ICANN74 | Policy Forum – RSS Governance Working Group (1 of 4)
Thursday, June 16, 2022 – 09:00 to 10:00 AMS

OZAN SAHIN: Hello, and welcome to Root Server System Governance Working Group Session. My name is Ozan Sahin, and I am the remote participation manager for this session.

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We have an overflow room called [Kilimanjaro] located across this room. If this meeting room reaches its full capacity, ushers will help additional in-room participants to the overflow room.

With that, I will hand the floor over to Brad verd.

BRAD VERD: Thank you. Welcome, everybody. A couple administrative things I just want to cover. First, these are not official GWG meetings, so there will not be attendance and there will not be minutes. These are workshops.

And then, this is the first time we're all together face to face. Yay. So I'd like to maybe go around the room, let everybody introduce themselves with names and affiliations. I know we all kind of probably know each other. Some of us don't, so let's just do it.

So, Brad Verd. Verisign, representing RSO. So let's start with you, Ken, and work our way down.

KEN RENARD: Good morning. Ken Renard, RSO with the U.S. Army Research Lab.

WES HARDAKER: Wes Hardaker from USC/ISI. And I would argue that Carlos and Ozan should be introduced, too.

KIM DAVIES: Kim Davis Davies, PTI IANA liaison.

TRIPTI SINHA: Tripti Sinha, formerly RSSAC, ICANN Board liaison.

KURT PRITZ: Kurt Pritz. I represent the Registries Stakeholder Group.

LARS-JOHAN LIMAN: Lars-Johan Lyman, Netnod, one of the Root Server Operators.

AKINORI MAEMURA: Akinori Maemura, [inaudible] liaison from the ICANN Board.

SAM EISNER: Samantha Eisner, ICANN Legal.

JIM REID: Jim Reid, Freelance consultant and recent appointee for the IETF
                      IAB to this panel.

KAVEH RANJBAR: Kaveh Ranjbar, RIPE NCC.

HIRO HOTTA: Hiro Hotta, from WIDE RSO.

PETER KOCH: Peter Koch, DENIC. Appointed by the ccNSO.

HARALD ALVESTRAND: Harald Alvestrand, observer/IETF liaison to the ICANN Board.

JEFF OSBORN: Jeff Osborn. I'm with ISC, a Root Server Operator. I'm covering for Fred Baker, in his absence.

ROB CAROLINA: Rob Carolina, General Counsel, ISC.

CARLOS REYES: Carlos Reyes, ICANN Org.

OZAN SAHIN: Ozan Sahin, ICANN Organization, serving as the remote participation manager.

ANDREW MCCONACHIE: Andrew McConachie, ICANN Org. I support the RSSAC, normally.

BRAD VERD: All right, so that's everybody in the room. Carlos.

CARLOS REYES: Ryan Stephenson, Geoff Huston, Karl Reuss are online. If you'd like to speak, feel free to raise your hand and I'm sure you can introduce yourselves.

BRAD VERD: All right. Ashwin, you have a question?

ASHWIN RANGAN: No. I just wanted to say I'm here representing the IMRS as well. Thank you.

BRAD VERD: Thanks, Ash. Fred.

FRED BAKER: Normally I would be at a GWG meeting representing ISC. Jeff will be speaking in my stead because my doctor told me I couldn't travel. So I'm not there.

BRAD VERD: Well, get better soon. Karl.

KARL REUSS: Karl Reuss, University of Maryland, root operator.

BRAD VERD: Ryan. Ryan, we can't hear you.

RYAN STEPHENSON: Sorry. Double muted here. Ryan Stephenson, DoD NIC with G-root. And also, we have Erum Welling, who is an observer from DISA.

BRAD VERD: Great. Thank you, Ryan. Karl, your hand is still up if you want to say something. And Ryan, your hand … There we go, great. All right, did we cover anybody? Did we miss anybody? Good to have everybody in the room.

All right, let's jump in. So, welcome. Can we go to the next slide, please? So here's our agenda for the day. It's a full day. We are in this room all day. The first session, we'll just go over some process maps that we've put together and general points and goals for the day.

And then we have two sessions, one each for the two models that have been talked about. The time is not exactly the same for each of these sessions. I think one is longer than the other. So the third session, depending on the conversation we have, might spill into session four where we will have, hopefully, a good discussion to compare and contrast the two after we learn about both of them.

We'll go through our Q&A, and then talk about next steps. Any questions around today? All right, great. Next slide.

All right, so the next two slides here are process overviews, really visual maps, that are to me a visualization of where we've ended

up after going through our RSSAC058 over the last four meetings, which was supposed to build our base so that we're all on the same foundation to have these discussions.

And so with that, I have asked Robert who took us through RSSAC058 to take us through these process maps so he can draw the points from RSSAC058 into the map so that we understand, and kind of show where we sit today. And then I will take it back from him and continue. Robert.

ROB CAROLINA: Okay, thank you. The slides, Carlos, do you know if the PowerPoint builds work on the next two slides? Or are they static?

CARLOS REYES: [inaudible].

ROB CAROLINA: Could I get screenshare capability on my machine?

[BRAD VERD]: Pull that mic down [inaudible].

ROB CAROLINA: Oh, sorry about that.

[BRAD VERD]:   And speak up a little more.

ROB CAROLINA: Got you.

BRAD VERD: Two seconds for those guys online. We're working through some technical stuff here.

ROB CAROLINA: I see it. Okay, so hopefully everybody sees that. Okay.   Right. Thanks very much.

So, two slides in terms of process map. And the first … They both talk about the process of converging to agreement. And these are designed to just highlight, again, where we are in the process because a lot of process-related questions have come up in the last few meetings. And I think it's really obviously important for people to get a common view about where we are.

So in terms of the substance, agreeing the substance of what a governance structure functional description might look like, broadly speaking, it's just a process of moving from principles to a description, from the description to operationalize the description, and then to completion and then implementation.

When I say operationalization I'm thinking in sort of a legal documentary sense, or as I put here in a constitutional sense. And mapping that on to the language of RSSAC058.

We see in the beginning of this process, the various statements of principle that have come out, that have fed into the process, which include these various RSSAC publications and ICANN Board statements. And just to be clear, you are here between these two points.

The ultimate deliverable from GWG is what RSSAC058 describes as the RSS, the Root Server System governance structure functional description. In the GWG charter language, this is referred to as the final model. But they are both designed to describe the same thing, which is the documentary output—the eventual output, agreed output, of GWG.

Having gotten to that output stage, it then needs to be, let's say, embodied/legalized, however you want to describe that process which will be Bylaws changes, legal documents, whatever they are. Once those are settled, we know that they're done because they get assented to/signed off, whatever that process is. And then after that signature/assent process, that's the point where the new structure takes effect.

Now, the new structure taking effect. There might be a transition period baked into the process of taking effect, but that's the point

where everything becomes sticky. That's kind of the point of no return, if you want to look at it that way.

So that's the substance. If we look at the process—and this slide builds for a little while—we see that RSSAC sort of kicked the process off by issuing a series of documents that described governance values and principles, as well as recommendations to the Board. And those were transmitted to the ICANN Board of Directors.

And on the lower right-hand side here, you'll see a key that's going to grow as the slide builds out, which attempts to distinguish between an incorporated entity or an association department or function.

So the ICANN Board of Directors, in a sense, looks at those governance values and principles documents, consults through its own process with members of the community, and puts here at Step 2, I guess we could roughly call the ICANN Board seal of approval or something like that. That's what this is meant to represent. None of those are terms of art, just the principal.

Having done that, the next stage, of course, is that ICANN Board decided to put into place to convene the RSS Governance Working Group in Step 3a, comprised of these various stakeholders that you see listed beneath. And you'll notice a couple of things about the identities of the stakeholders, and that

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is they are all either an association, a department or function, or the one with the dotted line is a committee or an ad hoc group.

GWG is, of course, itself an ad hoc group that exists for a special purpose—to get through this particular … There's nothing in the charter that suggests it lives beyond.

And similarly, the RSOs have a dotted line around them because, at the moment, there is no association or community group that represents the RSO. So that is an ad hoc collection of RSOs. I know that's been a subject of discussion the past.

Once again, you are here. Just for the avoidance of doubt.

The output of the GWG then is, in the words of RSSAC05, the functional description document or documents. Functional description documents are then turned over/transmitted to for consideration, in this slide, what are described as the assenting entities. And when you say, "Who are the assenting entities here?" Well, on the one side you've got ICANN which, of course, decisions in ICANN would be made my Board of Directors.

You've also got the Empowered Community represented here. And as indicated in the key, they're represented here because we seem to be moving in a direction which will involve amendments to the Bylaws of ICANN. And as soon as you use the phrase "amend the Bylaws of ICANN," you're dealing at some level with the Empowered Community. They become … The decisional

participant, pursuant to the Bylaws, become involved in this process as ... And you'll need their assent.

And similarly, the RSOs, 12 of them individually represented here, you'll see as individual entities. Some of them are unincorporated associations. Some of them are corporate entities. The numbers might be slightly off here, but that's a pretty close example. And the difference here, of course, is that the RSOs—because there is no current community that represents the RSOs—the RSOs individually will be deciding about their position on assenting to what's happening here.

So that's the, let's say, broad universe of people who will be looking at the functional description.

So there are three more spots which are all sort of like the decomposed version of Step 5. The first part of it is the assenting entities, essentially having received the functional description, deciding whether or not the functional description accurately reflects what they wish to assent to. Because at this Stage 5a, there aren't legal documents that are ready to sign. The functional description is in effect a roadmap, a very detailed description of what you want the lawyers and other advisors to create.

And so the first thing is that the assenting entities at Stage 5a need to decide if this is the functional description they want. They might want to change it a bit. They might take it as is. Personally,

I think a key indicator of the success of this group will be the assenting entities saying very quickly, "Yes, we're on board." And if everyone stays connected to the community represented by the assenting entities, that will happen very quickly.

Having given the seal of approval to the functional description, the people in this universe then need to commission the creation of constitutional documents, the legally sticky stuff—bylaws, memorandum of understanding, whatever it happens to be, whatever it will be. At the end of that process, then comes the final sign-off and implementation.

So that is an effort, and I have to stress that this is simply a good faith effort to try to describe the process of what will ultimately lead to the sign-off stickiness. The point of no return is that Point 5c.

So with that, that's all I've got. Happy to entertain questions.

BRAD VERD: Thanks, Robert. I appreciate that. Can we switch back to ... Can you stop sharing there? It was very helpful. I think the visual aid is important. And most of all, it shows where we are in the process. I know there's been lots of questions about output from the GWG being binding, and this and that. And a lot of time was spent on showing these diagrams so that people can visually see where we

are and what the different steps are. So hopefully, that's helpful to everybody.

Carlos.

CARLOS REYES: I just wanted to note that Hanyu Yang and Suzanne Woolf joined the Zoom room. [inaudible] GWG members.

BRAD VERD: Great. Any questions around those diagrams? Can you pull up the slides? No questions? All right.

So general points for today. Next slide. I think it's important that we talk about the diversity of solutions. Today, obviously, we're focusing in on the two that we've spent a lot of time on. I think there are a number of possible outputs, and I think it's … So just kind of calling out the obvious which is the status quo, where we are today. The informal governance with the RSOs, I think it's clear that we made a conscious decision to move away from that. The RSOs did with the development of RSSAC037.

And also through the development of RSSAC058, you can tell that the status quo really doesn't … While it checks some of the boxes, certainly there are a number of pieces around accountability and transparency that the current status quo model doesn't meet. So, I just want to throw that out there that there are other options

maybe beyond the two we're going to talk about today. But I just wanted to put this on the table. Next slide.

So the two presentations later today are meant to aid, obviously, in identifying issues. I think that's the biggest thing. There are no fully formed …

Akinori?

AKINORI MAEMURA: [inaudible].

BRAD VERD: Okay. So, no fully formed solutions as we sit today. I just want to … The next slide, I think, will clear this up. [inaudible] relationship with ICANN [inaudible]. I think the question at hand is the intended direction of travel. Are we embracing ICANN? Are we pushing it away? And if you look at the documents, RSSAC037 and RSSAC055 are pretty neutral. RSSAC049, however, clearly states "on joining the Empowered Community." So that would be embracing ICANN and moving in that direction.

And the models that, hopefully, we'll talk through in the next two sessions, they both move in a direction of closer embrace. Or at least that's a question that we should be looking at and trying to answer as we go through them.

Any questions or comments? Okay, next slide.

So goals and aspirations for today. I want to review the key characteristics of each model. Obviously encourage questions. I can't emphasize that enough. This is really about questions versus answers right now. We should be questioning everything and trying to identify where the questions are and what the concerns are. And maybe not having answers for them, but we should document them so that we can try to solve them in the future.

As it states here that good answers—and I've stated this before—include "I don't know" and "we should resolve before finalizing the functional description." I think everything right now is okay to be questioned.

And then "identify and discuss principles." More to come alter as we work through the details of the two models that we'll be talking through today.

Is that the last slide? So, is there any discussion? I was hoping for more questions. Kaveh.

KAVEH RANJBAR: Thank you very much for this. I think that's framed very well. I have a proposal for us to consider changing how we make decisions, or at least revisit how we make decisions. I don't want to take action right now, but I'd like to have some discussion

around it, whenever [inaudible]. Do you think we can do it during this workshop?

BRAD VERD: Yea, I don't see why not, especially if we have time. Certainly.

KAVEH RANJBAR: Sure. So, I will leave that to you, please, if you put me on [inaudible].

BRAD VERD: Certainly. Maybe we'll have time now, or maybe we'll have time in the last session. Let's see.

KAVEH RANJBAR: Okay.

BRAD VERD: Any other comments or questions about our goals today and what we're going … Everybody's good? All right.

Kaveh, do you want to take it?

KAVEH RANJBAR: Yeah. So basically, I was thinking reading our charter, the latest one, and thinking about how we have documented how we make

decisions, which is consensus. Which is good. I'm a big supporter of consensus-based decision making.

But thinking about what we're building, because we are building a tall skyscraper, or that's what we aim for, to build on top of this foundation. And my thinking was foundation of consensus is not going to be strong enough for us to build the building we want to build.

Today, we might be able to come up with all decisions and pass with consensus, but in a year/two years/three years when whatever we may decide here we'll put too hard test. The governments will put pressure and all of that based on experience. I can say that if we have more, let's say, known by outside parties method of decision making. That would be a lot more reliable.

So if you have votes, whatever it is, it can be supermajority voting or something like that. After we have a model in a year, in two years, if we reject a powerful government, for example, when they apply—based on the model, of course, not based on the process that we have, or if we give priority to someone else, whatever … Any of the actions that this organization might do. Correct? Or dismiss someone from being an operator.

They might question, and they will definitely question—how you got here, who even said so, why this process is legitimate. And I think for our legitimacy, it will help a lot if, at least for the final

decisions, we have some kind of formal vote. We documented the documentation that everybody voted for, abstentions, or dissent votes—with explanation, even, if they have.

So I think documenting that properly and having a very clear process ahead is a very good investment for the years to come. That's what I wanted to just …

I don't think we need to change the charter right now. Or I'm not proposing that. But I think before we get to those hard decisions, it's good to think about that, go through that process. And if the group agrees, document them.

And they can be on top of the consensus. I don't mean that we should for go to consensus. But at the end, the outcome, the result that we provide to the Board and the rest of the world, I think should follow a clear, basically, decision-making process.

BRAD VERD: So, Kaveh, if I may, just for clarity. You are not talking about defining supermajorities or voting or anything kind of after the constitutional documents and who votes within the implementation of the government system. You are talking about voting here amongst the GWG and getting to that functional description. Correct?

KAVEH RANJBAR: Yes. Because our current charter says full consensus, which is good and I think we can get there. But it's still … Yes, that's basically the vote that we will give to build whatever we are going to build. And that's why I call it the foundation. Correct? And then I really think we need very strong foundation for the future.

BRAD VERD: Great. Any comments or feedback for Kaveh? Lyman?

LARS-JOHAN LIMAN: Thanks, Kaveh. I think that's good advice. I also recommend staying with the consensus model, and I think we can do well by just documenting what we do and keeping track of things. It may be as simple as, after a decision, just to note that there was no dissent because then it's obvious that we have reached consensus in the group. But documenting how we do that and actually following that procedure may be very good advice. So, thanks.

BRAD VERD: Ash?

ASHWIN RANGAN: Thanks, Brad. I just wanted to interject here and say that it will be helpful for everybody's benefit to define what consensus here means. There are many different definitions of consensus in the

ICANN ecosystem. So having that on record will be helpful, in addition to who voted in favor, against, or abstained and documenting that. Thanks.

KAVEH RANJBAR: Can I clarify, Brad? Actually right now we have consensus written down in the document. I think we can keep that, but my suggestion is— especially for the final decisions or the outcomes—we define how we decide. And my suggestion, but this can be up for discussion, my suggestion is majority or supermajority. So, we actually make it very clear that we try for consensus. But anyway, even we we you have full consensus, it will be everybody able to be voting for.

But my suggestion is to have it written that decisions made in the GWG are ratified by a supermajor vote, for example. Then it will be very clear. That's the guarantee that I think will help us in the coming years if people dispute why, who, and how we came to this. At least we have [built] a group and we have documented that everybody has raised their hand and said "yes, we support this" or "no" or "we abstained." And that is documented exactly.

We can keep the consensus, and I think we can try for that. But I think it's good to have that for all formal decisions—a vote to support the consensus, if you have one consensus. Or if not, whatever we agree on— it might be super major, normal majority, or anything. I'm fine with that. I'm really not tied to the metrics,

but I think the metrics should be very clear and understandable for the outside world. Consensus is not. But for [inaudible] Internet-related groups, it might be. But we are talking about much larger groups of people who need to be convinced that this is the venue to do this.

BRAD VERD: Okay, I've got Sam, Geoff, Jim, and then Liman. Sam, go ahead.

SAM EISNER: Thanks, everyone. So, speaking from my role that I serve in ICANN. I do a lot of work with the Board, and I think that, to Kaveh's point, one of the things that should be a goal for the documentation in the end … I'm not going to comment on the working methods of the group, but in terms of the ultimate deliverable, it will be helpful to make sure that there's documentation in there of adherence to conflicts of interest. That, as you're getting to the final decisions, that you're making sure that you're keeping your Statements of Interest updated, there are regular calls for making sure where people stand on that.

And then also making sure that there's enough rationale provided to the Board to understand why the decisions were taken; why these recommendations exist; if there are areas of dissension, how those were covered. Because those are all the types of

information that are very helpful to the Board when they then consider if they're going to accept the recommendations. And so the bigger a record that can be created for the Board, the easier it is for the Board to then consider the recommendations and take action on them with confidence, and the less questions they have coming back.

And so, one of the roles that staff here can help you with is help to make sure that we have a good level of documentation of those as we're achieving the final reports of this group.

BRAD VERD: Thank you, Sam. Geoff, to you. And Jim, I'll come to you next.

GEOFF HUSTON: I am surprised that this topic has come up again since I was of the view that we had decided to adopt a mode of full consensus with complete knowledge of what that meant some weeks or maybe even a month or two ago. And we had discussed at the time the differences between full consensus and various other mechanisms which, I suppose, you can approximate as rough consensus in various forms. Or Kaveh has referred to as some majority in a vote.

I thought it was abundantly clear at the time that "full consensus" meant everyone agreed, and if there was even one dissenting

position that was not consensus. That was not a decision that would be made.

Now at the time, I went and consulted with the IAB. I felt it was a relatively large decision. And I represented back that the IAB was happy with that. Now, I'm a bit surprised that someone wants to open this up again, but so be it. But if we're going to spend our time revisiting decisions we've already made, I kind of wonder what "progress" is defined as. Thank you.

BRAD VERD: Thank you, Geoff. Jim.

JIM REID: I think Geoff has already covered what I wanted to say, so I'll shut up.

BRAD VERD: Liman.

LARS-JOHAN LIMAN: Ditto. No, I'll fill in one thing. That is, I don't want to step away from the consensus model that we have agreed on. But the advice I heard from Kaveh was to document what we do and make sure that we have minutes express very much what Sam said—how we reached the consensus and the fact that we have reached

consensus. But I don't want to change how the decision is made. Thanks.

BRAD VERD: Kaveh, do you want to jump in real quick? And then I'll come to Ryan and Kurt.

KAVEH RANJBAR: Yes, thank you. So I think it's a fair comment that we … And I know we revisited that a few weeks ago. But actually, I was reflecting on that and I was following up on some events in WTDC and see how governments basically challenge these decisions.

And actually thinking about what Sam said, my thinking when I had no comment or was not against moving to documenting full consensus, and that sits in the charter, was that it will be ratified by the ICANN Board so that we will have a lot of formality and documentation of voting and decision making there.

But then I realized, and again by in by an event in WTDC, that actually what we are making is larger than ICANN. We are always saying that. Right? And we have people outside of ICANN ecosystem and this group. So ICANN Board ratifying that is a very good thing, but at best they can cover the full scope of ICANN. Right? And we are already starting with a claim that we are covering a space which is larger than what ICANN covers. We already go to do different venues.

So based on that, that's what I'm suggesting—to revisit that. Yes, it is a rework. It is not progress. But on the other hand, I really … This work is very dear to me. There are so many years we have put time in it. And I would be, really, [any risk] that in a year or two or anytime, it might be rolled back just because of an oversight. I would prefer to spend a bit of time to do that. So that's my two cents. That's why I bring it on the table.

Yes, it is a rework. But I personally think it's definitely worth the effort we are putting in it because I don't want to see this thing later on put to the test and one of the major powers outside politically, [who they are active], they really question it. And if the legitimacy of this gets questioned, especially at the beginning, we will really have a hard time to basically take it further. Especially, the first few years will be really hard. We'll have to be able to stay strong.

So thinking ahead, I think this investment is worth it. But I might be wrong, and I would love to be proved wrong.

BRAD VERD: Thank you Kaveh. Ryan.

RYAN STEPHENSON: Hi. This is something a little bit different. I have Erum Welling. She's an Internet governance advisor to DISA. And she does have a question. Is it okay is she asks?

BRAD VERD: Yeah, certainly. Go ahead, Erum.

RYAN STEPHENSON: Thank you.

ERUM WELLING: Hi. Can you hear me okay?

BRAD VERD: Yes.

ERUM WELLING: Thank you. So, can we go to the last slide, if it's okay to go back, that Robert Carolina presented? Can we go to that last slide, possibly?

BRAD VERD: We are working on it. Give us one second here.

ERUM WLLING: Okay. Sorry about that. So my question, basically, is that it had a list of components. And I can't remember which number. There we go. Yeah, exactly. So #3 is what I'm focusing on. There are groups listed there, and my only question is, is that comprehensive enough of a list if we're trying to do an embrace?

And perhaps doing embrace earlier rather than later to the appropriate stakeholders. Thank you.

BRAD VERD: Let's run through here. Kurt, you got something?

KURT PRITZ: I wanted to go back to what Kaveh was suggesting. My take on that was that it wasn't a suggestion to change anything that we're doing, but to formalize the outputs and decisions more. And why I think that's a good idea is that there's a propensity for groups to revisit decisions. So by formalizing it, we kind of put it on the shelf and say, "Okay, this one's done. Let's go on to the next thing." So I think it would be a handy way of ticking boxes and formalizing the fact that we put some of the issues behind us. Thanks.

BRAD VERD: I'll come back to that. Wes.

WES HARDAKER: It seems to me that the easy way out of this is requiring a full unanimous vote, or at least a vote with maybe abstains only. I mean, that's [essentially] what full consensus is. And I think, really, what Kaveh's asking for is that we just document that we got a unanimous consensus. Which means we actually have to ask everybody, "Is there an objection?"

BRAD VERD: Is that what you're saying, Kaveh? Is that clear? Because that's not what I'm hearing. So I just want to make sure.

KAVEH RANJBAR: To me, the most important part is to have exactly that clarity. So if you say no objection rule or full votes or supermajority—all of that works. I think the metric is secondary, but we have to use a well-known metric which is very clear so every individual participant is clearly documented if they're participating and if they're for it or against.

How we get to the decision, that's internal to the group. I'm fine with anything. We might say full consensus. I don't know the practicality of the full vote. We can discuss that. I'm fine with that. But for me, I think the idea I'm putting on the table right now is first to have it much more clear than just full consensus. Whatever it is, including a unanimous yes vote, that works. That we can discuss.

WES HARDAKER: So as a clarification, a supermajority would actually be changing, significantly, the original meaning, whereas a unanimous vote or no objections is equivalent.

KAVEH RANJBAR: Yeah, I agree. But I think we can discuss the methodology. Yes. If we just want to translate what we have right now in the documents to what I am suggesting is to basically have a unanimous support for any decision. Correct? I think that's the first step.

Second step which I think, again, will be for the whole group to decide if a unanimous yes is actually practical and is what we want or not. But my suggestion first is let's try to actually put exactly what we want in the paper without using shady words which might be clear for us in this room or in this industry, but not outside.

BRAD VERD: Peter.

PETER KOCH: Thank you. So I'm still a bit confused about the motivation and the reasons. And I didn't follow what happened at WTDC, so I'd be happy to learn about that. But decision making in ICANN is based on the multistakeholder model. And the multistakeholder model is strongly connected to consensus as a method of decision, be that full consensus or rough or whatever. So if the decision is questioned …

What I'm trying to say is this is not about engineering words and make a consensus look like a supermajority. If these entities that

I have in mind are questioning that, they're questioning the multistakeholder model at it's very core. So we won't help the situation by just engineering the words around it. And for that, we need to understand …

But I would like to understand better what the threat model is that you're trying to mitigate. Thank you.

BRAD VERD: Kaveh, anything?

KAVEH RANJBAR: Yeah. I can try to [inaudible] and we can discuss. Later I can show the examples. But what I mean by that is, back to what Sam said, you're right. If someone wants to ask the legitimacy of the decision, especially if it's ICANN's decision, they are basically asking the legitimacy of the multistakeholder model. So it's… Well, us protecting ourselves against that would be really small and non-effective.

But the actual idea is—and if we have the slide up there—we are saying that's the decision we are making has a wider domain and range than ICANN. ICANN is multistakeholder model. We have IETF, IAB. We have basically IANA, RZM, SSAC, SOs, RSOs—sorry, ccNSO—and Registries Stakeholder Group. And we also have RIRs, I'm if not wrong, which is not there.

But these groups, they all have their own decision-making rules. They are not under ICANN. So what we say here ... Let's say in this room, we decide on a process which in a year doesn't allow large country A to join. Correct? That country, they're not going to complain to ICANN, I hope, because this decision is larger and the organization we are making ... We say that we are making something. We might delegate the work to ICANN, but we are a larger group and we are making that decision. Correct?

IETF, for example, is not part of the ICANN ecosystem, but they have a voice here. So, [IAB]. That means that governments can ask, "Hey, why do you or how do you make that decision?" ICANN Board will have their own team because they have their own voting, but this group is larger than ICANN Board. So how do you justify that?

I want this group to be able to stand and say, "Yes, all of us, we sat around this table representing these organizations or these groups, including legacy root operators. And we all said yes, or half of us said yes to do this. And that's why we are not going to accept you, superpower, to become a Root Server Operator because that process will reject you. You don't qualify. Or we will basically take away your root server operations because you don't meet this this criteria."

But we really need a strong voice, especially at the first starting years. And that's what I think. If we you just go to that type of

outside bodies and tell them, "Yes, we had consensus when we made that" the question is, "Hey, what's consensus?" Right? We can explain, but I think it would be less strong. That is just my thinking.

BRAD VERD: Great. Peter, any follow-up? No?

PETER KOCH: No, not directly. I think we can take a bit of that offline [inaudible].

BRAD VERD: Yeah, great. So hear two different things being talked about. The first thing I hear is that we need to document our consensus and formalize it on how decisions are made. And I think I've heard that numerous times. We'll take that as an action item and make sure that we draft something up.

The second piece is, what I'm hearing is potentially a change in the charter, which we have the power to do as a group. If the group wants to do that, we can change the charter. Which is what I'm hearing. And this is why I wanted to come back the Kurt and Liman. I think what I'm hearing Kaveh says is changing the decision process. And so maybe …

We don't need to have that decision here. Like, plant the seed. Let's document it first so everybody can have a clear picture of

where we are, and then have the discussion once everybody is fully informed, if that makes sense. That's what you're asking, Kaveh?

Liman, you're looking like you had a question for me, for the group.

LARS-JOHAN LIMAN: No, I'm okay with that because I cannot really form an opinion until I know what's being proposed. And I'm happy to look at proposals.

BRAD VERD: Yeah. And I'm just sharing what I'm hearing. Tripti.

TRIPTI SINHA: Thank you, Brad. I was listening to the exchange between Kaveh and Peter. And rather than take that offline, I prefer that we have the discussion in the room so there's clarity on our decision-making process and how we're going to document that.

KAVEH RANJBAR: So, if I may suggest, I think ... I don't think we can do it for today, but for the next GWG meeting I can actually work with Brad to propose draft changes—a strawman, of course—to circulate around and say, "Okay, this is basically what I propose, put on the

table." And, yes, it has two components. One is to clarify what we have. But if we want to translate what we have right now, it will be full unanimous voting, which I don't think its practical.

So I will draft something with Brad, and then we can discuss basically what is being proposed and what are the merits behind it, at least from my point of view.

TRIPTI SINHA: So, my takeaway is that you are clearly deviating from what was decided before, probably. Reasons that you will express.

KAVEH RANJBAR: Yes. Just to maybe shed more light, I think what was decided previously is good enough for us internally. Correct? I was thinking like putting it to test if, externally, this is going to basically support some pressure or receive some pressure, would it stand or not? And eternally, having that we make decisions in this group based on consensus, I'm almost sure that it's not going to stand. I might be wrong, but that's my feeling.

So what I'm proposing is not for internal reasons, that we cannot make decisions in the group. I think we can. We have already made that decision in the group and we were happy with it. My thinking is more that such a model of decision making is not going to be legitimate enough to stand the test of outside questioning.

TRIPTI SINHA: So, Brad, I would recommend as chair that this, I think, is a very important issue that needs to be resolved because, basically, I think what Kaveh is saying is that this is not going to stand the test of external scrutiny. So this could potentially put this work—bring it to naught. So I would recommend we really get to closure on this issue first.

BRAD VERD: Agreed. Okay. Ash.

ASHWIN RANGAN: Thanks. Tripti just said exactly what I had in mind. I think this is a fundamental issue that we need to get past. In terms of definition, I think with the Robert's diagram here, if you think of each of these blue lines as a decisional node—perhaps that are more—I think documenting what we mean by "consensus" at each of those steps is an important thing to have on paper so that as we go through the process, we're able to refer back to each of the steps and conclude that we have the necessary consensus. Thank you.

BRAD VERD: Thanks, ash. Liman.

LARS-JOHAN LIMAN: Thanks. I think, in addition to doing that ... That's good, but I think we need to do one more thing. And that is to highlight in existing documentation or describe in new documentation why this is the correct composition of the group to make these decisions because that's the next thing we will be challenged on, is, "Why you?" And to find and highlight ...

It's probably there are RSSAC037 and other places how we arrived at this composition and how the Board arrived at this composition. And we should have that as a defense in case we get challenged on that. So we should be prepared already to be able to respond to that. Thanks.

KAVEH RANJBAR: I fully support that. We already have that in RSSAC037 and RSSAC058, but I think it's worth it to highlight it and have it along with those [clarificational] changes. I definitely support that.

BRAD VERD: Great. Thank you. Anything else on this specific topic? No?

KAVEH RANJBAR: Just before we close, I just want to clarify. You might know that I really don't like additional bureaucracy, paperwork, or more [words]. But I really think ... Based on what I've seen in this arena, I really think it is important. That's why I'm bit, yeah, pushing for

this type of word changes and things like that. It might not be seen as relevant. Myself a few years ago would have said, "This is a waste of time." But I really think this will pay off. So that's why I'm advocating for such a change.

BRAD VERD: Thank you, Kaveh. Geoff.

GEOFF HUSTON: Again, I'm very confused. We had a proposal. It was proposed to defer this and go mailing list/future meeting. Tripti said, no, we should talk about it now. And then you say, "No more discussion. Let's move on." I'm sorry, Brad, but I truly don't understand whether this matter is being brought to a conclusion, being deferred, being dropped. I'm sorry, but as a remote participant, I am completely lost. And unless you guys are busy showing each other flashcards or something, I'm just not there. You'd have to explain more clearly, Brad, exactly what the process is right now and what we're trying to achieve. Thank you.

BRAD VERD: Geoff, sorry I didn't convey it clearly enough earlier. What I suggested and what I read from the group was that we would document our current process, what the formal decision is. And then we would have this discussion on our normal meeting schedule in the open rather than private.

GEOFF HUSTON: So again, I heard from Kaveh. He wants revisiting on what we previously described as a model where this group made decisions based on full consensus. I have some difference of opinion with where Kaveh is heading to that I think is germane to this. And as it stands, and certainly notwithstanding any consultation I might have with the IRB on this, I think I would have to object to it. But I'm really not sure when or why I should object and how, given the uncertainty of exactly what's going on right now. Thank you.

BRAD VERD: Well, as I stated at the onset of the meeting, Geoff, this is not a formal GWG meeting. There are no minutes, so we need to move this discussion to a formal meeting so it is minutized and everybody can have a say in it. This was an opportunity given the allotted time to start the discussion. So no decisions are being made here.

GEOFF HUSTON: Thank you.

BRAD VERD: Wes.

WES HARDAKER: To ask a follow-on question for Geoff. So your plan is to put this on an agendized meeting at an upcoming meeting. And that's when it will be discussed. Right?

BRAD VERD: Yes.

WES HARDAKER: Okay, excellent. I was pretty sure I knew that answer, but ... So to me, the things that we need to do to take next steps are likely that we need to come up with wording for charter changes that may be changed to "no objection." That seems like the obvious one. I think, to a large extent, there's actually a fair amount of violent agreement in the room, in general.

The harder thing in my mind is to determine not just how we're going to document full consensus or no objection, but also when those types of decisions and votes need to be taken, when those documented points are. That might be a little bit more tricky. Is it at document publication time? Is it somewhere in the middle of writing some document or some piece? That actually could be a little bit more tricky.

So until we get to the point of that discussion, I would urge people to think about that side of that conversation as well.

BRAD VERD: Thanks. Any other comments? We will move this to … Oh, yeah. Erum's question. Robert, did you have a response to Erum's question around 3b?

ROB CAROLINA: Forgive me. I'm trying to remember exactly.

BRAD VERD: Erum, can you restate the question real quick?

ROB CAROLINA: Or alternatively, Erum, I'm wondering if the subsequent conversation has shed some light on it.

ERUM WLLING: Definitely. I don't think I have that question anymore. I think the discussion's been all about the things that I was suggesting. So thank you.

BRAD VERD: Great. Anything else, Carlos?

CARLOS REYES: Suzanne, you had a comment in the chat. Would you like an opportunity to speak, or would you like us to read it out loud?

SUZANNE WOOLF: Yeah, I can address it. It's just, although if we're closing discussion and on the previous point, I'm not sure there's ... I was just agreeing. I think most with Geoff, primarily, that we have a working definition of "consensus." And honestly, I don't see how we can make it stronger. And I understand. I hear what Kaveh is saying, but I don't know where we would end up that would make a stronger case for the legitimacy of outcomes from this group.

So I'll agree on the documentation point. You basically can't have too much documentation of decisions in this kind of environment. But I'm not sure that changing the model is going be where we end up, no matter how long we think about it. Thanks.

BRAD VERD: Thank you, Suzanne. We have three minutes left. If there is nothing else ... All right, we are adjourned. And we're back here in half an hour. I look forward to seeing you guys again shortly.

OZAN SAHIN: Please stop the recording.

[END OF TRANSCRIPTION]