA's requirements. And I think each of the five requirements there has got a fairly straightforward answer. The support for the multistakeholder model, which is demonstrated by the global regional Internet management -- Internet address management system is something that is certainly supported and continued through this process. If you are looking for enhancements to that multistakeholder model through this transition process, then I think it's clear that the review committee is a new structure which we haven't had in place within the RIRs in the past. And there's definitely an additional transparency as well as a clarity of roles that's added to the entire process by this new transition plan.

Stability of the DNS, well, there is no impact on the DNS itself under this proposal but arguably for the same reason there's improvements in supporting and enhancing the multistakeholder model across the broader ecosystem.

Meeting the needs and expectations of customers and partners, well, the customers of IANA directly or indirectly are the RIRs, directly and indirectly the ISPs and network operators who use

address space who are well-represented as participants in and partners of the RIRs themselves.

Openness of the Internet is something, I think, again, is not -- is not you'd say is substantially affected by this proposal and it certainly doesn't introduce a governmental solution.

So the next steps. I guess this is all up to -- up to be discussed by the end of this meeting, to do with what is the -- what's the final deadline and so forth, but the community is expecting -- the RIR communities, I think, are expecting a further review during the first half of this year, expecting the CRISP team to continue to be available to oversee and to comment on that review process before we end up with something, hopefully, from the ICG in midyear.

But as I said, they -- that timeline is some -- we all know it seems to be subject to some reconsideration at the moment.

So that's all from me on the -- on this presentation.

Beside me is Alan Barrett, who has been a member of the CRISP team as well and as you all know has taken over Adiel's position on the ICG, so Alan, if you've got anything to add, go ahead, and I'm sure you'll help me answering questions that may be directed to us after that.

ALAN BARRETT: Right. No, I don't really have anything to add. I think that was a good summary from Paul, and I'd prefer not to be too much involved in discussions of the CRISP team's output, since I was a member of that committee.

PATRIK FALTSTROM: Michael Niebel.

MICHAEL NIEBEL: Michael Niebel.

Thank you, Paul, for this presentation, and in particular the description of the genesis, the different blocks, the MONC and whatever, because that explains a little bit of the issues that I found in the paper.

I have two points.

The first question is: Who will be the entity or entities that will enter into contractual relationship with ICANN?

The second one was: Reading the text, I wasn't quite clear whether there was one contract and one SLA or just one thing, because the description under 3(a)(1) says a contract and 3(a)(3) a service level agreement in addition, yeah? Then if you read really the requirements, the agreement principles, you get to the notion that as you described it, it's one thing, and I noticed that you -- in your presentation, you didn't take up the indents exactly as you

did in the text because you left out "via contract with the RIRs" in the first indent, so that makes it clear.

So as far as the clarity is concerned, this was much clearer than the text.

These are the two points. Thank you.

PAUL WILSON: Okay. Thanks. I'm sure the CRISP team will notice -- will note down issues like that about the clarity.

Definitely there's one agreement and also that -- further, that agreement is -- would expect -- would be expected to be written between the RIRs severally and collectively, or whatever the appropriate legal structure is there, and ICANN.

We use the term "NRO" to represent the RIRs collectively, but it's not a formal incorporated body.

So the five RIRs individually would be -- and collectively would be on the other side of that agreement from ICANN.

PATRIK FALTSTROM: Kavouss? Okay.

PAUL WILSON: And Alan.

PATRIK FALTSTROM: Oh, okay. I'm sorry. I missed that, Kavouss.

Alan, please.

ALAN BARRETT: Yeah. I think the CRISP team envisaged that there would be one contract with -- with ICANN on the one side as the number services operator and with the five RIRs on the other side.

So a single contract but with five signatories from the five RIRs.

But the details of exactly how that will be done are not yet set in stone. I think the -- we expect the RIRs' legal teams to figure out the details later.

PATRIK FALTSTROM: Kavouss?

KAVOUSS ARASTEH: Yes. Thank you. Kavouss speaking.

Patrik, if you agree, I suggest that we take at least section by section, but not to take all the questions.

I have some questions with respect to Section 2, and as I heard now, there is five separate contracts within ICANN and the five RIRs.

ICANN | 52
Singapore
8-12 FEBRUARY 2015

Then when we come to the accountability, I don't know how would be the accountability that -- when we have five separate contracts.

And then on the other side, in the paper, it explain regional policy and global policy, so how it works on one hand we have regional policies and the process for the regional policy and development and review of that; on the other hand, you have global policies. How this is works.

But my question, important, is that the statement by the U.S. Congresspeople, they mentioned that to ensure a form of stewardship and accountability that is based on the separation of function of policymaking and policy implementing.

Who develop policy and who implement the policy? They are the same people? You develop and you implement?

And then regional policy, global policy, review of the policy, replacement of the policy, who will take care of that?

And all comes to the end, accountability. When it is accountability, it is each region's accountability or overall accountability? And how [sic] takes care of that.

And you referred in the same section to the community. Who is the community from the physical aspects point of view in future? Thank you.

PATRIK FALTSTROM: Paul?

PAUL WILSON: This is -- thank you. This is a very -- thank you very much but this is a -- this is a long list of -- of good questions.

So I'll make a start, but please let me know if there's something that hasn't been covered.

Firstly, one contract and not five. There's one contract with five signatories as -- for the one party and one signatory for the other. That is, the RIRs on one hand and ICANN on the other side.

Now, that's -- I'm not a lawyer but that's a well-trodden legal format, I know, so we are talking one contract and not five, and there are legal mechanisms for working out who is individually and who is collectively liable under those agreements.

So -- so I think we don't -- I hope we don't need to go into that.

The RIRs individually are each independent not-for-profit incorporated associations of members. The accountability of the RIRs to their members and to the wider community is -- is something that is defined by each of those five structures, and the five structures are similar but different.

We've actually recognized that. In fact, since the -- since the IANA transition was announced and since ICANN's accountability was thrown under the spotlight in association with the transition, the

RIRs recognized that this accountability issue was something that we needed to face as well.

We went straight -- voluntarily, we went straight into a process of assembling and publishing a comparative matrix of all of the different dimensions of accountability for our organization.

Now, that's something that's available on the NRO's Web site now and so you can look at that matrix and find the details and Web links and -- to further details across organizational structure, board appointment structures, board powers, dispute resolution, policy development process, and many, many different factors.

So we have published that -- that accountability matrix precisely so that it can be reviewed and so that we can hear more from our communities in a structured and current way about what might be expectations, if there are expectations of changes or clarifications in accountability.

The issue you raise -- the question you raise about regional versus global policies is something that's quite -- quite straightforward to answer.

They are quite different, distinct sets of policies and distinct policy development processes at the regional and global level.

So at the regional level, the policies that the RIRs themselves comply with in order to carry out our services and the policies that our members and the community are obliged to comply with

ICANN | 52
Singapore
8-12 FEBRUARY 2015

in receiving those services, those are regional policies and they're determined by the communities in these regular regional policy development meetings that happen twice a year for each of the five RIRs.

So in some sense, the RIRs have got five independent sets of regional policies for address management. Those policies are kept in sync with each other simply through the mutual interplay of those communities with each other and the need for those policies to be not divergent, but they are independent.

When it comes to a global policy, a global policy is simply one that the IANA has to implement, as opposed to a policy that the RIR has to implement, and that -- for that policy to be established, it actually needs to go through five -- as a proposal, it needs to go through five regional processes.

So a policy will only end up as a global policy and applicable to the IANA after it's been approved in the same form by five different regional processes.

So these are well-defined processes, both the regional policy development and then the global policy development that creates a global policy. These are well-defined and you -- I think you would find that the accountabilities within those processes are pretty well-defined in the policy development processes which are -- which are documented.

EN

Now, I've come to the end of the questions that I can recall you asking, so how else can -- can I clarify for you?

PATRIK FALTSTROM: Kavouss? Follow-up, please.

KAVOUSS ARASTEH: Yes. Follow-up is that I think you said that accountability has been published. It is my view that this accountability published should be sent to CCWG to be dealt with under the stream -- Work Stream 1, accountability required to be in place or committed before transition is take place.

In the CCWG that I am a participant and also liaison, we're working very hard on this issue and I think that as a matter should be discussed. I don't think you should have three different types of accountabilities and we should not have any global picture of what would be the accountability before transition and what will be accountability after transition.

So that is important issue, should be there, and the community, as you mentioned, they need to be also discussed there to see whether there is a need of having a physical member or membership or representatives or something that take care of that community, because "community," once again, is collective name and should be one, should be one thousand, and they have a mechanism and way how to implement that to see whether

ICANN | 52
Singapore
8-12 FEBRUARY 2015

there is any request for review; if review ends up with something, whether we have redress; and who will implement the redress.

Still my question was not asked, who implement the policy and who make the policy. If the same group, it is difficult to understand.

PATRIK FALTSTROM: So Daniel, you had a comment on that.

DANIEL KARRENBERG: Okay. Let me -- as someone who has -- you know, full disclosure. I work for a RIR. And I said that before. I just say it now.

I've been intimately involved with the development of the policymaking processes and the policy implementation processes in the numbers area, but I'm not -- I don't speak for the RIRs here. I'm here -- so let me just make some personal comments.

First, to answer the question about who makes policy and who implements policy, the policies are -- as far as number distribution are concerned are made by five regional public policy processes that predate ICANN. They're well-established and they are working quite well, I'm -- I would say.

The regional policies are implemented by the RIRs, which are, as Paul has said, associations of Internet Service Providers in general, and they have the legal form of associations and it depends on

ICANN | 52
Singapore
8-12 FEBRUARY 2015

each region, what the details are, but the associations usually have a membership, the membership elects a board, and the board runs the organization.

But these are different from the policymaking fora, which are open, multistakeholder, bottom-up, very accessible, open, transparent, inclusive processes, and they are described in that matrix that Paul has referred to.

As to the implementation of -- the making and the implementation of the global policies -- and that's the only stuff that's interesting for us here because that's the only stuff that affects the IANA -- for the policymaking the same processes are used. Just that -- the difference between the regional and the global policy is that all five have to agree on the same policy.

And the implementation of the global policy is then done by the IANA functions operator under -- well, let's leave it at that.

So there's a difference between policymaking and policy implementation.

So far, the explanatory part.

Now, I think -- I'm totally opposed and I don't think we're doing this -- doing ourselves a favor if we introduce these established and well-working and inclusive processes into the work of the CCWG or whatever. I would like to understand what the purpose of that would be and how it helps us -- it would help us to make a

proposal that would be acceptable to all the communities and the NTIA.

Do we want to redesign the policymaking and accountability structures of the numbers community? Do we want to audit it? Yeah?

So what would -- what would be the purpose here?

PATRIK FALTSTROM: Narelle?

NARELLE CLARK: Narelle Clark. Just a quick question to Kavouss.

Can I just amplify that remark of Daniel's? Were you suggesting that we -- we point these documents that the RIRs have to the -- the CWG so that they can have it as a reference? Is it a simple sort of, "Hey, here is a useful document that you might find interesting in your deliberations"? Or is it some other sort of thing that might be interpreted as a directive?

I would hate for it to be seen as a directive from us. If it's simply pointed to a useful reference, then I'm happy to do that.

PATRIK FALTSTROM: Kavouss?

ICANN | 52
Singapore
8-12 FEBRUARY 2015

KAVOUSS ARASTEH: Yes. Thank you. Kavouss speaking.

No problem that any of us at any time comment, but it is preferable that the people who wrote the document and submit the document reply to the question, rather than any ICG take the -- volunteer to speak on behalf of that. That is one.

I am not suggesting that we're sending this document to CCWG. What I am saying, that the accountability issue in Work Stream 1 of the CCWG deals with accountability required to be in place or committed before transition.

So they should know the type of accountability. A portion of this document deals with accountability, needs to be brought to the attention of CCWG. That's all. Thank you.

PATRIK FALTSTROM: So I have a list here which is Wolf-Ulrich, Joseph, Milton, Jari, Liman, and Narelle.

So Kavouss -- so Wolf-Ulrich.

WOLF-ULRICH KNOBEN: Yeah. Thank you, Patrik. Wolf-Ulrich speaking.

As one of the co-assessors from Paul for the assessment of this proposal, well, I can follow his assessment and judgment.

ICANN | 52
Singapore
8-12 FEBRUARY 2015

First, well, the proposal is -- well, it's -- in total, it's a good proposal, so I would recommend it. So that's in total to be said.

However, I have two questions here.

The one is related to the -- to the process concerns, which are -- which have been raised on the -- on the ICG forum -- forum list. Especially with regards -- there was one -- one concern regarding the composition and selection of the CRISP team, and that is related to the question of inclusiveness of this -- of this process.

So I would like to understand and to -- how it -- it was done in detail.

Paul, you explained the different types of the -- how it was done within the RIRs, but it seems to me that this concern reflects a little bit that there might have been a lack of -- to include people from, let me say, outside the existing RIR incumbents, so -- incumbent people there, maybe. I'm -- it's just a question to me.

So if you could answer to that, that would be nice.

The other one is the question with regards -- the statement in the proposal related to the NTIA contract, and it states clearly that the IANA work related to the numbers is outside of the scope of the NTIA contract.

So the question that is stated in the proposal here -- or in the -- in the first chapter, so that -- my question is: Is that the same

ICANN | 52
Singapore
8-12 FEBRUARY 2015

perception as it was discussed this morning with regards to the -- to the IETF proposal, the IETF work, that the numbers work is really independent of that contract and it could be, depending on the decision taken by the -- by the numbers community, could be taken outside of the -- of the existing IANA environment? Thank you.

PATRIK FALTSTROM: Paul?

PAUL WILSON: On the composition of the CRISP team, I think it's worth looking at what the CRISP team was assembled to do, and that is to take the results of five open regional processes transparently and publicly defined and well understood, to take the results of those community processes and bring them into a single, coherent form. And that as I said earlier is just like -- it is very parallel to the ICG. So you might -- you might suggest people involved with the CRISP team appear to be incumbents in the same way that the people in this room might appear to be incumbents within our own community.   But the point is that it's the communities themselves who are being, I hope, faithfully represented but very transparently represented.   So the faithfulness or otherwise can always be reviewed as it has been.

ICANN|52
Singapore
8-12 FEBRUARY 2015

The process is not one of inventing but of bringing together in a coherent way, in the case of the RIRs, the five different regional discussions that happened.

I'll mention again that the proposed form and the composition of the CRISP team and the role of the CRISP team was published transparently. And it was open to review for a period of six weeks or so at least before the CRISP team was established. So, again, I think we can't -- we can't expect more than transparency in these processes and hope that where objections are going to be raised that they'll be raised.

I'm not -- on the second question, I'm not sure about where the reference to the NTIA comes from because, of course, the numbers function is -- there are various numbers functions which are part of the IANA contract and they are the functions which we expect to be released from the contract.

The difference with numbers from the case with names, of course, is that the NTIA or the U.S. government has got not involvement in individual transactions. While the U.S. government is required to approve root zone changes on the name signed, there is no corresponding operational intervention or involvement that the U.S. government has got. USG does not and has never been involved in individual allocation transactions of any kind or metrics management or registry transactions of any kind nor with the policy process. So that's the difference.

But as far as my understanding what we're talking about here is the fact that the numbers functions are within the USG -- within the contract of the USG, and that's what we're looking to have released. Thanks.

PATRIK FALTSTROM: Wolf-Ulrich.

WOLF-ULRICH KNOBEN: Yes. Just to -- I'm sorry, but I misinterpreted this one. My question was just related to the fact that to a specific registry, the .ARPA. That was the question related to that.

PATRIK FALTSTROM: Can you speak into the microphone, please, so we can hear what you are saying. We didn't hear what you said.

WOLF-ULRICH KNOBEN: I saw that the work with relation to the .ARPA DNS zone --

ELISE GERICH: In-addr.arpa and IPv6 arpa dot. It is the second-level domain.

WOLF-ULRICH KNOBEN: Very specific. It was a misunderstanding from my side.

PATRIK FALTSTROM: Okay. Joseph.

JOSEPH ALHADEFF: Thank you.   And I also wanted to thank the drafters of this proposal because they made it accessible to the non-technically initiate. So thank you for that.

I guess for me the largest thing that comes up as a question is in 3(a)3 you talk about the new contract more directly reflects and enforces the IANA numbering services operators' accountability to the Internet numbering community, and that's the purpose of the contract. And I would guess it would be interesting to know what the timeline for getting the details of the contract might be because I think some of those would be something that people would want to take a look at.

But the other question is assuming the numbering services operator is going to have a relationship with ICANN, the question would be to what extent is the output of the accountability work necessary to inform your understanding of how the contract may be enforced or some of the oversight relationships in the contract because this seems to be the one place where there might be a dependency that is impacted by NTIA stepping out of the equation. And I was just trying to figure out -- because there were a couple of places where the role of NTIA is mentioned in the proposal, and I just was trying to figure out to what extent you see a dependency between some of the accountability work,

ICANN | 52
Singapore
8-12 FEBRUARY 2015

which is processes which might replace the NTIA role, with the operation of your contract.

And I would also agree with the previous statements about the specific role of accountability within the communities is different than the question I'm asking. And that I think has been well-documented by you guys as to how you do accountability within. But this would be the question of how you might do accountability across and whether that's impacted by the change.

PATRIK FALTSTROM: Paul?

PAUL WILSON: Paul here. That's a fairly deep question, and I won't try and answer it, in any way try to represent what the RIRs or the RIR communities might think. But my view has been that we in the RIR communities have not been nearly as concerned with the accountability question -- with ICANN's accountability as other communities for very good reasons. And that's that we from the very earliest ICANN days observed and went along with the supporting organization structure. And in the case of the ASO, the Address Supporting Organization, it was implemented back in 2000 or so as the source of policy with respect to addressing in ICANN.

ICANN | 52
Singapore
8-12 FEBRUARY 2015

So the interface between the RIRs and ICANN is very well-defined, very straightforward. The policies that bind IANA, that apply to IANA, are channeled to ICANN from outside of ICANN through the ASO via the global address -- the global policy development process that I have described before.

Those policies get received by the ICANN board, and the ICANN board has got a role to identify a process problem, for instance, with the production of the policy or some other, I suppose, issue that might be within the scope of the board's responsibility for the organization itself. But it doesn't have -- the board does not have the option to modify the proposal. It can send a policy proposal back or it can pass it on to IANA for implementation.

And so the accountability in that case is pretty straightforward. I mean, the policy they receive is public and everyone knows it. What IANA is supposed to do in observing that policy is public and everyone knows it. And if there is a problem, then we've got dispute resolution available to us.

So that to me answers the accountability questions. But as I say, there is a depth to accountability which starts to sound like turtles all the way down, if you know that story. But I won't try to plum those depths.

PATRIK FALTSTROM: Alan, you wanted to comment as well.

ICANN|52
Singapore
8-12 FEBRUARY 2015

ALAN BARRETT: Right, thanks. I think we thought that the addition of a formal contract with ICANN and the review committee which would look at ICANN's performance relating to its SLAs would be a sufficient accountability mechanism plus what's already there because the NTIA does not in practice have any real say in the making of policy relating to numbers or in the implementation of the policy.

Also, within the CRISP team, we thought that any changes to the policy development process were out of scope. So it might be useful to look at the way the global policies have to be ratified by the ICANN board. But we thought that was out of scope of what the CRISP team was doing.

PATRIK FALTSTROM: Daniel, you wanted to comment as well?

DANIEL KARRENBERG: Yeah. First I'd like to restate that -- and it is not the CRISP team only. The policy development is out of scope of our discussion. We are talking about IANA, which is the implementation of policy. So there is a good chance to confuse things if we also open up the development of policy. So I think it was quite rightly so that the RIR processes -- so when this was discussed inside the RIR processes, that we said, okay, this is only about implementation. The development of policy works and is untouched.

Number two, I wanted to say -- wanted to put this a bit into perspective because the discussion goes into the abstract, of course, very quickly. But the global policies we're talking about, the number is three. Each one of them is about 1(a)4. It goes about a very small -- three very small registries with very, very, very simple processes. So this is not complicated. It's not a big issue about anything there really. And there is not great complexity. It is actually really, really -- a really, really simple administrative task.

And the Internet will not break if that administrative task doesn't get done for a year, I would say personally. Of course, the RIRs would not be very happy and we would immediately seek under the -- both the current and the future agreement a remedy to it. But it's not in any way critical in the sense of depriving people of the Internet.

So let's put this into perspective.

PATRIK FALTSTROM: Milton.

MILTON MUELLER: Milton Mueller. I have four questions. Probably most of them could be answered fairly quickly. So can we treat this like a cross-examination?

ICANN | 52
Singapore
8-12 FEBRUARY 2015

PATRIK FALTSTROM: But I think still let's take one question at a time. I think that's easiest.

MILTON MUELLER: So I think I like the fact that the five RIRs signed this contract individually rather than through the NRO. But an obvious question is: What happens if, say, RIPE and APNIC decide they want a different IANA operator than the other three? The assumption is they just work it out or what?

PAUL WILSON: This is dispute resolution, I suppose. It's got to do with the nature of the contract as a joint or an individual or severally responsible. I'm no lawyer, Milton. So I don't -- I don't know what the legal answer to that is.

MILTON MUELLER: It is not really a legal question. It was more of what was your policy thinking in terms of doing it that way as opposed to having to go through the centralized NRO?

PAUL WILSON: I don't think that would particularly make a difference in that if you have got a disagreement in a position amongst two of them, they've got to work it out whether they are hidden behind the NRO or not.

PATRIK FALTSTROM: Second question?

MILTON MUELLER: There is a part of the proposal I just didn't understand. It had to do with information. So you say all rights on non-public information related to the IANA number resource registries and corresponding services must be transferred to the RIRs. I just had no idea what you were talking about there.

PATRIK FALTSTROM: Alan.

ALAN BARRETT: Alan Barrett. We thought that there might be some non-public information associated with number registrations. For example, if an organization gets allocated a block of I.P. addresses, the name of the organization might be public but their email address or their phone number or something might not be. So we foresee the possibility that there could be some non-public information, and we think that that information should be the property of the RIRs rather than the property of the number services operator or ICANN.

MILTON MUELLER: So would you be creating property where there wasn't any before or is it just there would be -- Go ahead.

ICANN | 52
Singapore
8-12 FEBRUARY 2015

ALAN BARRETT: No. I think the clarification of what we think is already the existing situation, that the IANA keeps a registry of which I.P. address blocks are allocated in what way. And there is a DNS function associated with that as well which might have a finer level of detail than the address blocks just because of the way the octet boundaries line up. So they do have this information about who holds what I.P. addresses. And I don't think there's any new property being created. We just wanted to clarify that if the operator would change in the future -- so we're suggesting in the near term, that ICANN carries on as the number services operator. But it is possible that in the future we might change our mind and want to move it somewhere else, and we want to be clear that if that happens, all intellectual property, including any databases whether public or not, have to move with the function to a new operator.

MILTON MUELLER: In-addr.arpa, this is considered to be part of your overall contract? Or would it be a separable part in which you contracted with currently ICANN or somebody else?

ALAN BARRETT: Alan Barrett again. I don't think we considered having it be severable. But now that you bring up the question, I suppose it might be possible to have a different operator for the in-addr.arpa

ICANN|52
Singapore
8-12 FEBRUARY 2015

DNS service separate from the operator of allocating the numbers. I would advise against that.

MILTON MUELLER: I'm just curious what your intent was.

(multiple speakers).

Your intent was that it was all a bundle.

ALAN BARRETT: Our intent is that it should all be together.

MILTON MUELLER: Okay. Finally, the person mounting the process challenge, did they participate in the process and raise questions during the public comment period and the CRISP process in October? Or November.

ALAN BARRETT: Alan Barrett again. One of the people did and one did not. And I think the responses that Izumi, the chair of the CRISP team, posted go into that question in quite some detail, about how much participation there was from the people raising the questions. I don't have the answers at my fingertips right now.

ICANN | 52
Singapore
8-12 FEBRUARY 2015

MILTON MUELLER: So the question -- the challenge so the selection process was raised. And was there any support for this or any --

ALAN BARRETT: I'm sorry. I misunderstood your question. No. The challenge to the selection process was not raised during the process. The first we heard of it was when we saw the message to the ICG forum.

MILTON MUELLER: So the nature of your response to the process challenge is essentially that this is not timely. It was not brought up at the right time where you could do anything about it. Is that right?

ALAN BARRETT: Yes, I think that's the essence of it.

MILTON MUELLER: That's a good response, if that is your response. But maybe --

PATRIK FALTSTROM: Yes. Daniel.

DANIEL KARRENBERG: I don't think -- you have to read the response from Izumi again. But I think that it is not the only reason, the only response. Part

of the response, yes, it was not timely. The other was that the -- it was insubstantive.

But, anyway -- so which particular part of the challenge are you referring to?

MILTON MUELLER: I think it sounds pretty bad to say that you had a process which sort of closed off substantial numbers of participants from the actual drafting group, but that it doesn't sound so bad if nobody raised this question at the time you are asking about your process. That's what I'm saying.

DANIEL KARRENBERG: It was not raised -- as Alan has said, it was not raised at the time. And it also was not exclusive.

PATRIK FALTSTROM: Okay. Let's -- order.

The actual response was filed by the -- by Izumi very, very recently, and I don't even know if every ICG member has read the actual --

DANIEL KARRENBERG: Excuse me. We set a deadline for comments and it was received inside the deadline, so while as a matter of fact we might not have

read it, I think it's improper process to say we cannot consider it because --

PATRIK FALTSTROM: No. I didn't finish my sentence.

DANIEL KARRENBERG: Okay.

PATRIK FALTSTROM: Okay?

So what I wanted to ask the ICG members is that just because it seems to be the case that people ask questions about a response that was sent within the time line that we asked -- okay? -- if it is case that ICG members do think that just because Izumi happens to be in the room, that she is responding to the question. That was what I was going to ask.

Is that okay?

Izumi, are you --

DANIEL KARRENBERG: This is Daniel. I think formally, this is not okay just -- just to put someone on the spot just because they're in the room, but if, of course, Izumi wants to reply.

We've had the written response, so I think the proper action would be to have us read the response.

I think this is a bad precedent. If we get to the names, this might be called as a precedent that we hear people who are not on the ICG and we might end up with a zoo.

PATRIK FALTSTROM: Yeah. That's fair. Milton.

MILTON MUELLER: Yeah. I just agree with Daniel substantively that it's not necessary for Izumi to speak. I have read her response.

My question was exactly what my question was. It was answered.

So I think Daniel's getting a little too nervous here and we don't --

[Laughter]

-- we don't really need to pursue this.

PATRIK FALTSTROM: Okay. So let's move forward.

Okay. So you were done with your four questions, I think?

MILTON MUELLER: I had one other minor one which was you said we are expecting another review. What exactly are you expecting and where is this review coming from? Because it's not from us, right?

PAUL WILSON: I'm not -- that was me, was it? Well, this is Paul. Was I referring to the opportunity to review the ICG's proposed plan?

MILTON MUELLER: It didn't sound like it. It sounded like you were saying that your process was going to go through another review. But if that's all you were referring to, then I understand and it's fine.

PAUL WILSON: Yeah. That's in the first half of this year there's an opportunity for another round of -- of RIR meetings. The ICG -- the CRISP team, sorry, will be available to review what the ICG comes up and to consult with the communities and so forth.

PATRIK FALTSTROM: Okay. So let's move on to the next person.

Jari?

JARI ARKKO: Thank you. Jari Arkko. So I have a couple of comments on the previous discussion and then one suggestion to make.

So the comment on the previous discussion is that we talked about accountability and forwarding things to the CCWG. I think it's okay to forward for information, but I am strongly of the opinion that we should not connect things unless they really need to be connected.

So for good reasons, we have, you know, separate mechanisms and separate problem spaces and in some instances, separate solutions, and that's fine. So basically just Project Management 101, not introduce dependencies where there is none.

And the second one is kind of similar in nature. We talked about the policy a little bit. I think it's crucial that we keep our scope clear. We're not here to redesign the policy decision processes, and again, that's just, you know, outside the scope and also bad project management if we did that.

So supporting those opinions that were voiced earlier about those two things.

And then the suggestion is -- and this is, by the way, just me speaking. It's not official IETF opinion or anything. It's just my personal opinion, taking a book out of -- or a page out of Daniel's playbook, which is suggesting that this is, you know, work well

ICANN | 52
Singapore
8-12 FEBRUARY 2015

done by the CRISP team and the RIRs, and I think -- I at least don't have any substantial questions about it.

There's clearly work, once again, ahead of us or ahead of you, both in terms of what you guys are doing, planning your detailed contracts and such, as well as us, the ICG, putting pieces together.

But I think we're in a good stage at this point, and I would just suggest that we compliment the RIRs for work well done and move on.

PATRIK FALTSTROM: Liman?

LARS-JOHAN LIMAN: Lars Liman here.

I have a few comments.

I too agree that this is a rather well-written proposal and I'm -- I was happy to read it.

I would like to comment on a few things on the past discussion here, one of which is that we are set out to create a future which maintains stability and security for the Internet. A typical way to make a transition on maintaining security and stability is to make minimum change.

We have today a system with five different accountability mechanisms that works. It's been working for more than 15 years. I haven't heard any -- any complaints about that ever, I think. And it's been increase- -- working increasingly well as the processes have developed, as relationships with other organizations have developed, so I think we shouldn't disturb what works.

Another comment is that to me, the word "community" is a very open and loose -- it is not a well-defined word.

I consider myself being a member of the engineering community. I don't have a membership card for that. I consider myself being a member of the Internet user community. I don't have an Internet user membership card.

So a community for me is a loosely defined group where you can have individuals and you can have sub-groupings that speak to different opinions and bring forward proposals and so on, and I think we should treat it as such.

I certainly don't want to become a member of a certain community, the engineering community, to be able to bring forward my proposals in some venue. I'm quite happy to show up at an APNIC meeting and be well received when I bring a suitable proposal forward.

And also there is call for separation of policy and implementation procedures, which I think is a very good idea.

When it comes to the people involved in these two activities, I don't think we should call for total separation, because to develop a policy without involving the people who are going to implement it is probably not going to go well. At least that's my -- my experience.

You have to have the experience of the people who implement it kind of nested into the development procedure or else you will do -- you create a paper product that doesn't work in reality.

That said, it shouldn't be a 100% overlap, but you need to have some cross-pollination between the two.

As for multistakeholder definitions, I think the numbering community has an extremely open view of that, and I think that works well too. As far as I know, everyone is welcome to participate in the development process, and can you get more multistakeholder than that? Thank you.

PATRIK FALTSTROM: Narelle?

And then Daniel.

DANIEL KARRENBERG: I take myself off.

PATRIK FALTSTROM: Okay. That completed our list. Is there anyone else that would like to --

Yes. Keith.

KEITH DRAZEK: Okay. Thank you, Patrik. Keith Drazek.

So I would like to just associate myself with the comments from Lars-Johan about the cross-pollination, and I think that this concept or this note is very important.

That, you know, I think there are reasonable concerns when there is policy development, policy implementation, enforcement of policy, and, you know, making sure that the -- the body doing all of these things are under one roof or all constituted in one body.

But I think in the naming community today, there is a year-long effort going on asking the specific question of policy and implementation, and where is that line drawn, and how do you make sure that those charged with implementing policy are doing so in an educated and informed way.

So I think that's a -- it is a really important thing to note that it should not necessarily be a -- you know, a black line, but that --

ICANN|52
Singapore
8-12 FEBRUARY 2015

you know, I think that when you have all of these components in one body, that there need to be the checks and balances in place that everything is done appropriately. Thank you.

PATRIK FALTSTROM: Kavouss.

KAVOUSS ARASTEH: Thank you. Kavouss speaking.

I don't want to comment on all of these open -- open community and open this, open stakeholder. Everything is open so we don't need to do anything, so I don't follow that part.

In the Part B(2), it is mentioned under the -- if the policy sources identified in 2(A) are affected, identify which ones are affected. It says that significantly would not impact the element of oversight, but on the other hand, it says, "However, it would remove a significant element of oversight from the current system."

If it removes significant oversight, what would replace that significant oversight?   This is what is mentioned in Subsection II(b)(2) at the end.   "However, it would remove a significant element of oversight." How that will be filled up. Thank you.

PATRIK FALTSTROM: Alan?

ALAN BARRETT: Alan Barrett. I think the element of oversight that the NTIA provides is that they're free to cancel the IANA contract or to choose not to renew it, and that element under this proposal would be transferred to the RIRs. The RIRs would gain the ability to -- to cancel or to choose not to renew a contract. There is no NTIA input into policymaking, so I think there might have been a little confusion there about the difference between policymaking and oversight.

There would be no change in the policymaking, but there would be a change in the oversight.

PATRIK FALTSTROM: Kavouss, did you want to comment on that?

KAVOUSS ARASTEH: That was not answer my question.

The question is it mentioned that it, however, take a very significant oversight. If it takes a very significant oversight, who will do that oversight. I don't think it answered the question at all. Thank you.

PATRIK FALTSTROM: Alan?

ALAN BARRETT:	Alan again. I tried to answer that. The -- the oversight will be taken over by the RIRs and the new review committee that is proposed to be created.
	So the review committee will look at the performance of the operator and advise the RIRs on, you know, whether or not they think the operator is doing its job properly.
PATRIK FALTSTROM:	Kavouss?
KAVOUSS ARASTEH:	I'm sorry. It is -- perhaps we should raise no question because you create a review committee, naming group review committee, the other review committee. How many review committees we have, how they work together, and what would be responsibility to ensure the accountability. All of these review committee, whether these review committees have an appeal or not appeal, whether they have redress or not redress. So it is a total complication. Thank you.
PATRIK FALTSTROM:	Daniel?
DANIEL KARRENBERG:	Let me try again to answer Kavouss' question.

Which oversight? It's the oversight of selecting the IANA functions operator, receiving their reports on the performance of their duties, and to possibly change the operator. So make a new agreement with the operator. Terminate the agreement.

And that's what Alan said. And I didn't just invent this. I just said it in a different way.

That oversight at the moment, selecting the operator, receiving the performance reports and so on, lies with the NTIA for the numbering functions.

The proposal is to replace the NTIA in this case with the five regional registries, and the five regional registries have well-established operational procedures to enter into agreements, terminate agreements, and review performance of agreements.

In our community, that is done at the executive level. The community felt that the executive level would need -- would benefit from structured advice in this matter, and in order to get the structured advice in this matter, there is going to be a review committee. And that's also something very normal in our -- in the numbering structure in order to structure things that are -- that transcend many regions. We have the address council and all these kind of groups, and it's a very simple thing.

But the executive power or the -- the execution of the oversight is also not very complicated. It's the executives of the regional

registries, and that's a modus operandi that, as has been said before, has been working for decades. There's no complication there. It's all very easy. Don't -- don't search for complication where there isn't.

PATRIK FALTSTROM: Milton?

MILTON MUELLER: Just on the policy implementation question, I think going back to what Keith said, I think the -- there's a distinction between IANA implementation and the kind of policy implementation that ICANN does when it's crafting contracts, and there has been a problem within ICANN, within the names community, of the -- the implementation process becoming a policymaking process and not there being a --

Fortunately, we have a simpler problem to deal with here, which is the distinction between changes in the top-level registry and the policies that dictate those changes.

And so to again answer Kavouss, I think what the -- the RIRs are proposing here is very clean, very simple, that they want a clear distinction between the implementation and that this -- this is actually easier in this case than in the names case because the policymaking entities, the RIRs, are structurally separated from

ICANN | 52
Singapore
8-12 FEBRUARY 2015

the IANA registry. And hopefully names can reach that happy state, but that's a different question.

So I have another question for you, Patrik.

You did an assessment of the numbers, and it seems to have disappeared from Dropbox, but I wanted to hear your -- your view on some of the relationships between this proposal and the protocol parameters.

PATRIK FALTSTROM: Thank you. Yes.

We have to -- thank you for pointing out that it might have disappeared. We have to work out the technical details.

So what I did was to go through the proposals from the protocol parameters and the -- let's see if I find it here -- and the -- and -- from the numbers. And I checked whether the -- both of them were referring to the same source of the responsibilities of the two communities, because what I wanted to know, whether there was any gap. So which means that there were some -- means that one of the nine different registries that was listed in the -- in the -- in the contract were not covered by either of the two or that any of those nine were covered by both.

Now, luckily enough, or maybe by coordination, both of them reference RFC 7020 which includes a table that specifies who is

ICANN | 52
Singapore
8-12 FEBRUARY 2015

taking care of what regarding IP address allocation, and one thing that we have to remember is that when talking about policies for IP address allocation, most of that policy is only regional.

So as Daniel pointed out, the policy that IANA is following for their actions is actually only the allocation of IP addresses and AS numbers to each one of the RIRs, not inside each one of the RIRs, so that is something that we have to remember.

But on the other hand, that also makes things a little bit interesting because there are -- there is IP address space that IETF has allocated as private address space that is not allocated, various multicast, special use, and all those kind of things, and I wanted to verify that all of those special use cases is actually covered under either of the two, and they are as they are referring to RFC 7020. That was the first finding.

The second finding, which I think it also makes good to reference RFC 7020, is that division of labor, if I use that terminology, between the protocol parameters and the numbers community can change in the future independent of -- so they're not sort of referring to any kind of contract that is connected to NTIA or something to make changes. They can -- changes can happen in the relationship between the new communities without using any governmental or other kind of organizations. So not only the agreement today of the cooperation between the two

communities exists, there's also a process for how to change that arrangement and that is by using the IETF process.

Liman.

LARS-JOHAN LIMAN: Lars Liman. I just wanted to propose a way of viewing things. Having different accountability mechanisms for numbers, protocols, and names might actually be a simplification compared to trying to mix them all together into one system because it makes it very obvious which track you are going and you can follow the accountability mechanisms that are kind of bundled with that track. Thank you.

PATRIK FALTSTROM: Kavouss.

KAVOUSS ARASTEH: Yes. Kavouss Arasteh. What we understand from the discussions is that they propose that the existing single oversight mechanism done by NTIA be disintegrated, decomposed, establish sort of mechanisms or stewardship or oversight for numbering, giving to five regional numbering system, RIRs.

With respect to the IETF situation, it is not clear. On one hand does not exist; on the other hand, it exists in the memorandum of

understanding and their position to take it out. With respect to the naming, there is another issue.

Now we heard lastly for the accountability also, we give accountability for numbering separate from the naming, separate from the ASO. We totally disintegrate everything and the users or the community cannot understand to where it goes. Currently we know one entity, and that entity is NTIA. We have a variety of groups. We don't know with whom we have to go. That is a proposal. You table it and send it to NTIA as a proposal: Disintegration of accountability in three different areas, disintegration of the stewardship in various areas, in numbering five different. Relation within them are not clear. Put them correctly, table them, and then we see whether we can agree on that or not. Thank you.

PATRIK FALTSTROM: Jari.

JARI ARKKO: I just wanted to make a quick comment. This is Jari Arkko. Just like you brought up the distribution or decomposition process, I just wanted to point out that the decomposition has already started years and years ago as the community started doing these things and within their own process. This is nothing new.

ICANN | 52
Singapore
8-12 FEBRUARY 2015

If you have an issue with some of the policy aspects of our process, you have to go through the IETF system to deal with that as an example.

So I think that's a natural way of looking at things. And unfortunately the natural way of looking at things doesn't necessarily mean that you have just one thing and your diagram is simple. But it is the way things are, and it is the easiest way actually and the right way also because then you go through the people who are actually affected by something.

PATRIK FALTSTROM: Daniel.

DANIEL KARRENBERG: Endless points to what Kavouss has said. You have understood it completely. I'm quite reluctant to use the word "decompose" in relation to anything.

[Laughter]

It is just the description of the status quo that has evolved as Jari has said, and that is working quite well at this time. The only artifact, if you want, is that there is a single contract for a particular service.

And, yes, if I read the proposals by the numbers and the protocol parameters correctly, they say we would like to get out of this

ICANN|52
Singapore
8-12 FEBRUARY 2015

single contract and put that execution of the IANA function under an arrangement that is in alignment with the current policy making and policy implementation in the various communities. And I see nothing wrong with that.

PATRIK FALTSTROM: Russ Mundy.

RUSS MUNDY: I wanted to point out to folks that I have now placed the three SSAC documents in the Dropbox. So they're more accessible to folks. But that was just -- folks had asked.

The main point I wanted to make is that when you look carefully at the content of the existing NTIA contract, it clearly points to -- well, I shouldn't say clearly. One has to read it carefully to try to figure out what it is saying because there is nothing really clear in there other than the detailed set of steps that the IANA function performs. Those are clear.

The relationships and the policies established contained within the contract point to the existing agreements in the case of the IETF. It basically points to the MOU and says that's what's going to be used to actually run the operation. When you point to the numbers world, it points to an agreement with the -- I believe it was the NRO that signed it. I would have to look and see exactly. It was either the NRO or the five RIRs. I'm not sure which.

ICANN | 52
Singapore
8-12 FEBRUARY 2015

UNIDENTIFIED SPEAKER: (off microphone).

RUSS MUNDY: It was the five RIRs?

ELISE GERICH: (off microphone).

RUSS MUNDY: Thank you, Elise.

So, in fact, we aren't really having proposals that change things with respect to those two particular organizations because they're working that way today and, indeed, that's what the contract says. Although it is hard to find in there, that is what it says.

PATRIK FALTSTROM: So we are now at the point in time when it is 3:00, and this is when we have our scheduled coffee break. So let me suggest that we break 30 minutes for coffee.

[BREAK]

PATRIK FALTSTROM: So can we please reconvene?

So we are a little bit faster in the agenda than what we planned this morning. So we are already at the status of the naming proposal. On the other hand, there are a couple of things we have tabled for tomorrow. We need to talk about the potential -- can we get the agenda, please, back on the screen?

UNIDENTIFIED SPEAKER: We're getting the updated one.

PATRIK FALTSTROM: So there are a couple things that we tabled for tomorrow. We have to talk about the timeline, and I do hear some side discussions on those issues. And let me remind people about my suggestion from this morning, that we separate the discussion -- a discussion about how much time we in ICG need to finish our work from the discussion about the feedback from the CWG names regarding the extra time that they need. One way of looking at a new timeline is, of course, to take the time that we needed already to start with in our original timeline and say that we need this amount of time and we just add it to what the naming communities say that they need, and that will be the new updated timeline.

The reason why I suggest that division is because I think us requesting, we're asking or talking to or interacting with the

ICANN | 52
Singapore
8-12 FEBRUARY 2015

naming community, operation community regarding ability to compare their ability to compress their timeline, I think should be separated from our discussion on whether we can compress our timeline because we have a responsibility to make sure that we are running our process correctly. And the operation communities, of course, have a responsibility given the multistakeholder bottom-up process they use to use whatever time they need to fulfill the requirements they have to run their process according to whatever level of the way they have decided to run their process. So that is one thing that we have pushed for tomorrow.

Another thing we need to talk about tomorrow is for these two proposals that we have received from numbers and protocol parameters. We need to conclude and come back to them tomorrow and talk about whether we are going to send any questions or what kind of reply we are going to send because according to our timeline, that is something we need to decide upon.

And I encourage everyone to think hard about whether we do have any questions to send back, clarifications or any kind of interaction. So we can talk about that tomorrow, and hopefully we'll be done with that or at least very close to that.

With that as a background, let's start with the first item that we were supposed to talk about tomorrow, the status for the naming

proposal. I have just listed the people that we had as liaisons to that process: Milton, Martin, and Xiaodong. Do any of you want to take the floor and explain how the process is moving forward, et cetera? Any taker? Anyone that has been involved in the CWG names that would like to speak to what's going on?

Milton, please.

MILTON MUELLER: Yes. So the naming community has gotten sort of bogged down in some very legalistic discussions of different structures and their implications.   I think Martin would be in a good position to provide another perspective on this maybe after I'm finished.

Thought he could just sit there innocently. That's all right.

So the big discussion there is the initial plan proposed by CWG and went through public comments, proposed essentially an external contracting authority to replace the NTIA.   And this required two new entities to be created.   One was a multistakeholder review team.   One was a customer standing committee.   And then there would be a contracting entity that would take instructions from the MRT.

This got maybe about 2/3 of the commenters on the December 1st public comment period, sort of said that they like the general idea but they thought that the proposal was too complex. And then there was a substantial portion of the community that didn't

like the idea at all and thought that you should try to keep the IANA functions within ICANN and rely on the CCWG accountability process to assuage any concerns about accountability rather than having a contracting process.

And those two groups have been pursuing essentially separate tracks.

But I think the biggest issue facing the CWG at this point is a long set of questions about the legalities of both options has been prepared. And they're going to seek professional legal counsel. And so really in my opinion -- and this is an opinion that others might dispute, not much serious can happen to the CWG process until they get that legal feedback because both options have serious questions about how would it be translated into a legal structure in the case of the external option. And there are serious legal questions about whether the internal option even works from a legal standpoint given California law and the sort of weirdness of having an internal organ separate something from the corporation.

So once that legal feedback comes in, I think then these two groups hopefully would provide some basis for further development of a consensus proposal. But right now, they really are separate tracks.

PATRIK FALTSTROM: Martin?

MARTIN BOYLE: Thanks very much. Martin Boyle.

Yeah, I think Milton's given a fairly good overview of the state of play. And certainly the overall concept now does seem to be coming out to a series of, but a quite small group of, possible options to move forward.

I think sort of what really came out of the consultation was that where there had been a reasonable feeling of growing consensus within the CWG, the consultation showed actually it wasn't as clear as all that that and a certain number of the questions needed to be addressed perhaps with a degree -- a wider horizon.

So we've got proposals at the moment looking at the possibility of a golden bylaw or of an internal trust and on the other side an external trust or the originally proposed contract company.

I think there's still quite a lot of work to be done on all four, and it's not quite clear to me yet how the group will try to pull together the ideas of those four because, as Milton said, there are two separate tracks essentially in position without a lot of communication between those tracks, how we will get to the stage of looking at the options and assessing the relative merits and issues with those -- with those options that would allow us to get to a point of building consensus around one single model.

There has been a lot of work going on and more this week. And perhaps at the end of this week, we'll have a better idea of the way forward.

PATRIK FALTSTROM: James?

JAMES BLADEL: Thanks, Martin. Thanks, Milton. Just a question as someone who has been more of an observer of the CWG. What is the -- what is the roadmap -- this is to some of your latter parts there, Martin. What is the roadmap to bring these two camps or whatever back together and to bridge that difference? Are we expecting that there is going to be something in this legal analysis that's going to make one of those options obviously a clearer choice over the other? Or is there potential that that's just going to muddy the waters either further?

MARTIN BOYLE: Martin Boyle. I'm not aware of there being a roadmap at the moment. The work is carrying on as Milton indicated of adding detail to the contract co proposal, the original proposal. And there are a lot of ideas that perhaps still need to be worked out on the other three models. And there are a certain number of questions that are being floated for the need for -- the need for

legal advice, legal opinion, on the solidity of the particular proposals.

So my guess is that the enthusiasm for the different models during the course of this week is going to make it clearer as to how you do build up that picture of not just, well, here we've got four models but actually some attempt to do some comparison between those four models.

And while they're in separate tracks, that's not going to happen. So I actually think that's quite an important step for us to get to.

PATRIK FALTSTROM: Milton, do you want to comment?

MILTON MUELLER: Definitely. So unlike Martin, I don't see the problem that they're on different tracks because I think the best thing to happen now is for each of the tracks to develop a separate proposal and then you can say, oh, you know, this one is clearly not viable legally. For example, legal advice just might say what you want to do is not possible. Or it might say, yeah, both of these are possible but if you want to do this one right, you have to do that. And then they can have a reasonable comparison and contrast to the two options. So I think that once you have two solid options on the table, you can have a more -- and we both know that they're legally viable or what it would take to actually translate them into

ICANN|52
Singapore
8-12 FEBRUARY 2015

reality, then the two sides can have a discussion about which one is preferable.

Whereas, in the earliest stage, it was easy, for example, to say, oh, the original proposal coming out of Frankfurt was too complicated. So the challenge was, okay, design something that provides the same accountability that is not complicated. If it turns out you can't do that, then maybe the complicated argument goes away or is moderated.

I think the key issue that people are actually converging around is the one of separability. So the original Frankfurt model wanted a periodic contracting view of separability similar to the NTIA contract.

And the people resisting that wanted more of the kind of separability -- at first they didn't want any separability; but then they made a concession that, okay, we do have to have separability. So now they're talking about a kind of separability similar more to what the IETF and the numbers people have, which is -- you know, it stays there until people want to move it.

So again, if you can find -- and the people who don't like the internal solution don't believe that it will actually deliver separability and the people who don't like the external solution are afraid of various kinds of risks associated with creating this unknown entity.

So again, once you have more specific plans, I think those risks and problems can be more reasonably debated, and it will not be easy to bring people together but I think it can happen.

James?

JAMES BLADEL:

So just one follow-up. And thank you, gentlemen. That was very good. But these are fairly mutually exclusive ideas, right? It's going to be very difficult to -- I mean, I don't see a hybrid approach between these two. I mean, these are kind of almost binary proposals, right?

MILTON MUELLER:

Well, let's put it this way: If -- if -- it looks that way to some of us, and I think if you came up with a -- like an internal solution that really did provide a reasonable prospect of accountability and separability, that would at least make it more acceptable to the other camp, but the problem is that they don't believe that that's possible legally or structurally or politically.

So if you could come up with a plan that solved that problem, then it might be possible to bridge a difference.

Another possibility is you use this trust structure to -- you know, we -- some of us were floating the idea of, you know, a trust that uses some existing organizations rather than a new one that

ICANN | 52
Singapore
8-12 FEBRUARY 2015

would be perceived as trusted, and maybe that idea would solve the problem, or not.

But I think as long as we agree on the principle of separability and accountability, I think that there is reasonable possibility of convergence.

PATRIK FALTSTROM: Xiaodong?

XIAODONG LI: I partially agree with the comment provided by Milton and Martin, but my insight is there is also some big concern from the community. Now that the CW work very hard to develop a very good proposal, but how to make sure the proposal can be developed and to be deployed in the future and how to make sure that a new legal entity is neutral. And even ICANN have been set up 16 years, the community have a big concern how to make sure ICANN is transparent and accountable, but how to make sure the future legal entities is also to be transparent and accountable.

I think it's a -- they have a concern about the new proposal, it's very difficult to be applied in the future and how to make sure it will not delay the transition.

So I also hear some voice, yeah, of course now there is a (indiscernible) there is a lot of discussion. Not every community member agree with that. Yeah. That's my insight.

PATRIK FALTSTROM: Daniel?

DANIEL KARRENBERG: I have a question. We received a communication from the CWG about their current view of the time line within which they would communicate their proposal to us, and I realize it's kind of an unfair question, maybe, but the people who are our liaisons who are involved with this stuff, I have two questions for them.

One, is this based on an open deliberation inside the group? Also, how much support does this have? Is it just the chairpeople speaking or was it discussed? How was it derived?

And then of course there's the judgment question, is it realistic.

And you can defer on the second one but the first one I'd like to understand. How did they come up with this?

MILTON MUELLER: I think it was mostly the chairpeople. I think it was not something that was hashed out on the list. I think there was more -- there was consultation and it was floated on the list, but there -- you

know, I think the working group, as it should be, has been mostly focused in on proposal development and ideas for the solution rather than on the time line and that the time line development has been a prospect worked out by the chairs.

Would you agree, Wolf-Ulrich? Have you been...

PATRIK FALTSTROM: Wolf-Ulrich.

WOLF-ULRICH KNOBEN: Yes. I was also keen -- I was looking at the list because I'm on the CWG list, and the first time I saw there was the announcement of that, which was a result of a discussion between the chairs of the CWG and the CCWG, and maybe I -- I don't know whether Alissa was in -- also in the circle, not in the discussion, but she was, you know, triggering the discussion as well by asking. And -- but the result I think that is reflected also in the answer regarding your second question, Daniel. It's still ambitious, the plan, it's a best effort plan time line, and it's -- it depends on certain conditions. Thanks.

PATRIK FALTSTROM: Kavouss?

KAVOUSS ARASTEH: Thank you, Patrik. Kavouss Arasteh. As far as I know -- Keith could correct me -- CCWG did not make any proposal initiatives relating to the creations of the contract co. They just noted that this is something has been evolved in CWG.

So it is not CCWG. Nor the discussions of the co-chairs of CCWG. They did not propose anything. Just they noted that CWG, one line of thinking is contract co.

The issue is that in CCWG, fortunately, there are now seven legal advisors that at a later stage they come in and discuss and provide legal view on any solution in CCWG. Whether CWG has any legal advice or not, I don't know, but from the community feedback, from the 1st December, there seems to be a majority against such creations of contract committee. They don't like that. Thank you.

PATRIK FALTSTROM: Milton?

MILTON MUELLER: No, that's not right, Kavouss. There's about an even split, depending on how you count. If -- if you look at the -- the original response to the call for comments, there was a majority in favor of the concept of a contract co but a lot of concerns about the details. Then later on, there was a survey which only 32 people took which showed, you know, bimodal responses on any key questions about contract co in which it was pretty evenly divided.

ICANN | 52
Singapore
8-12 FEBRUARY 2015

So, no, if a majority were against it, the idea would be abandoned. Or not just a majority but a significant, you know, tendency either way, it would be an issue. That's it.

PATRIK FALTSTROM: Martin?

MARTIN BOYLE: Thanks, Chair. Martin Boyle.

Yes, you know, I think Milton's picture of the discussion is quite good. I think I would sort of add the overlay of that what came out of the consultation and then more clearly in the questionnaire was that there was not a clear consensus that was coming out on the contract co, and of course that was all we were working on at that time.

But I'd like to sort of pick up on the points that Kavouss raised about legal advice and that the CWG, if it hasn't already, it is on the point of going out for legal advice against a brief, and that that will then be being used by the CWG to identify the feasibility of the different proposals that are on the table.

Now, that obviously is something that is running in parallel and separate from the work of the cross-community working group, and I think as we move forwards, there could well be issues that would require a change of accountability or a particular measure

of accountability within the ICANN structure, in which case it's at that stage that the other two cross-community working groups are going to have to at least do some common thinking or that there is a shared understanding of exactly what mechanism would need to be put in place, and that is taken into account in the time scale -- timetable graph that I've seen that shows -- albeit no idea how they got there, but that shows that our best estimate is probably sometime in May or June for the revised proposal. Thanks.

PATRIK FALTSTROM: So Alissa raised her hand, but Keith, I understand that you need to leave, so I give you the floor now so you can -- so you can go.

KEITH DRAZEK: Okay. Thank you, Patrik. Keith Drazek.

So just to follow up on Kavouss' earlier point and also the comments made by Martin and Milton, so the -- just to clarify, the experts that were identified to support the CCWG accountability, there are seven, one of which is an expert in international law, and then there are six others that have different areas of focus or expertise.

However, I think both the CWG and the CCWG have identified the need for legal expertise or legal advice, subject matter expert in California law, California not-for-profit business law. Both groups

have identified this as a need that has not yet been filled. And it may be that there's some overlap between the two groups' needs in that regard, but there may also be differences.

So I think one of the questions that remains is, you know, how best do we, as a community, in the two different groups, secure the advice that we need in California not-for-profit business law to be able to make the informed decisions that Milton referenced.

And I think that is a question for both of those groups and is probably one of the gating factors or the long pole in the tent, if you will, to being able to move forward expeditiously.

Thank you.

PATRIK FALTSTROM: Alissa?

ALISSA COOPER: Thanks. I just wanted to respond a little bit on the discussion of the CWG time line. I don't think it was mentioned. I know that it wasn't hashed out on the list, as Milton said, but it was discussed on a conference call that I know that I joined, at least, so just wanted people to know that. It wasn't like it wasn't discussed whatsoever. It was presented on a conference call and then shared on the CWG list and there was a little bit of commentary on the list before it got sent to us. Thanks.

ICANN | 52
Singapore
8-12 FEBRUARY 2015

PATRIK FALTSTROM: Wolf-Ulrich.

WOLF-ULRICH KNOBEN: Yeah. Thank you. I wanted to come back to the time line discussion.

It's correct, you know, the -- there was no discussion between the CWG and the CCWG about the content of the proposals. The CWG -- CWG came into the discussion with regards to the time line and the interdependencies of the two groups with regards to the accountability item, and from that, there was a result, and the result of that discussion was the time line proposed right now by the CWG.

I would also -- would not propose to make a judgment at the present on the proposals we have before us or the CWG is preparing for the different ones. They made also -- I think it was an internal or it was a community-wide survey about the different criteria and the different approach of the proposals, and this is to be evaluated and there are different meetings about that.

But to -- what I understand is also there is a discussion going on within the CWG taking into account -- taking into account that at the end they have to come up with something. So -- and the question is how -- and the question is how to find consensus on that. And there will be or is starting widely a discussion about the consensus-building on that. There are opinions raised about

polling or -- kind of things, which goes in the direction of a kind of voting about that.

But that is open. There is ongoing discussion, I understood.

So this is an ongoing process, and while -- from that, I understand all this was taken into consideration by elaborating the time line and making clear and also providing the conditions under which that time line could be achieved. Thank you.

PATRIK FALTSTROM: Joseph?

JOSEPH ALHADEFF: Thank you. This was just a question to those participants, and Wolf-Ulrich may have been getting to -- to some of this issue, but when Keith mentioned there was the need for expertise in California not-for-profit law and that hasn't been sought yet --

It has. Okay. I misunderstood, then, because I was --

PATRIK FALTSTROM: Can you speak into the microphone, please?

JOSEPH ALHADEFF: Yeah. I was just trying to figure out if there were any of these kind of potential unaccounted factors that could impact the time

line that weren't factored into the time line, as we have to be somewhat careful in what we're accepting as the date by which the process may finish.

Obviously, many things could derail a process, but if there are factors that haven't been considered yet, like the need for some kind of advice, then that's something we should probably know about.

PATRIK FALTSTROM: Thank you. Kavouss?

KAVOUSS ARASTEH: Yes. Kavouss speaking.

At the last meeting of the CCWG two days ago, it was mentioned that at the next meeting, possibly, one or some of the legal advisors provide clarification on the limitation restriction of the California law code with respect to any outcome of the CCWG and CWG and they will provide that information. This is Point 1.

Point 2, CCWG will meet on Monday here, and people who are interested, they could look at that one.

And the third point, there is a close collaboration between CCWG and CWG with respect to the naming issue and accountability, and in fact, CCWG, one of the working areas, Working Area 3, dealing with the CWG activity.

So there is good activities and collaboration, cooperation, to avoid any overlap and any interrelations oversights. Thank you. Overlooked. Sorry.

PATRIK FALTSTROM: So that was everybody on the speaker list. Anyone else --

(scribes lost Internet connectivity)

PATRIK FALTSTROM: One, two, three, one, two, three.

To go back to where we were --

UNIDENTIFIED SPEAKER: That was not the way to put it.

[Laughter]

PATRIK FALTSTROM: Let's hope this works.

So the question I asked, let me repeat that so we get that into the scribe, was -- or into the script is whether there is interest to work today in smaller groups, one or more groups on either looking at questions to the operational communities' timeline or otherwise.

ICANN | 52
Singapore
8-12 FEBRUARY 2015

We had a first comment from Jari. I would like you to repeat that, and then Alissa has raised her hand and then Kavouss.

JARI ARKKO: Jari Arkko repeating what I said earlier. It was that Milton and I were discussing the possibility of updating the IETF assessments document, working together on that. And then also if you want to ask some questions from the IETF or from the numbers community, that probably also means some thinking and working together. So those two things at least seem to be interesting from our perspective.

PATRIK FALTSTROM: Alissa.

ALISSA COOPER: Thanks. Hopefully you can hear me. The audio is breaking up on the remote side at least.

Just in response to Jari, I was going to say that I think personally as people have limited time, I would suggest focusing on the questions to the communities as opposed to the assessment text. I think it's more important for us to come back tomorrow with a very specific list of questions that we can hash through and try to come to consensus on in that short amount of time.

ICANN | 52
Singapore
8-12 FEBRUARY 2015

PATRIK FALTSTROM: Kavouss.

KAVOUSS ARASTEH: Kavouss speaking. I have one question and one suggestion. The question is: Did you finish the discussion on accountability? If that is the case, please by now or tomorrow give us a resume', a summary of that. Or if it is not exhausted, it was mentioned in the morning that we will discuss it tomorrow. If we discuss it partly, we should continue discussions. If it is finished, please prepare or kindly give us a resume' of that.

The second is a suggestion that even informally I suggest that we could have -- continue to have some discussions in particular with the proposal from numbering to the remaining of the question that was not discussed.   That would facilitate the work of tomorrow if the people want. Thank you.

PATRIK FALTSTROM: Thank you very much. Regarding accountability, what you see on the screen to the right is the updated agenda.   But the accountability should be added so we should talk about accountability in one way or another, exactly like you just -- like you just suggested.

The reason why I don't really want to say -- I'm not able now to say exactly what to do during that session because I need to talk with Mohamed, which also works with -- which need to consult

with what we have been talking about and potentially talk with you who are liaisons to the accountability working group as well. So I defer to him on the side or come with the proposal on what exactly to do during that session tomorrow morning. But we should have accountability tomorrow, yes.

Apart from the accountability, the suggestion is to spend one hour on the protocol parameters proposal to discuss and finalize the questions for that community, if any. We break for half an hour, and then we do the same thing with the numbers proposal. And this is the reason why I really want people to think really hard alone or together with others until tomorrow and try to be as concrete as possible.

Then we spend time between 11:30 and 1300 on the ICG timeline and that contains according to what we said earlier today, at least three different subtopics: One, the ICG, our own timeline that we had originally. Can that be compressed? Should we compress it? That is a certain amount of time.

The second question is the time estimate that we got from the CWG names which is an extension of the original sort of overall timeline that the community as a whole has come back with. Should we comment on that, or should we accept it? How should we handle that? The total timeline is, of course, the first plus the second. And given that that is the overall timeline we end up with at the moment tomorrow, the question is whether we are going

to -- whether we should make any kind of statement given that sort of new time estimate or not. And that's the third thing that I think we need to discuss.

And that's why I think personally we actually will need 1 1/2 hours. And then we have lunch. And then we talk about the handling of community comments that Manal has been working with and other things that have to do with the finalization process. We need to talk about the future telephone conferences and the face-to-face meeting schedule, the accountability, and then you see overflow time. So we'll add accountability there as well.

So this is the proposed agenda for tomorrow.

Kavouss and then Manal.

KAVOUSS ARASTEH: Thank you. Kavouss speaking. I have no difficulty for the group ICG wants to make a comment. But I think we have asked them questions specifically, that what is the timeline that you will be able to provide your report or reply to ICG and they told the timeline is month of X or Y. What is the comment? Could we say that, no, we don't agree with that? Then we will be told ICG put the pressure on us, did not allow us to complete our work, or we have to accept what we have asked. We have asked explicitly please provide by 31st of January the timeline you will be able to

finish the work, and they have done that. What is the comment of ICG on that timeline? Thank you.

PATRIK FALTSTROM: This is exactly what I think we need to talk about tomorrow. So it's part of the agenda for tomorrow.

Manal?

MANAL ISMAIL: Just to support that we have some informal discussions this evening, that would also help us in preparation for tomorrow's agenda. So I think we should be guided by tomorrow's agenda and by the questions you have posed and get some preparatory material that would make us have a fruitful meeting tomorrow.

Having said that, I have a one-hour meeting. And I would appreciate knowing where the informal discussions are going to happen, whether this is going to be in this room or somewhere else. Thank you.

PATRIK FALTSTROM: As long as we have only one group that is going to have informal discussions, it can be in this room and that also potentially makes it possible. Now I remember that I don't really know.

ICANN | 52
Singapore
8-12 FEBRUARY 2015

Okay. So at least the first group could meet here. If there are more than one, you can sit in different corners or outside. But let's -- my suggestion for the informal work for today is that immediately after we close the formal meeting of today and move into informal session, the people that have the ability and interest should stay in this room and agree on where you're going, okay?

So don't go away and then come back. Stay here. And, once again, I want to re-emphasize that the informal work that is done today is to make it easier for the work tomorrow. Absolutely everything that is done tonight should also sort of -- must be brought in tomorrow.

Yes, please. Jon.

JON NEVETT: Thank you, Patrik. Jon Nevett from registries. Looking at the schedule for the GAC tomorrow, it looks like the open plenary starts at 1400. The GNSO is in meetings all day. And there was a lot of traffic on the ICG list about Saturday being a tough day for folks.

Speaking of compression of schedules, should we try to compress tomorrow and make it such that we endeavor to be done by at least 1400 so the GAC members can go to the GAC plenary? And those of us who would like to attend that could go there as well as the GNSO folks?

So do we need a half-hour break at 10:00 after only working an hour? Could we compress some of those other times such that we plan on being done by 2:00 or 1400 as opposed to having the schedule that goes to 1700?

PATRIK FALTSTROM: Yeah. Let me take -- I think it is a good proposal. I'm trying to compress things. We should -- I will work with the secretariat and try to come up with a more compressed agenda. I notice that we have two items which are -- sorry, let me restart.

The agenda as proposed runs until 1500. The rest is just overflow. But we have two more items that got requested. One, I think we need to discuss the agenda in the start of the day, first of all. That probably needs 15 minutes at least.

And then we also have to have a slot for accountability. But even though we add those two things, we will try to see that we are having a proposed agenda that runs until 1400. It might be an optimistic agenda because some of these issues that we are talking about we really need to finish tomorrow which means that we might have to push things forward.

But I am happy to work with the secretariat and try to come up with an agenda that ends at 1400.

Joseph?

JOSEPH ALHADEFF: Thank you. Joseph Alhadeff. Just the concept being that if we're again doing something like a box-lunch scenario or whatever, we could consider a working lunch or even starting a half-hour earlier because I do think that's a -- it is a good idea to get out for that meeting, if possible.

PATRIK FALTSTROM: Joseph, just a point of clarification. I think you said starting earlier than 9:00. But just because of the translators and the other kind of things, I think we cannot change the starting time. So we need to start at 9:00. And I encourage people to instead use the time between the end of the meeting today and the 9:00 tomorrow morning to talk to each other so that the time we have together is as efficient as possible, but we cannot change the starting time.

Alissa? Or is that a very, very, very old hand that I missed?

ALISSA COOPER: Yeah, my hand isn't up. I will just say if there's a group that's going to meet in the room that you're all in right now and use the microphones, please let the remote people know so we know whether to stay on or not.

PATRIK FALTSTROM: Let me check with the technical team on the availability of the remote participation.

So we can get remote participation but the people here specifically because they are humans just like us would like to know for how long they need to stay. And we also need to signal to the remote participants what is going on here.

So can we -- for the people that are going to do this session, I cannot participate myself. Can I get a time estimate from you, please? Jari?

JARI ARKKO: Well, I think the (indiscernible) of the IETF is simple. So I think we are going to be done very soon. Or if not, maybe a little bit more. I don't know. Max two hours is absolute end. I would try to be done in an hour.

PATRIK FALTSTROM: So what I hear is 1700 to 1900. Kavouss?

KAVOUSS ARASTEH: Yes. I also support to compressing the time, leaving the afternoon for GAC and other activities. If the people want to discuss the ICG timeline, perhaps they could have some informal discussions. Therefore, we don't need from 11:30 to 1300, 1 1/2 hours for that. We could shorten the discussion if we have some informal things and for the others. So compress the time in the morning

ICANN | 52
Singapore
8-12 FEBRUARY 2015

and try to finish by 1330 or something like that in order to be able to attend GAC and the GNSO and other activities. Thank you.

PATRIK FALTSTROM: Okay. So with that, we will work on -- we are going to work on the agenda. We are currently checking with the scribe that we are going to take 30 minutes' break and run between 1700 and 1900. We are just validating that that is possible.

So let me do this for now. I hereby close today's session, and thank you very much for -- for the hard work, and so thank you very much. And now when that is done, we are waiting a little bit with the information about the informal meeting. They're talking -- they're checking with the scribes, they are checking with the technical people here.

What we do know is that it is okay to use remote participation and all the technical facilities in the room until 1900. There will not be interpretation. We are waiting for a confirmation that the scribe is still available until 1900.

Okay. So the informal session until 1900 will also have a scribe, so that is confirmed.

So the people that want to have an informal session can -- can actually start immediately. There is no real need for a break. People that -- like me that cannot continue, leave the room. You

can continue until no longer than 1900. So thank you very much, and see you tomorrow at 9:00.

[Applause]

[END OF TRANSCRIPT]