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DUBLIN – ICG Working Session  
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ALISSA COOPER: Hi, everyone. We're going to get started in a minute. So get your coffee or whatever. There we go. Okay. Thanks.

Good? Okay.

All right. Welcome back, everyone. Next part of the ICG face-to-face meeting you are looking at our agenda for today. So we have two hours today. And we had blocked out, originally, the whole day tomorrow. So what we have up here for today is first hour on the public comment summary document. We have organized it this way because Joe is one of the editors of this document, and he will be getting on a plane, I think, very soon. And so wanted to have the conversation while he was still available. He will not be available tomorrow.

So we have that on first. And then we have the transition proposal edits from this week up second. And then, if we can just scroll down for one second to tomorrow. Thanks. You can see we have more time booked tomorrow to go over transition proposal edits, if we need it. If we don't need it, then we won't use it all. And to also talk about the status announcement and

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disclaimer that I had circulated on the list this week to talk about the -- to come back to the topic of implementation and the scope of the ICG's work and the implementation process to come back to the public comment summary document, if we need, and then to do some wrap up and discussion of the process going forward.

So, again, unclear how much time we'll take tomorrow. But we are unlikely to take the full day, I would say. So comments on the agenda?

I have Kavouss. Go ahead.

KAVOUSS ARASTEH:

Yes. Good morning to everybody. I wish just to ask whether you want to make a very short briefing on what is now going on with respect to the timeline of the CCWG, with respect to the preparation of the report, and with respect to a few other things that happened. That may be helpful in finalizing your document, if you so wish. Thank you.

ALISSA COOPER:

I think that's a good idea. I would like us to take the comment summary document immediately because of Joe's participation. But perhaps we could do that status update directly after the comment summary. I think that makes sense to me. Do other

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folks think that would be beneficial? I don't know if everyone was in the CCWG meeting that just ended. No, you weren't. So we'll do a five-minute status update after the public comment summary.

So other comments on the agenda? No.

Okay. So with that, we will begin with the public comment summary document. And I will turn things over to Manal.

MANAL ISMAIL:

Thank you, Alissa. And good morning, everyone. I hope you had the chance to go through the summary report. As Alissa mentioned, Joe and myself compiled this as agreed during our face-to-face meeting in Los Angeles.

The structure of the report is, basically, comprised of three parts. The first is overall statistics and then the approach followed by the ICG in handling the comments received and then the summary of the different themes or topics covered by the comments. And by this we are guided by list of themes that are presented in the presentation in L.A. but also the text shared by ICG colleagues on the mailing list. So it's all based on text that was drafted and agreed, hopefully. So I hope this would make things easier.

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Just to note that all sources to our best are included in green italics between green brackets for reference. Where we were not sure about things, I highlighted things in yellow sometimes. And we've also, Joe and myself, inserted some comments. Proposed edits are marked in track changes.

And I also note that I think further edits, I believe, were also made by Jean-Jacques and Lynn. And I think we have this in the version we have in front of us.

Where we have two slightly different versions of the same text, both were included for us to discuss and decide which version we should maintain.

And, finally, I guess there were also some missing elements. So I hope we can identify those as we go through the text. I think we can take them section by section.

So first is the statistics part. And I think that we've already gone through for the presentation and other things. So do we have any comments on this part of the report? Just to note that there was one paragraph that was drafted by Joe. It's after the statistics. And just to note that there were six members who volunteered to go through the comments. And so this is the only new text we have here.

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ALISSA COOPER: Manal, I put myself in the queue. First question: Would you like me to run the queue, or would you like me to run the queue? I have a comment about the text. But my first question is I'm happy to run the queue, if you would like or if you want to run it yourself.

MANAL ISMAIL: Okay. You can do it.

ALISSA COOPER: Okay. Okay. So just one note is that -- because the figure, I believe, in this document is figure 2 has changed the proportions changed in response to our discussion on the weekend, the text, the numbers written in the text need to change as well. I would suggest just copying and pasting the same paragraph from the proposal back into this document because it's all slightly modified based on the figure changing.

MANAL ISMAIL: Yeah. Fair point. I think we've got the new graphs from the presentation. But we haven't gone through the text. So okay. This is a fair point. So, if we don't have any comments on this paragraph, maybe we can move forward. I'm sorry. Jean-Jacques.

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JEAN-JACQUES SUBRENAT: Hello. This is Jean-Jacques, a really minor thing. In the yellow highlighted text, towards the end, from these reviews -- three lines before these reviews and discussions which lasted two days, in some cases no action was needed. But here instead of "in some cases" again, I would suggest "in other cases."

It's really a minor tweak.

MANAL ISMAIL: Thank you, Jean-Jacques. I think we have Daniel. Go ahead, Daniel.

DANIEL KARREBERG: Hello? Can you hear me?

MANAL ISMAIL: Yes, we can.

DANIEL KARREBERG: This is Daniel. I have a question on the last paragraph on this section which Joe entered which reads, "Upon receiving the OC's responses, the ICG will reflect and support."

I'm slightly confused, because I thought we already had all the responses. And so I'm wondering whether this may cause

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confusion as to whether we're finished. We will be finished shortly with the proposal.

MANAL ISMAIL: Where exactly is the text you're referring to?

DANIEL KARREBERG: It is just about jurisdiction at the end of --

MANAL ISMAIL: Okay.

JOSEPH ALHADEFF: Can I add?

MANAL ISMAIL: Yes, please, Joe. Go ahead.

JOSEPH ALHADEFF: Daniel, in the process of drafting this document, I asked whether we should reflect the answers that we got from the OCs and was told no. But we probably were thinking that this document was coming out earlier than it is now. So I think it's a fair question, and I think it would be fine to do that. But, remember, this was the summary of the questions. It wasn't meant to address the

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answers. But I agree with you. The timing of the release will make it confusing for those people reading this. But we could add a section that talks about the responses that were provided. But we'll take your collective guidance as to what's less confusing and what's more confusing.

MANAL ISMAIL:

So thank you, Joe. So the suggestion is we add a new paragraph with the responses we've received or we delete this part. Because I think the responses we have received are already reflected in our summaries.

So, Joe, do you think we really need to summarize again the responses we received from the operational communities? Or we just delete this part or take care of the language? Because I think the responses we've received are already reflected under the different themes.

JOSEPH ALHADEFF:

The one draft of this we got was before -- if we're going -- recent versions of the -- will have the response --

MANAL ISMAIL:

I'm sorry, Joe.



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DANIEL KARRENBERG: Manal, you have to mute your microphone. Otherwise, it gets in the way.

MANAL ISMAIL: Okay. I'm sorry. Go ahead, Joe.

JOSEPH ALHADEFF: What I said was that the text we originally pulled in the first version of this did not actually reflect the responses. Because the concept was this wasn't meant to be forward-looking. This was meant to be kind of this is -- these were the questions we got in and this is the summary of what they looked like.

As we are going back and updating material with the most recent material from the proposal, that will, in fact, have the responses in. I've got no problem deleting the sentence. But we have to be very clear as to whether this document is a summary of the comments or is a document about the entire comment process with the responses.

MANAL ISMAIL: So good point. I think it's a suggestion subject to how you agree. I think we can make sure that the text under each theme is most up to date reflecting what we got from the operational

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communities rather than doing another brief on what we have received. But this is a question to everyone.

And I have Martin, Alissa, and Daniel in the queue. So Martin, please.

MARTIN BOYLE:

Thanks, Manal. On the two -- the top two sections on the page that is in front of us, I'm actually feeling a little bit confused as to what we're trying to do here. Because this is written going back several months. And since then we've gone through a complete cycle. And it seems to me to be quite simply a statement of the process that we went through. And, therefore, I think this little bit just needs to be updated so that we say that we went out; we've received responses; we do not need to summarize those responses here because we're going to do that later.

So that, just in this particular section, we simplify it to being what has actually taken place. And, therefore, I think it's probably only a matter of changing tenses of the verbs. There might be a little bit of residual cleaning up. But, if that's actually what we were hoping to do there, then I think it becomes quite a simple job. Thank you.

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MANAL ISMAIL: Thank you, Martin. So, basically, this is going to be a brief on the description of the process itself consulting with the operational communities but not the substance. Okay. Fair point.

So I have Alissa next.

ALISSA COOPER: Yeah, I think we should make life easy on ourselves. Because we've already written the words about how the community's responded in the proposal. So we can leverage all of that text in here. We need not write new text to capture that.

MANAL ISMAIL: Okay. Thank you. And Daniel.

DANIEL KARREBERG: Thank you. I agree with Martin's suggestion. Just changing the tenses of the words it's already been done. And then we're done with this. I have to note, though, that several of the -- as Manal has said, several of the individual sections reflect already answers and actions that we took. So it's not -- the document is not as clean -- as cleanly a status of several months ago as Joe said it was. But I don't think that's a problem. I just want to note it. Thank you.

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MANAL ISMAIL: Okay. Thank you, Daniel. So I think we are in agreement. But, before moving forward, I just want to make sure that everyone is good with the three bullets describing the approach we have followed. Because, again, this is a new text that has been drafted and was not discussed before in detail.

Milton?

MILTON MUELLER: I'm unable to scroll this in the Adobe room. I'm not sure if I'm the only one. Here we go. It's Windows 8. Nevermind.

MANAL ISMAIL: I would also note that in the final bullet where comments were received and no action was required, I personally was not sure whether those were all forwarded, for in total the operational communities, may be forwarded, will be forwarded. At the time I wrote this, I was not sure. So I had this highlighted. And I think Lynn has helpfully done some edits here.

So can we move forward, or do we have any comments? If we can please go to the jurisdiction part. And this is mainly from Martin's email, do we have any suggestions, reactions, or comments on this part? Jean-Jacques?

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JEAN-JACQUES SUBRENAT: Thank you, Manal. This is Jean-Jacques. Again, really a minor tweak for better understanding. In the first paragraph under "jurisdiction," line number 3, I would suggest adding a comma, "a similar number opposed," comma, arguing that otherwise it's not that smooth.

MANAL ISMAIL: Thank you, Jean-Jacques.

Milton?

MILTON MUELLER: Yeah. I also found the language that Jean-Jacques mentioned to be confusing. I would say you would need even more than a comma after "oppose." You probably need something like "oppose the proposal." Let me just find the thing here. I have had to reset my....

PAUL WILSON: Sorry. Paul Wilson here. Can I just make a request that might make it easier? Could we have the URL for the current document circulated into the chat, then I think it's probably easier for us to access this document.

ALISSA COOPER: Jennifer just posted it five minutes ago.

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MILTON MUELLER: It's there.

PAUL WILSON: It's easier than using the remote participation.

MILTON MUELLER: I was just a little bit concerned about the euphemism here. We have changed "gave up U.S. government control" with "concurred with the U.S. government's willingness to relinquish its stewardship." And if I recall the actual comments, they were talking about supporting U.S. government control. And we are really not accurately reflecting what the comments are in addition to using a euphemism which I find somewhat, you know, icky.

So I would -- I would prefer to go back to the original language on that. I'm not sure why we -- I mean, who do we think we are? What are we doing by changing it? What was the motivation for that?

MANAL ISMAIL: So I can't really recall whose edits was this.

So, Jean-Jacques, please, if you can help.

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JEAN-JACQUES SUBRENAT: Thank you, Manal. This is Jean-Jacques. Milton, I think I was at least one of the culprits. The reason is that as you remember as part of the comment review team, some of it was pretty bad and sloppy. So I thought that even as a non-native English speaker, some things could be presented for the benefit of the whole community.

Now, in the same way as I don't want to go into too many tweakings here, I think that we've done so much on it, but if you go into that, then I would suggest that we summarize that comment much more accurately by saying that it's the very notion of transitional transfer of oversight that was contested, that was not accepted by those who made those comments.

So if you -- Milton, if you really want to do more than just tweaking the words, I would suggest we come to that notion of "who are opposed to the very notion of transition of oversight."  
Thanks.

MANAL ISMAIL: Thank you, Jean-Jacques. I see Milton nodding, so I think this addresses the point.

I have Mary, Martin, Daniel, and Alan.

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So, Mary?

MARY UDUMA:

Thank you. I think my point have been taken. Clarification has been made. Part of it would have been that with the clarification, I think it gels with what was stated in the second part.

However, there was good support stated and implicit for this approach proposed by the CCWG accountability. So I wanted to relate that to what we stated in the previous sentence.

Doesn't flow in my head. I don't understand. Maybe the person that proposed it should clarify more.

But the first part, I'm okay with the first part with the explanation given. But it is the second part that when I related it with the first part that I didn't get it right.

MANAL ISMAIL:

Okay. If you could repeat quickly the exact question because we have Milton next -- I'm sorry, I mean Martin next. And I believe he will be able to help us here.

MARY UDUMA:

I said clarifications have been made for the first part. So I wanted to relate the first part to the second part of that



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paragraph to know how it pairs up, how the two pair up, pair up to what we're trying to convey here because this second part is saying, "However, there was good support." Is this support to move the jurisdiction or support not to move the jurisdiction?

But since we are talking about our own proposal, then the CCWG accountability side of it is what I'm trying to relate towards what the first part has said. I don't know whether I have confused the group more.

JOSEPH ALHADEFF: (indiscernible).

MANAL ISMAIL: Yes. Was this Joe?

JOSEPH ALHADEFF: Yeah.

MANAL ISMAIL: Okay. Do you have a direct response to this?

JOSEPH ALHADEFF: Yeah.

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MANAL ISMAIL: Please go ahead, and then we continue with the queue. Thank you.

JOSEPH ALHADEFF: The response was there were a few comments that, as Martin said, opposed -- with the new construction between Jean-Jacques and Martin, oppose the transition. And the rationale for that was because the U.S. was giving up control.

There were a similar number, again minority, that were concerned about the fact that there wasn't international jurisdiction. But there was strong support across the majority of comments that this is a topic that will be resolved outside of this limited process in workstream 2.

So that was -- those are the three elements. They are perhaps not stated in a clear enough way, but it was a reflection of the minority comments and then a reflection of where the main stream seemed to sit in terms that this was a process that needed to be resolved in workstream 2, not discounting the fact that it was an issue but understanding that it wasn't going to get resolved in our proposal.

MANAL ISMAIL: Thank you, Joe.

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Martin?

MARTIN BOYLE:

Thanks, Manal. Martin Boyle here.

Yeah. I think that what Joe has just said covers reasonably well what was concerning me. And certainly the currently proposed wording is fairly confusing and certainly obscures the fact that there was some opposition to any change to the current arrangements and then a similar number opposed arguing that, blah, blah.

And I think the other point that I would just like to flag up -- so perhaps Keith's recent arrival and Kavouss might be able to give us some thoughts. Because at the moment we say, "For the approach proposed by the CCWG accountability, the jurisdiction should be discussed further under workstream 2." And I think really it is just a matter that we try and confirm that that is still the case that there will be an expectation that there will be a discussion under workstream 2 later down the track. So if I can sort of throw it to either of you as to whether you can clarify that point for us. Thank you.

MANAL ISMAIL:

Keith, if you would like to respond. And then I have Alan, Kavouss, and Joe. Is this an old hand?

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JOSEPH ALHADEFF: An old hand.

MANAL ISMAIL: Thank you.

Keith?

KEITH DRAZEK: Thank you, Manal. This is Keith Drazek for the transcript. I apologize for being late.

Catching up here -- and I may need to reserve the right to come back in a few minutes with some further clarification. But I think the CCWG accountability has made it very clear that ICANN's jurisdiction in terms of where its incorporated and located and headquartered is clearly not a workstream 1 issue.

I think there is a little bit less certainty or clarity about whether those issues or that topic, headquarters, incorporation, and location, is actually intended to be a topic in workstream 2. It's not clear to me that that's the case. I know there have been discussions about jurisdiction for dispute resolution in the CCWG accountability. But I don't know that there's an explicit expectation that a change of jurisdiction, for example, would be something explicitly discussed in workstream 2. So let me pause

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there, and I will come back if I have any further comments.  
Thanks.

MANAL ISMAIL: I had Alan. But, Kavouss, if this is on the same point, then please go ahead.

Alan, I'd --

KAVOUSS ARASTEH: Yes, on the same point. While I fully agree with Keith Drazek, this is a situation for workstream 2, but, but, it relates to the jurisdiction arising from the community empowerment and escalation but not jurisdiction under which the corporation or incorporation has been established. The are two different things.

The first one will be no change at all. Everything in CCWG is designed on the California law, the whole structure. We can't change that. The jurisdiction with workstream 2 are those which as a result of the community mechanism and community empowerment and taking the course by the standing of the person who's of the sole designator at the final stage to court, that jurisdiction we are talking about which will be in workstream 2.

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But first jurisdiction under which the corporation has been established, there would be no change. It remains intact because, otherwise, we have to go back and do the whole thing from the very beginning. So just make it clear. I complement what you said, but I did not disagree with what you said. Thank you.

MANAL ISMAIL: Just to see, Alan, is your intervention on the same point? So can we please take Keith first and then -- so, Keith, go ahead.

KEITH DRAZEK: Thank you, Manal. And thank you, Kavouss. Agree 100%.

And it was stated in the CCWG working session this morning by one of the members or participants -- I think it was a participant -- who made the point just as Kavouss did, that if you're going to change the jurisdiction of ICANN headquarters, location, incorporation, everything the CCWG is doing today is based on the assumption of California law or the expectation that ICANN will be headquartered and incorporated in the State of California.

If that were to change, then the work -- all of the work of the CCWG accountability would have to be redone if you are moving to a different jurisdiction. Some pieces may be able to carry

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over, but it would have to basically start the process anew.  
Thank you.

MANAL ISMAIL: Thank you, Keith.

Alan?

ALAN BARRETT: Thank you, Alan Barrett. Just a comment on readability of this paragraph. I find it a little difficult to read where we say in the first line, "While there was opposition," et cetera, and then a few lines later we say, "However, there was good support."

I think that can be clarified. And I'm pasting a proposal into the chat. I think we could say something like "A minority of commenters were opposed to the whole idea. Another minority wanted it to move to an international organization. However, the majority supported the transition to community oversight." And then we can also talk about the CCWG and their workstreams and so on. Thanks.

MANAL ISMAIL: Thank you, Alan. If you can also circulate this on the mailing list, this would be helpful.

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I think the problem is that this originally was drafted with numbers and percentages and then we decided to remove old numbers, and this is when it might have got some confusing.

So mindful of the time, can we move forward? We had seen on the presentation that was for PTI and related bodies, there was no specific text circulated for this part. I wonder if this was already covered by other themes? Or do we need to have something here?

So I have Alan, Jandyr, and then Joseph.

Alan, old hand. Okay. Jandyr.

JANDYR SANTOS: Thank you, Manal. My point was on the jurisdiction section. Can I come back before we continue?

MANAL ISMAIL: Yes, please. Go ahead.

JANDYR SANTOS: Thank you. I just would like to state for the record, this is Jandyr Santos speaking. Overall speaking, we do support Martin's language as it is right now. In line of the government comments my government made in the public comment period, the way the language is presented, it duly recognizes the fact that the



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jurisdiction remains an important issue that needs to be addressed based on a clear assessment of the different implications of the different options and also recognizes the fact that it needs to be discussed under workstream 2.

My whole point is that this will be really hard to prejudge what kind of discussions we will have in workstream 2. So we will be ready to support the language as it is based on Martin's inputs. Thank you.

MANAL ISMAIL: Thank you, Jandyr.

So, Mary, you want to come back on the same point?

MARY UDUMA: Any further clarification, I don't think we are saying no to Martin's formulation. But just to clarify, if I'm getting confused, what of those are not here?

I think we should be clear enough to state what we mean. I don't think we should remove the second part. The first part should be clear enough to say that. This is what we saw. This is the comments we received. These are the people that are opposing, minority or majority. Whatever the issue is be clear. I think that's what I want to say.

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MANAL ISMAIL: Thank you, Mary. It's noted. We will try to make it more clear. I think we already have proposed text and maybe we can finalize this online.

So now, do we need to put something under PTI and related bodies? Or is this already covered by other parts of the text? So Martin?

MARTIN BOYLE: Thanks, Manal.

Yeah, I see -- and I'm not quite sure why it has got my name associated under MI4. I think -- and I'm sort of struggling on remembering exactly what happened. But Keith Davidson, Wolf-Ulrich, and I worked together on some texts. My recollection is that Wolf-Ulrich sent an email to the list with some report on this text.

But the state of my inbox at the moment I'm not going to be able to find it quickly. But I will look back and see what he did. I'm pretty sure it's Wolf-Ulrich who came in with a text for that particular section. Thank you.

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MANAL ISMAIL: Thank you, Martin. So, if we can identify this text and try to recirculate it, I think this would be helpful. I have Jandyr, Joe, and Alissa.

JANDYR SANTOS: Old hand. Sorry.

MANAL ISMAIL: Okay. Then Joe.

JOSEPH ALHADEFF: I want to comment on the clarification that Keith and Kavouss have provided. Because, while they're absolutely correct, that level of nuance did not exist in the jurisdiction comments. And the only thing that could be gleaned from the jurisdiction comments as a whole was the fact that people really didn't understand the topic. And one of the margin notes I had asked was is that an observation we want to make that the clarity of what jurisdiction means and what it actually refers to, whether it's substantive or low incorporation, across the comments was tremendously confused.

That might be a useful point that one of the workstreams might want to clarify. But that is much more editorial in nature than

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what we are doing in the rest of the document. And I didn't know if that was an appropriate thing to do.

MANAL ISMAIL: Okay. Thank you, Joe. Alissa.

ALISSA COOPER: Sorry to rain on your parade, Martin. But you circulated -- if you remember L.A., we had a -- we ended up with, like, five slides about PTI. And then we had subgroups for -- we had a subgroup who went and who was looking at, I think, slides, three, four, five, something along these lines. You had actually circulated a document which we couldn't find which gave your opinions about many of the comments, I think, on at least slide 3 or slide 4. I can't remember exactly which slide. But it was a lot of comments related to PTI.

And then later you also looked at slide 5. And you sent an email that, essentially, said you didn't think that we needed to address most of the slide 5 related comments in the proposal. And people agreed with that. And so we didn't ask any questions of the communities about the slide 5 related things, which were sort of more drastic reimaginings of the PTI.

So we can find those references. I don't believe there's actually, like, prose text in relation to those. Because the way we handled

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the PTI issues was primarily by asking for clarifications from the communities and then summarizing the state of the PTI in a new section in the proposal.

So, to summarize the comments received, would be a piece of work for somebody to go do. Not saying it has to be the person who has already done some of it. But that's the situation, I think.

MANAL ISMAIL:

Thanks, Alissa. Now I remember how this came up. Because I didn't trust my memory. But now I trust what you said. So here we need to have some drafting here. Yeah. I recall it was a few bullets. And it was in the action to what we have received. This is still to be done.

So let's move to the next bullet, the root zone maintainer. Again, I just want to highlight that all this text has been circulated over email and agreed before. In fact, it's -- unless you find track changes, then it's a copy and paste. So those are two paragraphs from Milton's emails. Do we have any comments or reactions to this part on root zone management? Joe?

JOSEPH ALHADEFF:

I am not able to lower my hand for some reason. That's an old hand.

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MANAL ISMAIL: Good to know, so that I don't keep calling you between any two speakers. Thank you. Alissa.

ALISSA COOPER: Old hand.

MANAL ISMAIL: Milton?

MILTON MUELLER: Yeah, I just want to express my sympathy to Joseph. I hope his arm is feeling okay after, you know, being unable to lower it for so long.

I understand the text that is, like, showing change there. That looks fine. But the stuff beneath it looks like it was more what we intended to be in part zero rather than a summary of the public comments. So I'm wondering what that text is doing there. Does it belong there? Is that what you really wanted to have in there? Because I thought that that text that starts "The ICG recognizes" the next -- how many paragraphs? -- the next two paragraphs, that's not what was intended to be a summary of public comments. So that could be struck.

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MANAL ISMAIL: We can delete the second and keep the first one, right? This is okay.

MILTON MUELLER: This is actually three paragraphs now that we can see it all. My comment on the second was just the summary of the first paragraph.

MANAL ISMAIL: Okay. Perfect. Thank you.

So next we have -- I mean, editorial issues. This goes without saying. So what's the title next? I don't think I have the same version on my laptop. So, if we can scroll down. Can we please scroll down? Meanwhile, I have Keith.

KEITH DRAZEK: Thank you, Manal. Keith Drazek. Actually, I apologize for not jumping in before you scrolled down. But I had a question about one word in the earlier paragraph. And I think it was the first paragraph. And that was the word "trustworthiness."

I have no problem with including the analysis from the public comments that there was questions about the transparency of the process. But I'm a little bit concerned about the word "trustworthiness."

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And I wonder whether that's appropriate. I don't recall specific language in the public comments that would necessarily support an allegation or suggestion that there was a lack of trust in the process.

MANAL ISMAIL: So can you help us, where exactly in the text?

KEITH DRAZEK: Thank you. Yes, Manal. Right in the middle. It says, "Most of the submissions that addressed the RZM issue felt that the ICANN VeriSign proposal left some questions unanswered and/or raised concerns about the transparency," which is fine, "and trustworthiness of the transition process." I think "trustworthiness" needs to be removed. Thank you.

MANAL ISMAIL: Thank you. We were going to keep "transparency" and then delete "trustworthiness." Okay. Noted.

MILTON MUELLER: It's okay with me to strike that.

MANAL ISMAIL: Okay. Thank you, Milton.



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So, if we can move forward to dependency on CCWG timeline. Again, editorial issues. This was a copy and paste from the slide we had in L.A. And we don't really -- we didn't think this is on the same level of the rest of the document.

So dependency on CCWG and timeline. Again, this has been taken from the executive summary of the ICG report and pasted as-is with some edits.

So do we have any comments? So we have actually two references here. And I can see Alissa, Keith, and Kavouss. So Alissa.

ALISSA COOPER:

So in the discussion we're going to have next on the transition proposal, Daniel has made a suggestion about changing the language that this is derived from. Basically, this was from the proposal. That's where this came from. I think we are likely to edit that into something that is more clear and has less words. And so I would suggest that whatever we end up with in the proposal we just use that here as well. It will be different from this.

MANAL ISMAIL:

Okay. Fair point. If everyone agrees, then we don't have to get into the text here right now. So Keith? Okay.

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Kavouss.

KAVOUSS ARASTEH: Yes, just a piece of information. With respect to the timeline, maybe Jennifer could show the timeline that I sent you. That may help a little bit to examine whether you need to add something to that. It may not be needed, but it may be needed.

The CCWG now have a draft timeline that's more or less approved. And there is a timeline between 7th of January to 22nd of January sending the chartering organization for the final approval. So that's something that may also be useful to mention.

And that then they send their reports to the ICANN for submission to the NTIA as appropriate.

So, if you show that timeline, you see from 7th of January to 22nd of January, you have this sending the final report to the chartering organizations to approve. And multi-chartering organizations is naming organizations or GNSO, ccNSO, and so on and so forth. That's how GAC will receive that. So, whether we take CWG as a combination of some of them or, in fact, that would be the final stage. So I just leave it to you whether you want to add that to the process that the CCWG draft report will be submitted to the chartering organizations for any comments.

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And then you continue to have your request to be sent to CWG for further comments. So these are the things that we helped. So with this timeline, you now have a clear idea where you think it will be going.

The first starting in 15 days, a summary of what has happened in CCWG, the second starts with the final -- not final, the details. And then you have 35 days for all of that. Which, is the public comment. Instead of 21 days or 30 days, you have 35 days divided in two parts. One part is 15 days for the summary, and then you have another 30 days for the detailed proposal. That comes to finalization in the CCWG and then sent to the chartering organizations. So I just submitted to you whether you want to put some element on that that is a -- I would say a parallel process that gives all assurance that everything has been seen and has been examined and considered or studied by relevant organizations. This just a piece of information I wanted to add.

MANAL ISMAIL:

Thank you. This is very helpful. I think, if we're going to discuss this again, we can decide at the time what exactly to put in the text. So Daniel.

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**DANIEL KARREBERG:** Thank you, Manal. I'm still on dependency on CCWG timeline. And I agree with Alissa that we should use consistent language everywhere. But, in this particular context of public comment summary, this whole section confuses me because it doesn't even mention public comments.

The same goes for the next one, IANA IPR, which doesn't mention public comment either except for a side comment by Joe. So I wonder whether we got confused here which document we are writing. And maybe this whole section can go. Thank you.

**MANAL ISMAIL:** Thank you. I think it was one of the themes raised by the public comments. I don't think we can remove the whole section. But we can look into the drafting, if this is the problem. So I have Joe next.

**DANIEL KARREBERG:** I think I should mention -- excuse me for interrupting you. I think we need a paragraph on top of it which summarizes the public comments.

**MANAL ISMAIL:** Yes, fair point. Yes, thank you. So Joe and then Alissa.

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JOSEPH ALHADEFF: Yeah. To Daniel's point, it's completely correct. I think we should actually just have a paragraph called "dependencies."

And in dependencies we had a small minority of people suggest that there was an overall dependency on the external workstreams.

We had a larger number of people highlight the IP issue as a valid dependency which has been resolved.

We had a third group of people who did not specify the CCWG timeline but just raised the concern as to the completeness of the names proposal because of an existing dependency. And then, lastly, we had a few people suggest that we should consider the root zone a dependency.

And that really should be the scope of our paragraph, because those were the concerns that were raised. The extent to which we want to include the resolution of the concerns is awaiting the finalization of the text from the proposal, if we do that. But I think those are the issues that were raised in the proposals from my recollection of going through the proposals on those issues. And I'd be happy to draft a paragraph that just deals with those four things. And then we can add any of the resolution text that goes with that as appropriate.

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MANAL ISMAIL: Thank you, Joe. I think it's a good suggestion. So Alissa.

ALISSA COOPER: I support Joe's proposal. I like that very much. I think we would then be able to delete the section about the IANA IPR. Because, essentially, the only comment we got was people were waiting for it to be concluded. I don't think there's anything subsequent to say about the IANA IPR either. So I like Joe's proposed way forward.

The other thing I would just say about this document in general is we sat in L.A. We decided that we wanted to do this. But then people who had various responsibility for different sections were focused on drafting their text for the proposal and not on this, which is why you get different sections that are sort of at different states of maturity and have different amounts of detail. So we just need to, I think, try to keep in sync -- keep the two documents in sync, to the extent that seems necessary. But this really only needs to be the summary of the comments because we have the -- all of the analysis in the other documents thanks.

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MANAL ISMAIL: Thank you, Alissa. So we also have a proposal to remove the IPR part. So, if we don't have any comments on this, we can move forward.

JOSEPH ALHADEFF: Manal, I've got --

MANAL ISMAIL: Yes, Joe. Go ahead, please.

JOSEPH ALHADEFF: Alissa, the only thing I wanted to raise was there were two comments that in the IPR context raised the question of what would be the appropriate entity to hold. I don't know if we need to reflect that. That was a fairly minor blip. And I think the communities have come to a consensus. But I don't know if you want us to reflect that in the dependency question.

ALISSA COOPER: I think that's your call. I think you are deeply familiar with the comments. I think something mentioned twice across 157 comments doesn't have to appear in the summary. And we probably have lots of points that only appeared twice that we're not reflecting in the summary. So I don't think it's strictly necessary, if it complicates things.

MANAL ISMAIL:

Thanks, Alissa.

The following section is ccTLD issues, and this is the text from Wolf-Ulrich. So do we have any comments on this? Again, apart from the track changes, everything is a copy and paste from the text that was circulated on the mailing list.

So, in the absence of any comments, can we move forward, please, to the section on ICG RFP criteria. I have Martin and then Kavouss.

MARTIN BOYLE:

Just under the ccTLD section, I noted that you had put a comment in about an individual comment that was raised. I don't know whether you want to pursue that and consider whether this should be deleted.

It was one comment from one ccTLD, and that particular paragraph identified that we were balancing that against a considerable number of comments from ccTLD organizations.

I'm fairly neutral as to whether we leave that paragraph in or whether we delete it. Keith Davidson may have strong views. I have none.



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And then I know on the service level expectations paragraph, which has been quite an active and important issue, that one was actually identified. And I think the text there is -- remains appropriate text even after the discussions here in Dublin. So I have no problem on that. It is just whether that paragraph above should stay or should be deleted.

MANAL ISMAIL: Thank you, Martin. So do we agree to keep the text or delete it?

Keith, please.

KEITH DAVIDSON: Like, Martin, I have no strong opinion on this. So I think to tidy it, delete it probably reasonably appropriate.

MANAL ISMAIL: Thank you. So we can delete this, Alissa.

You want to comment?

ALISSA COOPER: No, just put me in the queue when you are done with this section, please. Thank you.

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MANAL ISMAIL: So, Kavouss, please.

KAVOUSS ARASTEH: Yes, Manal. You were a little bit quick or I was too slow. My comment is the paragraph before this, IANA IPR. If you come back to that kindly, if possible, I will give you my comment.

MANAL ISMAIL: On the IANA IPR part?

KAVOUSS ARASTEH: There was a text starting, "If the CCWG output does not meet" -- previous sections.

MANAL ISMAIL: Can we scroll up, please? Can we scroll up?

JOSEPH ALHADEFF: It is the paragraph just above IANA IPR.

KAVOUSS ARASTEH: Yes, here.

MANAL ISMAIL: The part above the IANA IPR is the CCWG --

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KAVOUSS ARASTEH: This part.

MANAL ISMAIL: This is going to all be redrafted again.

KAVOUSS ARASTEH: I have to give. I think currently whatever way you draft it, as I see in my computer, it says that second line, "It is impossible for ICG to conclude its assessment." It is very negative signal that you say there's deadlock. You will reconsider based on this.

So I don't think if the requirements of the CWG are not met by the CCWG, it would not be the end of life. There would not be an earthquake. There would be some adjustment. Based on the adjustment, you readjust. I don't think it is impossible to do that. We should put it in a more positive way when you redraft it.

MANAL ISMAIL: Okay, thank you, Kavouss.

Daniel?

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DANIEL KARRENBERG: Yeah, thank you. I was just going to note that this was up for redrafting anyway. So if we are all on that same page, I'm fine. Thank you.

MANAL ISMAIL: Thank you, Daniel.

Alissa, I'm sorry I skipped you. Thank you.

ALISSA COOPER: It's fine. So I just wanted to come back to our agenda here because we -- I think our number one priority is the transition proposal. We put this on the agenda today because we are not going to have Joe with us tomorrow.

Is that correct, Joe? You won't be joining us at all tomorrow?

JOSEPH ALHADEFF: I might be able for the first hour.

ALISSA COOPER: Okay. For the first hour, okay. So that's good to know. We might rearrange the agenda a little bit. But I would like to move on to the transition proposal given that we have more time for this tomorrow.

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But, Joe, I was wondering before we do that if there's any section that we haven't gotten to in this document yet that you wanted to flag or speak to at all in the event that you're not able to join us tomorrow?

JOSEPH ALHADEFF:

Yeah. It was just that section that was actually sourced from my summary which dealt with some of the NTIA criteria, somehow we got duplicate versions of it in there. And the version that controls is the one that has Milton's edit on the government role.

So just to make it clear, we'll clean up the duplication. And the Milton edit version is the one that was the final version related to the government role, so just as a clarification, because I know when you read that part of the draft it gets confusing because you see text repeated. But I think it was because we tried to merge a couple of documents.

MANAL ISMAIL:

Okay. Thank you, Joe.

Also in the security and stability part, we have duplicate drafting from your text as well. So if you can also kindly refer --

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JOSEPH ALHADEFF: Tell you what. I will clean that up for you to look at it tomorrow. How's that?

MANAL ISMAIL: Perfect, thank you.

ALISSA COOPER: Okay. So we will return to this tomorrow. I just have one question in terms of what else is going to get done before tomorrow.

Joe, I see that you have circulated proposed text on jurisdiction to the list. I just want to clarify, is the proposal that this text would replace the entirety of the current jurisdiction section?

JOSEPH ALHADEFF: It would replace the three-part paragraph that was -- that Mary was highlighting as confusing, which I think we all agreed was confusing.

ALISSA COOPER: Okay. So it would replace the entire section because there are only three paragraphs in that section. I'm just asking because the same text appears in the proposal. So I assume that we will reflect it in both.

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JOSEPH ALHADEFF: It was meant to replace the first paragraph of that text which had the three parts of some comments, other comments while a majority.

ALISSA COOPER: Ah, okay. Okay. Thank you. Okay. So we should move on. Thank you, Manal. We will come back tomorrow morning to this and finish up.

So, Kavouss, I know that you spoke already to the time line of the CCWG, which I think was kind of the main take-away for us.

Is there anything else that you wanted to add before we go on to the transition proposal? Or was that the main thing?

KAVOUSS ARASTEH: That was the main thing, just to draw your attention that there's a time line that more or less agreed. There is a third public comment and so on. The only thing that I have to give you is the positive sign of the progress of the work. First of all, in everywhere I have read, there is a strong support for the activities of the ICG, everywhere in blogs and statements and so on and so forth. It is appreciated.

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However, with respect to the CCWG, as I mentioned the other day, about ten days ago we were in the middle of nowhere. Today we are somewhere. We know where we are. And more or less now after a lot of back and forth gymnastics between various models of the voluntary model to single designator model to multiple membership to the sole membership, now we come back. I hope it is definitive today sole designator model.

There are some deficiencies. But according to the latest verbal description of the legal counsel, the deficiencies I mentioned to you the other day with respect to the separation of the PTI has been more or less verbally mentioned. It has been removed because in the memo is mentioned that if the separation is requested after the committee goes to the ICANN board and does not agree with that, that there is an enforcement of process. But there is no enforcement of decision.

But the lawyer yesterday in the committee mentioned that, yes, there is a possibility of some sort of escalations and some sort of arbitration. But it is not written I have sent her email that please formally indicate that in order that ICG will ensure that this would not be the case for us.

Apart from that, there are some other issues. We have a positive reply from the GAC, and we have some other groups. So one of the difficulties that may have impact on the transition is stress



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test 18, which many of you or some of you may know that. And, fortunately, we have now have a more positive way how to do it. We are still waiting to do that.

And there are few points that are still on the list. If you want, Jennifer could put another slide on that, as I send you the scorecard of the CCWG, just for information. You don't need to discuss that but at least a sort of dissemination of information. Let's see where we are, what are the red areas, what are the green, red, yellow area. That is for information.

That is just what I wanted to tell you. As far as I'm concerned, I see everything as far as the accountability of the CCWG is concerned as a positive direction. Thank you.

ALISSA COOPER: Keith, go ahead.

KEITH DRAZEK: Great. Thank you, Alissa. Keith Drazek.

In the interest of time, I will agree with Kavouss and not add too much. Just one point of clarification around the question of PTI separability and enforcement.

Kavouss was right, this was one of the areas that the CCWG is acutely aware of that needs to be absolutely enforceable.

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And the mechanism by which that decision-making process and the results would be enforced is if the ICANN board were to not agree with the decisions, then it could be spilled. In other words, in the designator model or the sole designator model, the ultimate authority of the community and the community sole designator structure is to remove the board if the instructions are not followed.

So I think we are, as Kavouss noted, awaiting further detailed clarification. But I think it's important to note that the CCWG is absolutely aware that enforceability is important on this point as it was related to the CWG transition proposal. And that if a board of directors was not willing to follow through on its obligations, an it could ultimately removed by the community and replaced with a new board. Thank you.

ALISSA COOPER:

Thank you.

Go ahead, Kavouss, although we would like to move on to the transition proposal. Thanks.

KAVOUSS ARASTEH:

Just adding to that, what I sent to the lawyers and to the global CCWG, yes. If the board does not follow that, the only or ultimate authority of the community will be the recall of the

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entire board. That is a destructive process. We want to avoid that. We want to have some intermediary steps between that. And they said that, yes, there is some sort of possibility of arbitrations, some sort of possibility of action before going to remove the entire board. You know that the removal of the entire board is totally destructive of the whole organization. That's the last resort. Thank you.

ALISSA COOPER:

Thanks. So I think we're all now up to date on the CCWG status, which is good. And we will move on to the transition proposal.

While we are bringing that on, if anyone has their microphone on, please mute it. It's causing issue for the remote folks. Mute it when you are not speaking obviously. It was probably me.

[ Laughter ]

Okay. Sorry about the technical issues. Okay. So there's been a bunch of edits to the proposal this week. And I wanted to get -- make sure we have consensus on a bunch of them or have some discussion on the new things.

And the first one is the history of IANA. So this is based on text provided by Patrik, has been edited by several people on the mailing list. And so I was wondering if anyone has any further

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edits, comments, concerns about this or if we could consider it to be concluded?

PATRIK FALTSROM: Mary.

MARY UDUMA: Thank you. Mary for the record.

Is this our first reading?

PATRIK FALTSROM: No, no, the text was distributed Saturday.

MARY UDUMA: I mean the whole proposal. Is it the first reading? Are we starting the reading, or we are just looking at the changes?

ALISSA COOPER: We are just looking at selected changes, yes.

There won't be -- I mean, the first reading was a long time ago. There's not going to be a time when we walk through every paragraph of this, if that's what people were wondering. So you were expected to have read the proposal and brought your thoughts to this meeting and the meeting tomorrow.

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PATRIK FALTSROM: Lynn.

LYNN ST. AMOUR: Yes. Lynn St. Amour for the record. Just following up on Mary's comments because I had started updating the document -- I was putting my updates in an earlier document and then Version 5 came out last night. I'm trying to make the decision whether or not I transfer those edits to Version 5 or just work with Version 5 and I can get that updated this afternoon. I think that was a little bit to Mary's points as well because the versions have been moving. And it has been hard to actually get the comments in according to the latest one.

ALISSA COOPER: So I guess my assumption was that, you know, after the conversations we had on the weekend that there weren't going to be further line edits to the parts that weren't already in flux. So we sort of had the list of items that we were going to be talking about today.

If people have other parts of the proposal that they want to open back up, it would be good to know which parts those are today so we can organize our time tomorrow.

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And so maybe you can explain a little bit the nature of the edits that you were making and then we can figure out what to do.

LYNN ST. AMOUR:

Sure. Lynn St. Amour.

For instance, one of them was in the executive summary in paragraph X003. It's more of a clarification in the first line. I was proposing that, rather than saying, "The ICG took note of guidance from the Internet Architecture Board, pointing out the existing" -- what I was adding was the existing IANA functions into three categories. The way it was written, I almost thought it made it sound like this was a convention we put in place for the proposal as opposed to reflecting the fact that that is, in fact, current operational reality.

So there were relatively minor changes like that, but the ones I thought made at least in my opinion a fairly substantial increase in clarity.

ALISSA COOPER:

So for those types of things, I think what I would request is that people send them, actually, just in email like old/new by midnight tonight. Midnight -- yeah. Let's say midnight tonight.

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And then I'll go through in the morning and try to run a version that has all of those. The only other thing I would say about that, though, is, again, every piece of the executive summary is drawn almost word for word from the proposal itself. So please either make your comments at the proposal itself or both the executive summary and the proposal, but not exclusively the executive summary. That would help a lot.

Is that clear in terms of process? Does anybody have problems with that in terms of just, like, line edit tweak type things?

THOMAS RICKERT:

Let me express this differently. It might be the case that people do discover issues with executive summary, but that might be an editorial error which should be pointed out or you have issues with text in the main document. So please make clear, when you point out issues which, of these you might have discovered because there might be editorial issues as well. Thank you. I just want to put in the record that Milton had his hand out but had to leave the room. Kavouss.

KAVOUSS ARASTEH:

Yes, what you put in executive summary are not to comment. But, because what is paragraph one, you refer to the NTIA announcement that the text here is different from that

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announcement. The NTIA says that key Internet domain name function. You put key Internet function. If you go to the announcement 14th of March, it's different. I'm not saying that take that, but just about to tell you that this is the situation. I have checked, and I've confirmed that this is that. It's up to you to take it. What is here is correct. Is not correct. But, because you refer to that, if you have exactly what the announcement is, key Internet domain name function. Thank you.

THOMAS RICKERT:

Yeah, that is correct. I remember. I think all people around this table do remember exactly what words NTIA did use. And I think we also agree that the text was not optimal, given the scope of our charter. The question is, then, how we are wording this. Either we. Of course, quote them. And in that case it should be corrected, as you point out.

ALISSA COOPER:

Okay. Thank you. I think we're now clear on the kind of line editing process for tomorrow.

Anything else on this history section? Or is everyone comfortable with the history section? Okay. I have my list here.

So the next one is the references to the dependency on the accountability work. So Daniel had gone through and found all



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of the places or many of the places where this is referenced in the -- both the executive summary and part zero. And that text, with minor amendments from me, is now on the screen and in the document. So -- whoops. I'm sorry. We're just looking at this yellow portion right now. So this is now the way that the dependency is captured. Every place we talk about it in the proposal it says this. Sometimes the sentences are separated or what have you for flow. But it's these two sentences that capture the state of the dependency. So the question is if people feel comfortable with this and comfortable with this notion that we will -- every time we talk about this, we will say it this way.

PATRIK FALTSTROM: Russ Mundy.

RUSS MUNDY: Thank you. Russ Mundy here, for the record. I'd like to ask that, since we're trying to finalize finalize what we're doing here, that we think about what we do want to say at these places in the proposal. Because, once that that concurrence comes from the CWG that the CCWG work has met their requirements, will those still be the proper words to use in the proposal that we forward?

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ALISSA COOPER: So that's a good point, Russ. They're actually -- this text and all the other pieces of similar text are in yellow, because I expect that we will delete or change them before we send the proposal to the Board. So that's the expectation. They're highlighted here. But, eventually, they will be changed or deleted before we send it on.

RUSS MUNDY: One quick follow-up, if I could. If we could make our decision today, which we would prefer to do, you know, delete or change, then that will make our work easier, I think, when we get to the point of actually doing that.

THOMAS RICKERT: Daniel.

DANIEL KARREBERG: Thank you.

I think that even leaving paragraph X013 in there wouldn't -- would still make the proposal readable and valid. So we don't really -- as far as I'm concerned, we don't really have to do these edits. If we were to edit, then we should agree now that, basically, the whole paragraph just goes. And probably X014 as well.

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But I would prefer, basically, stating it right now that we have a document that we don't need to edit when we submit it. And I don't think we need to. Thank you.

PATRIK FALTSTROM: For the record, this is Patrik Faltstrom speaking. Lynn.

LYNN ST. AMOUR: Lynn St. Amour. My comment only applies if we're going to keep the paragraph in. And I could easily support taking the X 13 and X 14 out on the assumption that those are resolved prior to submission.

But, if we do keep it in, I would suggest that we use words that were consistent with the words we've been using throughout the bulk of this process, which is rather than -- and I'm referring to the comment this is before sending this proposal, the last sentence in paragraph 13. But that we -- our words have always been before sending this proposal to the NTIA via the ICANN board.

PATRIK FALTSTROM: Paul Wilson.

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PAUL WILSON:

Paul Wilson, for the record. I just question whether these paragraphs should stay in. I question the idea that -- the use of the word "complete." I mean, a proposal is a proposal. And it's to say that it becomes complete because of some external condition that actually doesn't affect the proposal, seems -- just seems an odd way to see it. If the proposal is not being changed by the external condition, then it seems to me that it can't be completed by the external condition. Maybe it would be more correct to say that the -- that the -- that there is an additional condition or stipulation on the names proposal, that it is only to be considered acceptable or submitted or valid in case of that external condition. But to say that either the names proposal or this proposal becomes complete simply because something external changes just -- it seems to me to be odd. And I wonder where that idea comes from, whether it's something that we put into the proposal or whether it's come from -- in this case from the names proposal itself. So, if these proposals, if these paragraphs do stay out, I would like to just have a look at a slight adjustment to the wording to clarify that. Thanks.

ALISSA COOPER:

So, just to respond to that quickly -- because I know I have a queue -- it did indeed come from us. Because we did an assessment of whether the proposal was complete. And we said it's not complete because we don't have this other piece.

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However, what I like about your comment and suggestion is that one of the difficulties with this is that we have a -- one of the reasons why Daniel was able to find all these discrepancies between the different ways we talk about this is that we talk about it slightly differently in the context of different sorts of evaluation that we did of the proposal. We said okay, it's not quite complete because it didn't have this thing. We can't assess the accountability fully because it doesn't have this thing.

So that's where some of the differences in how it's reflected in different parts of part zero came about.

I would much prefer to just say the names proposal is dependent on X. And, before sending it blah, blah, blah.

And then we could use that everywhere and we wouldn't have to, you know, keep changing it.

And we -- this is what you're looking at on the screen is very close to what the CWG proposal itself says about the dependency. So we could just draw the words directly from there. And that might solve the issue

PAUL WILSON:

Thank you. That sounds good to me. Paul.

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PATRIK FALTSTROM: Martin Boyle.

MARTIN BOYLE: Thanks, Chair. I -- Martin Boyle here. I am certainly clear that we do need to have a text in here. We have a section on completeness. It isn't quite complete, and we know when it will be complete.

So, for the time being, a text that appears on our Web site and is accessible to people outside should have that proviso in.

I liked Alissa's approach. I think we do keep it as simple as we possibly can. And we have insight that, when we get confirmation from the CWG that the dependencies are now met, we simply then go through and replace the text with saying that the separate proposal, which is not included in our draft, meets the requirements of the names proposal. And then we can close the thing off. We could almost draft our text in advance so that we don't have to do drafting down the track. But it is chancing our arm a little bit. And it's not actually a massively difficult drafting job. But I would certainly be very, very concerned if we didn't have reference in here to the dependency. Thank you.

PATRIK FALTSTROM: Manal.

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MANAL ISMAIL: Thank you, Patrik. And yes, I think if this version is going to go public, then we have to have the dependency clarified somewhere. And the fact that we're going to do this announcement in our status, I think it's important that we have it also inside the document.

But maybe we can have it as -- I mean, a disclaimer at the beginning of the document with reference to the paragraphs to the parts that those are dependent on the names community confirming that the accountability requirements are met.

I mean, so that we have it like a comment factor at the beginning. And then it becomes easier to remove it later without reediting the whole proposal.

So just a suggestion. Thank you.

PATRIK FALTSTROM: Kavouss.

KAVOUSS ARASTEH: Yes, that was a quick proposal. We have done it elsewhere. By adding a sentence, whenever in this document reference made to the proposal of CWG, it should be understood that there are some dependencies in this proposal which is also

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interdependent with the proposal of the CCWG. One's forever but not at every time. Because we risk of adding some words that underestimate the proposal. Everybody knows that there's a dependency. And, whenever we have CWG, we make that cross reference to the topic. That was a good proposal. Thank you.

PATRIK FALTSTROM: Alissa.

ALISSA COOPER: So I'm with both of you on this. The trouble that I see is that some of this is sort of reflective of the process that we went through. That's how this ended up this way to begin with. We concluded that it wasn't complete or the comments indicated a lot of uncertainty about the ability to judge the proposal because it's not complete and so forth. So I think it would be hard to write part zero without ever making reference to that in any way. Do you see what I'm saying? Just putting it on the front page and saying this is dependent on that, there's a lot of context in the proposal itself where we talk about the fact that the dependency has existed through the process.

PATRIK FALTSTROM: Kavouss, did you want to respond to that?



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KAVOUSS ARASTEH: I wanted to respond to that. We could make it simpler by saying unless specified elsewhere, whenever reference is made. So if the area you need to intervene something, intervene. But there are very few cases but not all cases. So, unless otherwise specified in the report, whenever there is reference, easy. When you have you, go to that part you want to change. So I just wanted to have a simple formula. If you're happy to go through and make changes, that's okay. But, if you want to say that the text now -- okay. Is not okay. Fait accompli. You say that, although the test of the CWG is complete, however -- and then you go to the dependencies.

PATRIK FALTSTROM: Manal, you also wanted to respond to this? Jean-Jacques. I tried to sort of close this dialogue before going to you, Jean-Jacques. So --Jean-Jacques, please.

JEAN-JACQUES SUBRENAT: Thank you, Patrik. This is Jean-Jacques. Two small points. First I agree with Alissa's reasoning more than with Kavouss's. Because, as someone from the user community, I think it's necessary to remind, as often as is necessary, the dependencies.

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Of course, we are right in it. So factoring it in would be easier. But I think that Alissa's suggestion is very good.

Second point, which is not dealing only with this part but also with this part, is that I made a proposal in emails, et cetera, to put systematically everywhere throughout our texts but also in the public comment review paper, names proposal, capital. Protocol parameters, capital. Numbers, capital N also.

Because, there again, for the user community, names with a small "n" and protocol parameters with a small "p" doesn't strike me as being that easy to understand. Thanks.

PATRIK FALTSTROM: Manal.

MANAL ISMAIL: Thanks. And I got also alerted by Alissa's comment. And now my question is: Is this part of the draft that would continue with us in the final proposal, or is it a placeholder that will not exist in the final proposal?

Because, yes, if it is part of the drafting, then it makes sense that it appears everywhere and it should appear, and it will continue with us with the final draft.

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But if it is just a placeholder, then this is where it could be a common disclaimer at the beginning of the document. So thank you.

ALISSA COOPER:

I think if we just take the example we have on the screen to illustrate, I think when we send this proposal on to NTIA, what we would want this to say is, "The ICG discussed the content of each proposal in depth and the ICG is satisfied that the proposals complete and clear," full stop. Because that's what we've concluded. We're just waiting. So I think -- but we can't say -- I would assume people are not prepared to say that right now, right? If I made that edit right now, seven hands would go up and say, No, no, no, we can't do that. Everybody is nodding.

So I don't think we can get around having to edit once we have confirmation from the CWG. I wish we could. We could try to do it in advance. I'm sure that will make people nervous as well.

But I don't think we can avoid it. So I think we will work on the disclaimer. It is hard for me to see how we can take these things out of the body of the text. It is only, like, five or six places. It is not the end of the world to keep track of these. So...

PATRIK FALTSROM:

Kavouss?

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KAVOUSS ARASTEH: Yes. I don't want to bother. Don't go to disclaimer. Make it as you wish. We agree with you. Finished. Full stop.

ALISSA COOPER: I think we have agreement to still have a disclaimer on the front page, but that's a separate issue.

PATRIK FALTSROM: Martin.

MARTIN BOYLE: Thanks, Patrik. Martin Boyle here.

Yeah, I'm quite happy with that, with the suggestion that Alissa made. But I wonder whether -- because the CCWG text is not going to appear in our final text whether we should have a URL in our final text that points to the document because it is then an integral part of the CWG proposal.

It just seems to me to be that somebody then down the track looks at it and they can then find the document and then they've got the whole of the contribution. So it's just a simple suggestion. Thank you.

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PATRIK FALTSROM: Kavouss?

KAVOUSS ARASTEH: Yes, but to the relevant part only but not the whole report. Hyperlinking the whole report, I think -- there is relevant part related to dependencies and specific part of the CCWG because our proposal is done section by section, chapter by chapter, and then you have, quote, chapter -- (making noise) of the whole report. So many contradictory things in the CCWG that you may confuse the community totally.

ALISSA COOPER: I think we can put this on the list of edits to be made. It is hard to envision what the URL is going to point to until it actually exists.

PATRIK FALTSROM: Martin and then I would like to move on.

MARTIN BOYLE: Thank you, Chair. I would have a lot of nervousness following Kavouss' suggestion because all of a sudden, we are in a position of trying to decide which of the important bits of the CCWG are final report. I think we point to the full document. And then it is for the user to work out themselves. I would not

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like to see us pulling out particular chapters of what is going to be a complex but mutually intradependent document. Thank you.

ALISSA COOPER:

Okay. I think we will have this discussion when we actually go to put it in, but that's not for today. So...

Okay. So the action item here is to align this text, to take out the bit about completeness and just have it state that there's a dependency and align it with the way that is stated in the CWG proposal.

We will come back to the issue of the disclaimer tomorrow.

Kavouss.

KAVOUSS ARASTEH:

You don't have that document before 21st of January, CCWG, yeah, number one.

Number two, we would like to just remove (indiscernible). If to go to my colleague, it would be quite confusing that 200 pages they don't know where we have to go. He or she will be totally lost. Push the responsibility to the others. Throw the monkey to the other shoulders. That is the standard American

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management procedures. And then, okay, we can do that. I have no problem. I want to agree with you.

ALISSA COOPER:

Thank you. We will come back to that topic in a future call.

The next item, I don't think we need to talk about the pie chart. I think everyone is on board with the pie chart. We just looked at it in the comment summary document. Thank you very much, Lynn, for doing that on short notice despite the fact that no one from the community commented on it whatsoever.

Then the next one was the implementation inventory. So on Saturday or Sunday, we talked about -- we took an action as a group that people who were interested in the implementation inventory were going to go look at it, the spreadsheet that Lynn had circulated, which we are not currently projecting but which everyone has seen and has in their inbox. And we were going to decide what to do with that spreadsheet, whether we wanted to add a little more detail to this bulleted list drawn from the spreadsheet, whether we want to add the spreadsheet as an annex to this document or whether we want to do neither of those things and just let the spreadsheet be input into the larger implementation planning and tracking process, which has now gone on.

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The other thing that happened this week is, I think, people hopefully attended the session about implementation organized by ICANN and have had chats with folks in the community about implementation. I know that I have, and that we as the chairs have had.

So I'll give my personal take on this question. I think there is -- it's clear that there is a broader implementation planning exercise to be had and is starting to be underway. And we're going to talk about what is possible work for the ICG in that process or not tomorrow.

But as it affects this document, I tend to think that this level of detail is the right level of detail for this document because all kinds of things will change during the implementation phase. There will be more subdetails and subbullets under these bullets that will crop up as people actually start to carry out the implementation steps. And so as a record of what the community proposed and intended to do in end of 2015, early 2016, I think this is about the right level of detail. And so I'm real glad that the spreadsheet exists and it has been a helpful tool for organizing the communities around what they need to do. But I don't think we need to include it here as it will shortly become out of date as the implementation process begins. So that's my opinion. But floor is open for discussion.



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PATRIK FALTSROM: Kavouss.

KAVOUSS ARASTEH: I didn't quite understand. You want to include that in the main text, or you want to attach it as an annex? Could you clarify that? Then I comment.

ALISSA COOPER: I think the question on the weekend for people to think about was if we wanted to include it as an annex. I don't think anybody proposed including it in the main text.

KAVOUSS ARASTEH: I have the same view, as an annex, when you refer to that. Refer the information could be found in the annex. That's all we do.

ALISSA COOPER: Okay. So you're saying you support including it as an annex. I'm saying I do not support including it at all, annex or otherwise. Just to be clear. That's fine. We can hear from everyone.

PATRIK FALTSROM: Paul Wilson.

PAUL WILSON:

I think it's right, Alissa, that we don't need to go into a lot of detail. I think it is a useful reference list that says this is what has been identified at this time. It might be useful to add some words to that first paragraph to just say specifically this is not a complete list, it's just what the ICG has been able to identify.

As to the annex, I don't really mind either way. But I think it would be important in the annex if it's included to say the same thing, that this is a view from the ICG at the time of writing that could be overtaken by -- that will be overtaken by the specific implementation plans that are made. And it's not the ICG's role to be stipulating or dictating how these things are done.

For reference, I'm happy to have that in an annex or not. I don't particularly mind.

PATRIK FALTSROM:

Jean-Jacques.

JEAN-JACQUES SUBRENAT: This is Jean-Jacques. Two points. I entirely approve of Paul's suggestion. I go along that way.

And the second point is about the wording of this list. Referring to Lynn, if I may, I would say, "On the establishment of the PTI," I

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would add "and mandate" or "remit" or something like that. That was specifically one of the points which has been under discussion in the same way as there was a discussion about the appointment of the method -- the method of appointment of PTI directors. I think in establishment of the PTI, we should add "establishment and remit of the PTI." Thanks.

ALISSA COOPER:

Just one note about that. Lynn can clarify if I'm wrong about this. I think these descriptions came directly from the CWG other than the one that we edited for clarity. So we can think about if we want to go down the path of editing more of them. But that's just -- that's why they are as they are right now because this is what the CWG told us is their list of implementation items.

PATRIK FALTSROM:

So let's start discussing whether we should have this list or not. Kavouss.

KAVOUSS ARASTEH:

If everybody is happy not to put in annex, I follow the majority.

PATRIK FALTSROM:

Lynn?

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LYNN ST. AMOUR:

Lynn St. Amour. Alissa, yes, that's right. The list is from a direct submission from the CWG. And from my perspective, establishment of the PTI, I think, would assume that the remit was clear and appropriately approved through the necessary mechanisms.

I also support not having the annex in. I would like to think about adding some additional text, though. I think the one column that's useful in the spreadsheet was the one that actually talked about oversight because, frankly, I think it just smoked out issues where it wasn't particularly necessarily clear or agreed by all the communities what, for instance, their role was versus the ICG.

And in the CWG stewardship workshop yesterday, Jonathan actually said that they had made progress and some words like - - I don't have the transcript in front of me. While they may have been looking towards the ICG more in some of their earlier discussions, they were now confident that it was actually the responsibility of the CWG and the names community to ensure that their implementation met their needs.

So perhaps we can put a statement in the overall paragraph that states that each one of -- these are not the exact words. We can go away and think about it -- but that each one of the OCs has stated that they will assume responsibility for ensuring

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appropriate implementation using their normal community practices or something like that.

So just to summarize, I would say I don't think we need the annex because I think everything else is adequately caught here. But maybe there is an extra sentence in the opening paragraph that says the OCs would assume responsibility for ensuring the implementation actions -- that the implementation items were overseen appropriately. And maybe it's not even just OCs, it's probably other communities as well. Certainly ICANN and IANA both have responsibility to ensure that the work is done appropriately which -- so I think it will take us a few minutes to think about some appropriate terminology. But I think a comment talking about where we believe the responsibility lies for overseeing that the implementation is done correctly would be a useful addition here. Thank you.

**PATRIK FALTSROM:** Let me remind people that we have six more minutes so please try to be short.

Keith.

**KEITH DAVIDSON:** Very briefly. +1 to Lynn. I just wonder, though, the value of this document for the interest of openness and transparency,

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whether we could have a footnote linking to it somewhere so that it is available should anyone want to follow through. But I agree, an annex is probably too much. So I really like Lynn's approach. I think it's the way we should move. Thank you.

PATRIK FALTSROM: Russ?

RUSS MUNDY: I'm going to take a slightly different position, and that is I think we should include it as an annex. If we don't include it as an annex, we should figure out some way to get it published out there because it's a set of information that was collected at this point in time by this group that might be useful in the future when people are saying, well, what are all these things that have to be done. Not to say that is that accurate or is that complete, but hopefully it would save other people some work later on.

So if it doesn't go in our proposal, I would suggest we figure out how to get it out and apparent on the Web somewhere.

PATRIK FALTSROM: And then we have someone that called themselves EPG. Who's that? Elise.

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ELISE GERICH: I'm sorry. That was my old shorthand. I put my hand down because I was going to make some suggestions about wording. But if it's not going to be an annex, it's not going to be published, I'll pass. If we think we are going to publish it, I would like to come back and say something about the wording.

PATRIK FALTSROM: Alissa.

ALISSA COOPER: So just to be clear, the question is about the spreadsheet. These words are intended to remain in this document. And the descriptions of the items are the same as they are in the spreadsheet which came from the CWG. So if you have issues, these words are not going away as of now.

ELISE GERICH: Thank you for the clarification. So I do have issues, only with the one line that says "transfer of staff and resources to PTI." And I know this comes from the CWG, but there's no way to mandate that staff transfer to PTI.

So we could say "staffing and resourcing of PTI," but to say we'll transfer a person -- like if I were to say to you, Alissa, you need to transfer to a new company that Cisco creates, you have a choice.

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I can't mandate that you take that new position in a new company.

So if we're going to publish this wording, I think we should change that. Thank you.

ALISSA COOPER: Yeah, fair point. "Staffing and resourcing of PTI" makes a little more sense.

PATRIK FALTSROM: This is Patrik. Before Martin, maybe it is the case that we -- if it is the case that this wording really is the wording that is in the CWG, in that case, maybe we should write a couple of more words here to point out that this exact wording is coming from there and then say something.

Martin.

MARTIN BOYLE: Sorry. I'd left my flag up. So I didn't want the floor. I had commented in the chatroom.

PATRIK FALTSROM: Okay. Kavouss and then we are done for today.



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**KAVOUSS ARASTEH:** There is difference between the staffing and transfer of staff. The staffing means you keep whatever staff already in ICANN. But ICANN -- and transfer -- and separate the PTI and have a new staff for PTI.

So the issue was that you use the current staff and try to give them new assignment or the assignment under the new title working with. That's transfer of staff. That's for some sort of things, but not keeping whole of staff there and start to employ or recruit staff for PTI. This is the same of the CWG when it was drafted.

**PATRIK FALTSROM:** Alissa. Sorry, Elise.

**ELISE GERICH:** So, Kavouss, I was explicitly speaking to that point. The aim is I understand from the words to move the IANA department into PTI. However, it's a new organization you're creating. And people have the choice of whether they want to move to a new organization or if they want to stay in the old organization or if they decide to resign. They don't have to move. ICANN cannot mandate that people move from ICANN being an ICANN employee to becoming an employee of a newly created affiliate. You can't make people do that.

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KAVOUSS ARASTEH: What do you do with all the staff you have in ICANN they don't want to go?

ELISE GERICH: They could find another role within ICANN or they could find another job. That's their choice. That's all I'm trying to say.

ALISSA COOPER: Let's think about this for the rest of today and come back to that tomorrow. Maybe we will try to talk to the CWG folks and see if they care about our religiousness about their language. Hopefully they won't.

But I think -- yeah, but it's also -- there's lots of nice words in this proposal that are to be interpreted.

So I think on the question of the spreadsheet, it sounds like the compromise solution that may make people happy is to post it some place and have a footnote because I heard some people want it, really want it as an annex. Some people don't. Some people don't care. That sounds like the middle ground to me. I see Russ who wanted it and nodding. So that's my proposal. We will post it potentially as is. I mean, it has some TBD in it, I think.

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Lynn just took an action silently to get it into shape so that we can post it, and then we'll just footnote it in this section.

So that's the conclusion of this item. So we will come back to the rest of the outstanding edits on the proposal tomorrow.

Again, here's a question I was going to pose earlier. I said -- well, I'll refrain from asking my question. The plan is if you have line edits to the proposal, get them to the mailing list by midnight tonight. Any line edits you want. Please put them in email so it's clear what your suggested edit is. Do not edit the document. And I'll try to incorporate all of them before tomorrow. That's the plan from here.

Now, I believe we have with us a photographer who is going to take a group photo of us because we may not meet again in person. And we wanted to capture the group here at the end of our process.

So, Mohamed, do you have instructions for people?

MOHAMED EL-BASHIR: Yeah. I think we'll use the right-hand side of the table so we can get all together in the side. Some people will be seated and others will be behind them standing so we can get together.

**[END OF TRANSCRIPTION]**