

Transcription ICANN Buenos Aires ICG Update Sunday 21 June 2015

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Jonathan Robinson: Okay so thanks everyone. If I could call your attention for the next session. Here we have the -- I think there might be an open mic, if you could just check, is there a red light in front of you or on any mics? So here we have an update from the INS stewardship transition coordination group, or ICG.

We have with us Elisa and Patrik - is Mohamed here as well or chair and vice chair of the group. And I think we also may have with us one or more - James, as a councilor is a representative on the ICG. Is Jon Nevett or Wolf-Ulrich also here? Great, hi Jon. And Wolf-Ulrich also here. Okay so these are GNSO representatives to the ICG.

So let me handover directly to you, Elisa, for an update and then we'll deal with any Q&A or input on that.

Elisa Cooper: Great. Thank you, Jonathan. Thanks for having us. We'll just give a very brief update on the status of the ICG's work and also what we accomplished in our two-day face-to-face meeting that occurred Thursday and Friday of last week and then happy to take questions and have discussion.

So next slide please. So as you all know, the ICG is not in the business of writing any proposal text itself but is rather sought for the communities to come up with transition proposals for each of the IANA functions.

In earlier this year, in January we received two of those proposals out of three from the number resources community and from the protocol parameters community. And our process that we've defined once we receive an individual proposal from any community we first conduct an assessment just of that component. We look at that proposal. And then we wanted to look in all of the proposals together.

So what we did back in February was we did that - those two assessment steps for the numbers and the protocol parameters proposals. And what we are doing now is waiting for the names community proposal which, as you know, is under consideration by the SOs and ACs this week.

Next slide please. So if we look at the overall ICG timeline, and I apologize, I know the lettering is a little bit tiny. Here we are in the third week of June right now and we are hopeful that we will receive the CWG proposal very soon, perhaps the end of this week or sometime soon thereafter.

Once we have that proposal we need to do, again, an individual assessment of it within the ICG. Then we need to look at the three components that we've received together and make a determination about whether they are truly compatible, whether there are any gaps, inconsistencies, whether they're really workable together from an operational standpoint and whether they together create sufficient accountability mechanisms for the IANA functions.

So that is the process that will be taking place for much of July assuming everything goes to plan. And in terms of what we accomplished at our face-to-face meeting several of the important milestones from that meeting last week were that we established a list of volunteers within the ICG membership

who will be conducting each of those assessments, both the individual assessment.

And actually they have committed to do a pre-assessment so they're able to start assessing the names proposal even though we haven't formally received it just yet from the CWG. And then we also have a group of folks who have volunteered their time to do the combined assessment of all three proposals. And we had a conference call set up on July 8 when we will be discussing the individual assessment and then again on July 15 when we will be discussing the combined assessment. So we have a lot of work to do to complete in that July time frame.

If we discover that there are substantial issues that we think might require clarification or even modification of any of the proposal components does need to get sent back to the communities. Again, as the ICG, we will not be making the modifications ourselves that we might identify areas where we think further review or clarification is needed. And so that's what you see in the timeline as several weeks in July allocated in the event that we need to send anything back to the communities.

We hope that we won't have to do that because as the ICG members across all of our different constituencies we've been trying to keep track of each of the different community processes and determine along the way if they create any inconsistencies or other issues. But it's possible that we might have questions to send back to the communities and so we've reserved some time for the communities to be able to do that.

What we are aiming to do is, by the end of July or the beginning of August, have a complete transition proposal ready to put out for public comment and for a full public comment period for essentially the month of August, maybe a little bit longer.

And so in that regard we also - one of our other milestones from our face-to-face meeting last week was that we have assembled again a subgroup of volunteers who are developing the introductory text and executive summary that the ICG intends to include in the complete transition proposal.

So assuming that all of that gets done we will put out a transition proposal for public comment and that public comment period will take place August into beginning of September.

If we can look at the next slide. Once the public comment period completes or actually even before it completes will start doing analysis of the public comments received much like the kind that analyses that have gone on in the CWG group and into CCWG accountability group.

Depending on the results of that analysis we may again have time where we need to go back to the operational communities with questions for clarification or for modification or review and so we again have a number of weeks allocated for those communities to do that work hopefully on short order if necessary.

And then in the last phase here we will be essentially just preparing the proposal to be finalized, any last items that may come out of that operational community work to be finalized. And we are aiming to send the proposal to the ICANN Board in the timeframe of ICANN 54 in Dublin.

And what our agreement is with the ICANN Board is that they will send on the proposal unmodified to NTIA, so if the ICANN Board has opinions or other commentary that they want to share with NTIA they will be doing that in a separate cover letter and not modifying the transition proposal itself.

So that is the rough plan as we have it right now. Go to the next slide. You might note that this is an optimistic timeline. It's very aggressive. That's the way that we like to do things in the ICG. but knowing that this is an optimistic

timeline it's important to take note of the fact that any of this may be extended if it seems -- or if we come to the point where we realize we need additional time for more of that community to do work, if we need additional time as the ICG to analyze the public comments that we receive or if it turns out that we need an additional public comment period.

So there are ways in which this timeline may extend that we are hoping to try and achieve this milestone and have the proposal finalized by the ICANN meeting in Dublin.

Next slide please. I just wanted to make note, because I know it's of high interest to folks in this room who are considering the CWG names proposal this week. One of the other outcomes are the ICG face-to-face meeting is that we decided as a group that once the CCWG Work Stream 1 output has been sent to the SOs and ACs for approval, and that's estimated to be just prior to the next ICANN meeting, the ICG will seek confirmation from the CWG - the CCWG's work meets the CWG's requirements.

So this is essentially that final check acknowledging that there is conditionality between the CWG proposal and the work of the CCWG. We as the ICG want to make sure that once the CCWG's work has been finalized and sent off to the SOs and ACs that it actually meets all of the requirements that it currently exist in the names proposal that we will have given consideration already.

And so we have committed to do that final check to make sure that we are confident in the transition proposal that we are sending on to NTIA and that the community is as well and the names community in particular because it's the names community's proposal.

Next slide please. And just one last note in terms of what we've been doing as a coordination body, in February we had asked the numbers and the protocol parameters communities to clarify that their proposals are

compatible with regards to the handling of the IANA trademark and the IANA.org domain name.

It wasn't obvious to us whether the proposals actually were compatible in this regard to the IETF proposal for the Brokaw parameters is essentially silent on this matter and the numbers proposal has some specific requirements related to the trademark and domain name so we wanted to ensure that those are compatible. And the responses that we got from those two communities were in the affirmative that they are compatible.

There is text in an annex to the CWG proposal which is not really part of the proposal itself but is sort of attached for the community's information which discusses agenda trademark, does not discuss the domain name. And one of the other outcomes of our face-to-face meeting that we had last week was to request from the CWG a resolution to what appears to be an incompatibility between that text and the use - the way the mark is used by the other communities and the way it's discussed in their proposals.

And so we have issued that request on Friday to the CWG and are hoping to have a resolution for that by July 2. In the event that this coordination between the communities requires some further work or consensus building in any of the operational communities we wanted to make sure that we have the month of July to work that out as necessary. So that was -- that's the other substantial outcome from our face-to-face meeting last week.

And I think that is all that I had, yeah. So, thanks. Happy to take questions.

Jonathan Robinson: Thanks, Elisa. And before we take questions just - Patrik, is there anything you would like to add or does any -- do any of the GNSO reps on the ICG, any comments or supplementary points any of you would like to add?

Okay well thanks, that's a pretty good clear picture of where you are and where -- and the latest update. Are there any questions or comments or points anyone would like to raise, any issues of concern?

We of course have a session dedicated to the work of the CWG later. Steve.

Steve DelBianco: Thanks. Steve DelBianco. Jonathan, if you were to present to Elisa and Patrik the draft resolution that Council is going to consider this week, is it possible that they would be able to advise or evaluate whether we've got it right with respect to the broader ICG? If you recall we were discussing it yesterday and I offered you a friendly amendment to clarify.

Jonathan Robinson: I be more than happy to do that. I'm not sure how you'll feel about commenting on that. But for the fullness of the information we could do that. Any thoughts as to the usefulness of that or not?

Elisa Cooper: So that's an interesting question actually because we I think have been pretty consistent the entire time that the ICG's relationship that are of import are with the three operational communities. And so for the names that would be with the CWG. So I think what matters from our perspective is if in the end the CWG says yes, we are ready to go forward with this, ICG here you go, here's our proposal.

And so in some sense I think what matters is how the CWG feels about the way that their resolution is written as opposed to how the ICG feels. I mean, I would be interested in your perspective but that's my gut reaction is that it's sort of up to the CWG membership to conclude whether - what they receive from the SOs and ACs means that they're done.

Patrik Fältström: Patrik Fälström for the record. I think what is important is to identify in a constructive way at this point in time what kind of clarifications and potential conditionality's are needed in each one of these proposals. For example if you take this trademark issue that Elisa just talked about, that is to be

resolved where it is discovered that yes, the text is different but in reality there was sort of know -- there was no incompatibility between for example, two of the operational communities.

Now because of that I think in general (unintelligible) from ICG we encourage first of all cooperation as much as possible between the various groups to identify these kind of issues as early as possible. And if it is the case that something that could be viewed as incompatibilities is identified that that is pointed out in the most constructive way as possible or so, okay so what to do about it. And I think that is sort of the only recommendation that we can give.

Steve DelBianco: And so if I could just reach you the one line. It's not about integration. What the Council is considering is the strong statement with respect to this stewardship part. And it simply says there's an assumption here that the proposal would be implemented before the transition or if not implemented beforehand there would be a revocable commitments of implementation that it would be complete within a reasonable time period after the transition but not to exceed one year.

So it's about assuring that the proposals are implemented as opposed to whether the interior of the proposals are consistent.

Jonathan Robinson: Go ahead, Patrik.

Patrik Fältström: Thank you. I was a little bit off there. I think a discussion that has come up multiple times the last couple of days is the definition of the word "implementation" so I think where you might get questions that has to do with how you interpret that word and what that actually means.

Because for the - for example for the transition itself one way of looking at implementation is that the current contract that exists between ICANN and

NTIA exists one minute and the next minute it does not, is that the implementation?

Then you have within each one of the operational communities you have a number of things that must happen for a complete transition which includes like many, many, many steps that doesn't happen only in one minute. For all of those things that has to happen we have to remember that some of those might involve things that ICANN has to do. And some of those things are things that we would like ICANN to do before the actual contract with NTIA has terminated.

Those things either are then violating the contract requires modification of the contract or is conditional of the contract. So that needs to be sort of taken into account.

The second thing is that I understand not being from this - from the jurisdiction of the US that there are certain discussions regarding the difference between implementation of bylaws and adoption of bylaws which seems to be something that might have a big impact on the timeline.

So my personal reaction on this text is that I think you might get follow-up questions on the word of the use of the word implementation. But as long as we can respond to that I think, yeah, whatever.

Elisa Cooper: Yeah, I would also say again that the -- from the ICG perspective our remit is somewhat limited. We need to deliver a transition proposal. And so what happens after that, including many of the implementation steps, we will certainly of course be in favor of getting that thing implemented once it's delivered. But it's not really within our purview to do much -- I mean that communities need to do the implementation, right.

So I think we can be supportive of getting the implementation done and getting it done quickly and so forth but as the ICG we won't necessarily have

a role in doing that. It's, you know, the people who need to write the contracts and standup the new entities and signed up SLAs and all of that, right, so that's a broader community effort.

Jonathan Robinson: Okay thanks. And I think it does -- it speaks -- it highlights the point for me to think about which is -- which we need to think about is ensuring that to the extent that we can from a CWG perspective any approvals by the chartering organizations of the proposal are sort of self-consistent, that there is a compatibility across those.

And, I mean, I touched on this in the meeting - the CWG co-chairs' meeting with the GAC this morning, but I think it's something we need to think about just in informal conversations between the chartering organizations to make sure that any approvals are not in any sense in conflict or they are self-consistent at least.

Donna, your hand has been up.

Donna Austin: Thanks, Jonathan. Donna Austin. So, Elisa, given the never remit of the ICG I'm just curious about what the purpose or intent of the public comment is so what, you know, what do you hope to...

Elisa Cooper: Yeah, that's a really good question. So obviously we acknowledge that all of the components of the proposal will have been out for public comment some of them multiple times and will have received a tremendous amount of review from all interested parties.

The aspects that will perhaps not have received as much review are the very ones that the ICG will be assessing itself beforehand comment namely do the components fit together? Are they compatible? Are they workable? You know, is this a plan that can be implemented by the folks who work for IANA, for ICANN, and can they be operationalized? And does the proposal as a whole meet the NTIA criteria?

We've been doing that analysis on the individual components but it's extremely important that we as the ICG built a public record that demonstrates the proposal meets, exceeds those criteria with flying colors. And that will be very important for the success of the proposal overall in the end and getting it implemented and getting it through the US government review process.

So that's where we would really like to focus the public's attention for the public comment period. We are developing a series of questions that will be put out to the public with the proposal to try and obtain a focus. And of course, people will be free to comment on whichever aspects they want, but that's really what we're looking for.

Volker Greimann: Thank you, Elisa. I think this brings the session to a close. Thank you for being available and asking questions. Do you have any points that you would just like to make in closing or - seeing that there's no further question I would like to thank you all. And I would like to ask to stop the recording. And Jonathan will be back in a second to start the recording again, so we will have a brief break. Enjoy.

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