EN

Tuesday, June 27, 2017 – 09:00 to 10:15 JNB
ICANN59 | Johannesburg, South Africa

KATRINA SATAKI: Good morning, everyone. I think we're about to start, so please, find your favorite seat, sit down and pay attention. Good morning again. I'm very happy to welcome you all to this ICANN policy forum ICANN59. This time, as you already can see when you enter the room, we decided – well, the Meetings Program Working Group decided to make it a little bit more fun, but fun in terms of practical fun.

For example, you see these two balloons. They show you where the mics are. We have red mic and green mic. So, that's how we're going to refer to those holding the mics. You can actually take them and they're roving mics. They can be anywhere, and so we always can see who is speaking.

That's one thing. Sorry? No, everything is fine.

Another thing that the Meetings Program Working Group decided to change this time is we'd like to start by – so it's now ICANN59. 59 ICANNs have already taken place. So, the question is, who in the room has attended all 59 meetings? Please, get up. Show of hands. No one. 58 meetings?

UNIDENTIFIED MALE: We lost track ages ago.

KATRINA SATAKI: 58, none. 57 meetings? [No one]? Okay, some people do not [inaudible]. Okay, more than 55? Demi, more than 55. So, Demi is our regular attendee. So, please, if you have any questions, you can always count on Demi. More than 50? Nigel. Please stand up and show yourself to everybody so that people can ask you questions. More than 45? [Göran,] that's excellent. Oh, sorry – [Reggie], glad to see that you – really, so more than 45? Oh, Jesus.

This was an exercise for you all – Young Eum, excellent. So, we have so many experienced people in the room, and that's really – sorry? No, it's really cool to see so many people in the room. That was encouragement to those – oh, who will show their hands answering the next question? Who is here for the first time? We have one. Okay, please stand up so that we can welcome you.

So, welcome to the ccNSO, and if you have any questions – that's why we have identified people who are regulars – if you have any questions, come to anyone, and they will gladly help

you. And actually, Alejandra will tell you more about some ideas that we have.

With that, I would like to ask our local host, Vika Mpisane to address the audience and welcome us here in Johannesburg. Please, Vika.

VIKA MPISANE: Thank you very much, Katrina, for this whole hour you're allocating me for a speech. I'll try and make it five minutes, or even less than that. Good morning, ladies and gentlemen and colleagues of the Country Code Name Supporting Organization. It is our pleasure as the ccTLD managing .za to have you in Johannesburg. Thank you for making it easy this time for us to attend this meeting. Normally, you cross seas and lands to get to a ccNSO meeting, and today is nice to just drive down the road for 20 minutes and you get to the meeting.

I hope that since you arrived, you found one or two things that are enjoyable around, and that you have found so far the meeting useful. It's always a pleasure to meet [inaudible] ccTLDs, because if we learn anything from anybody else in this community, it is always particularly from the country codes? Why? Because we are running a country code ourselves, .za. So, we look forward to fruitful engagements, both the whole group of the ccs and also the working groups and the councils. We

followed some of them in the last few months to see what is happening, and it's been a pleasure as well to see the role of the ccNSO in the IANA transition that has become a reality, and all the oversight mechanisms that we have in place.

So, I'd like to say to you all, welcome. We will be meeting tonight, I think the Chairlady will probably mention that the traditional cocktail that we'll be hosting just down the road. I don't think you'll need taxis to get there, it'll be more of a walk. And we'll pretty much get down as ccs tend to get down in these meetings, and we never lose our [inaudible] that's what makes me happy. So, with those words, Katrina, council and all members of the ccNSO, and even new ones, welcome to Johannesburg. Thank you.

KATRINA SATAKI: Thank you very much. Actually, not so long time ago, you hosted a meeting in Durban, and you're now hosting yet another meeting so close to the previous one. I think it shows bravery and actually your dedication to our cause. So, thank you very much again. It's really great to be back to winter in South Africa again. With that, let me give the floor to Alejandra, the Chair of the ccNSO Meetings Program Working Group. She will walk you through two meeting days that we have in front of us. Yes, please, Alejandra.

ICANN 59
POLICY FORUM
JOHANNESBURG
26–29 June 2017

ALEJANDRA REYNOSO: Thank you. Can we go to the next slide, please? Thank you.

So, on your screen you can see the Meetings Program Working Group members. The organization of the meeting is thanks to this very appreciated working group. And please, if you have any comments, feedback or suggestions, address any one of us and we will be delighted to attend your suggestions. Next, please.

Also, nothing would be possible without our very valued ccNSO Secretariat, and for the newcomers, these are their faces and their names. If you have any questions, please don't hesitate to come to them. Next, please.

So, regarding the activity we are having besides knowing who has more than 45 ICANN meetings here, we would like to distinguish everyone who has been a regular comer to the ccNSO. And with that, we are going to be handing out stickers. So, Kim has a set, Young Eum has a set and also, Joke and myself, we have these stickers with us. So, please, come to us – preferably during coffee breaks so we don't make a mess of the meeting – and we will hand you a sticker to put on your badge so if a Newcomer sees that you have a hand, they can come to you and ask you questions. And if you see somebody with a star, that means that it's their first time, or maybe not the first time but it's

been a while since they've been in this group. So, please welcome them and make them feel at home.

Also, with the onboarding program, jointly with [Yelena] from .rs, we have build onboarding booklet that Kim has with her. So, please, this is a summary of what the ccNSO is and how can you participate and how can you join. It will be also online on the website, and we will build a wiki also for anyone who is curious about it. Next one, please.

For this meeting, please be aware that all presentations will be posted at the ICANN Schedule, and also at the ccNSO website. There are also summaries of the meetings that you can read in advance, and after the presentations or right before the presentation starts, I'm assured that the presentation will be uploaded for your easy following of the meeting. Next, please.

So, what we will have today. We will have cross-community updates, we will have PTI session, working group updates and GRC and PDP updates. Next, please.

We will move around a little bit today, so we will have a meeting with the GAC in Ballroom 1 where we just went for the community forum. That's from 1:30 to 2:45, right after lunch. And in the afternoon, we will have two cross-community sessions. One is the general data protection regulation, the GDPR session in Ballroom 1, and the next one will be the

geographic names at the top level session in Bill Gallagher room. Next, please.

Today, we will also have our traditional ccNSO community cocktail. Thank you very much to our generous sponsors for letting this happen. You will have your invites right on your desk, so please carry them with you. They will be asked for at the entrance. We hope you'll have a great time. Next, please.

For tomorrow, we will have some sessions regarding how ICANN selects the meeting venues and how the ccNSO should participate as part of the Empowered Community. Also, we will have a meeting with our ccNSO appointed ICANN Board members. Next, please.

Further in the day, we will have a session regarding ICANN accountability, and our very famous ccTLD news, and a finance session with ICANN representatives. There was also programmed to have a discussion regarding ccNSO contributions, but that session is going to be deferred to the next ICANN meeting since our Chair tor that session could not make it to this meeting. Next, please.

Again, moving around for the cross-community sessions, we'll have the operational side of ICANN, operational plan and budget in the Bill Gallagher room, and who sets ICANN priorities in Ballroom 1. Next, please.

The day after tomorrow – please. Thank you. There will be the Council meeting at 9:00 AM in the room Committee 2, and also the ccNSO PDP Working Group on retirement of ccTLDs in the same room right after the Council meeting.

In the afternoon, there will be again geographic names at the top level session, the second part in the Bill Gallagher room. Please join them, they will have some very interesting discussions. Next please.

Again, after the meeting is over, we would like you to please feel free to tell us your comments. There will be a survey online that will be posted tomorrow. We appreciate all your comments, for example, the Newcomers activity arise from the feedback we received in the survey. So, if we can improve this meeting, it's for you, so let us know what you think about it. Next, please.

Also, it's not only here that we meet. There are all these social media ways that you can get in touch. There's a Facebook page, Twitter account, also the ccNSO website and e-mail. So, keep in touch. It's not only here in the meetings that we should know about each other. Next, please.

Welcome to the ccNSO.

KATRINA SATAKI: We'd love to tell you that the first session ended right on time, which sets a very good example to other sessions. And with that, I would like to give the power of chairing the session to Abibu, and our next session will be dedicated to Cross-Community Working Group updates.

ABIBU NTAHIGIYE: Okay. Dumela and good morning to everyone. I thought you would have responded Dumela because – yes. Good. Welcome to the second session of ccNSO Members Meeting Day One. As the ccNSO Chair said, this is a Cross-Community Working Group session. We are looking forward to the updates regarding the Cross-Community Working Groups, and this one will be about the framework for use of country and territory names as TLDs.

The Cross-Community Working Group involved SOs and ACs and other experts, and we had Co-Chairs from ccNSO and GNSO. The working group has been working for the past three plus years, and during the past years it has been presenting progress reports. This June 2017, it presented the final paper or report.

For those who had a chance to attend yesterday's joint ccNSO and GNSO Councilors meeting, they did have an opportunity for a brief summary of the report, but this session will give more details about the report and the time allotted is about 55 minutes for all updates.

ICANN POLICY FORUM 59
JOHANNESBURG
26–29 June 2017

So, let's have the first update from Annebeth and Nick regarding the framework for use of country and territory names. Welcome, Annebeth.

ANNEBETH LANGE: Thank you so much, and good morning, everyone. Again, geographical names. You've heard it before. This time, I have the company of Nick Wenban-Smith from Nominet, and he's been a very good discussion partner for me. So, thank you. Let's go ahead.

The agenda, what we're talking about today, we will recap how we got where we are today, the current status, temperature check among you, and the next steps, where do we go from here?

What are we talking about? The new gTLD policy, they have a group going on. It will be a PDP for new gTLDs. What will happen in the future with the names that we are interested in? It's important to note that it's top level only, not second level. Remember that, only top level domains.

To the extent to which there are reserved strings due to geo, because they have a geographical [form] in one way or another, today in the Applicant Guidebook that we've been using for the round that's already there, it's all two letters are reserved, and

ICANN 59
POLICY FORUM
JOHANNESBURG
26–29 June 2017

274 three-letter combinations from the ISO3166. We have country names and translations, capital city names, other city names if they are used as a city, and some other things that are too complicated to go into now. These are the most interesting things for us. So, how did we get there?

NICK WENBAN-SMITH: I look at this as a bit like a fairy tale story. This is Little Red Riding Hood. Actually, this is not Little Red Riding Hood, this is Annebeth who for many years – like a decade – has been representing the interests of the cc community, and there's the big bad wolf. You have to use your imagination to decide which parties in the community are the big bad wolf of the commercial interests who want to exploit the geographic names for commercial benefit.

It feels like a sort of Groundhog Day, because there has already been a number of Cross-Community Working Groups around these sorts of areas. In fact, pretty much from 2012 – which was the first round of new gTLDs – there have been analyses and discussion groups around what to do with the problems created with geographic names at the top level. So, this one which is just concluding is the study group on country and territory names. It's only spent three years discussing it, and the only conclusion

ICANN POLICY FORUM 59
JOHANNESBURG
26–29 June 2017

they could come with was that they should wind themselves up because they couldn't agree on any conclusions.

In fact, what's curious about this topic is that the longer the groups in the community spoke with each other about it to achieve consensus, the more they realized they disagreed very strongly with each other, sadly. But the final draft report was produced in February. It's been out for public comment. Several organizations representing the cc community have actually put in some feedback on that report.

They have been unable to reach any consensus apart from to continue to reserve the two-letter strings. This is for country codes which are already in existence, might come into existence in the future, or have been existing in the past. So, all two-letters, that's equating to no-go territory to new gTLDs. The other conclusion they had was basically that they couldn't agree on anything.

But even then, it's interesting that some of the comments for this report were that they disagreed that two-letters should be exclusively for country codes. So, there are some commercial operators who are very interested in exploiting the two-letter codes which are not already used as a ccTLD. This is an area where we need to be quite alive to the dangers.

There's a new Cross-Community Working Group, but we don't know what that new Cross-Community Working Group is going to be. We can have some guesses and we can talk about that a bit later.

ANNEBETH LANGE: But where are we today? We have this – as Nick said, the agreement in this report is that all two-letter combinations should be left for future countries, because it's not ICANN business to decide what is a country and what is not. And we might easily see other countries coming in the world, and it would be too sad if the two-letter codes have been taken away. Also, to use a two-letter combination for a gTLD will be very devastating for the whole system. So, that's at least what we should stand very hard on.

We know that it's a lot of geo restriction questions and that we need to resolve them prior to future rounds of the gTLDs. And what we have been discussing all over the community now is that if we can't find a solution of the geo, it will also stop the whole process for new gTLDs. Last time, we saw that that was one of the things that really created problems, and we don't want to come in that situation again. That calls for a compromise. We have to find a way. We'll come back to that in a while.

What we know today is that GNSO has the mandate within its scope to make a policy for new gTLDs. But it still will be some cross-community forums going forward as [inaudible] said that it will be two sessions here, and I really encourage you to go. Even tonight, we have our cocktail, if you're interested in this, please be in the policy forum and come a bit later to the cocktail.

We saw that in 2012, there were some applicants that didn't get that three-letter codes were blocked, and there were applications for it, but they were taken out, and there are certain three-letter combinations that also are – it's a brand, so it's a very complicated area.

We also know – most of you have heard about the Amazon affair, and it's still going on. Those were the names that were not protected at all in the Applicant Guidebook from 2012, and a lot of people in [our] government in the GAC are not happy about the protection that's in the Applicant Guidebook today.

So, it's important that we as a cc community want to – how should we engage in the future discussions? If we want to influence what comes out of this, we have to be more interested in it than we have until now. So, there are a lot of questions. Where shall we go?

NICK WENBAN-SMITH: Okay, so it's back to me to continue with the fairy story. As you know, with Little Red Riding Hood, there were the bowls of porridge which –

ANNEBETH LANGE: Three bears.

NICK WENBAN-SMITH: So, we have now the three bears. Too hot, too cold or just right. When we look at the views of different communities, we can broadly say that they fall into one of these three bowls. The commercial groups in the GNSO typically think that the restrictions on the geographic names at the top level in 2012 were too tight.

There were names that should have been released which were not able to be released because they were either a three-letter code on the 3166, so AND is a three-letter code for Andorra, there were some quite interesting ones like IoT, Internet of Things, but that's also the three-letter code for the Indian Overseas Territories. So, there are some potential good brands and generic terms which were also blocked because they're three-letter alpha codes. They think that these should be made available somehow for registrations in the next round.

There were some voices of support I was saying, so there are companies with brands which are two letters, like Volkswagen would be very interesting to take a .vw. BMW has .bmw, Volkswagen can't take .vw. It's not used currently as a two-letter code for a country, and they want it, basically.

There's quite a vocal expression to release all of the three-letter codes on the basis that two-letter codes are country codes, three letters should be generic terms even if they are on the 3166 list.

The point is made quite forcefully – I think it's fair to say – that country names do not have legal protection. There are no international treaties recognizing protection for country codes, and these should be made available on a first-come, first served basis for anybody who has a justification to use them. The trademarks, there are international treaties governing trademarks and these give them legal protection and geographic terms are not.

One thing we haven't really touched on but it's part of the whole matrix of geographic terms is that city names are also restricted, and capital cities specifically restricted. There hasn't been that much comment on it, because people have focused really on the country and the three letters, but this is obviously something that is going to be discussed as well. Yes. [You're a] GAC.

ANNEBETH LANGE: As a former GAC, I can take the GAC comments. In the other direction, the GAC comments, and many members want more restrictions. 2012 rules were not sufficient, and we have seen the conflicts with Patagonia and Amazon among other things. They have been talking about early warnings, PICs, Public Interest Commitments so then you have a kind of contract that you promise to use it in a certain way.

It's also culturally sensitive terms like places, rivers, mountains, territories. We could extend that with languages. It's also been mentioned. And to have a list of terms which are provided by countries. We all know that all these lists that are not an [official] list from the beginning, it's really difficult.

But still, many GAC members also think that the Applicant Guidebook of today is perfect. So, it's different views within the GAC as well. What is the [inaudible] just right and center have made an input to the process that we think is just right porridge. So, we'll see.

NICK WENBAN-SMITH: This is really a sort of summary of what we currently have got in the Applicant Guidebook from 2012. There are some restrictions on geographic terms. They are not able to be used without

restrictions by any commercial operator who feels like they want to. To be clear, it did take five years of policy discussions to reach this, and perhaps there's good reason why we reached that situation in the last Applicant Guidebook.

It is necessarily a compromise between those interested parties who want to commercially exploit the DNS and to increase choice and competition for end registrants and users, but also, there are political considerations. When you see a geographic term in your top-level domain, rightly or wrongly, a lot of the Internet users at large will consider that this has some sort of state or national, official endorsement or authority, and there's a government behind it somewhere.

I think this is another point which is as we've seen so far, the ICANN way is to operate by consensus, and it seems increasingly unlikely that there will be a consensus to change what we've already got. So, unless there's a good reason in terms of consensus to change what we've got, that we should stick with what we have. Because with a few disputes – which I think perhaps couldn't really have been avoided – the last round was pretty successful in general terms. I think for those of us who applied for subnational names like Wales or capital cities like London, the nonobjection procedures used meant there was only one applicant, there was no contention, and actually a lot

of good names have been released and have been to the benefit of the communities concerned.

But if we can't reach some sort of good community consensus on how to go forward, these sorts of disputes are incredibly damaging for the whole community, and we should be alive to the risks that the reputation of ICANN as a functional and not a dysfunctional organization, and we need to take this into account and to try to have a civilized agreement to how we're going to approach this going forward.

Just to summarize the current protections, all two-letter combinations are blocked. The three-letter combinations which only match an existing country code – there are about 17,000 three-letter combinations and only 274 of those are blocked. Some of them are quite good terms like IoT. My favorite is GIN, which is one of my favorite drinks and it's very sad it can't be a new gTLD, but that is blocked under the alpha three letters, I'm sorry.

Country names are currently blocked, plus translations of country names. Even if the country wants them, they cannot have them. There's a next category where you need to have government support on letter of nonobjection, which is for the capital city names – London, Paris, New York – and city names

where the use of the city name is as a community representation.

And little known fact, but the 3166 list also has a list for each country of subnational names and places, and these two – so for the United Kingdom, Wales and Scotland are these sort of subnational names and places – they can only be released as a top level with the appropriate consent or nonobjection from government.

There's a sort of fallback position that perhaps for some of these generic three-letter combinations that they could be released if this is of interest and the government concerned has no objection. So, there would be a route to release them, provided there is government consent to the use. That may include a contract or restrictions as to how those terms are going to be used. They may only be used for a closed brand or in another way which is not confusing with the country.

I know you've had a nice chance to recover from last night and digest your breakfast, but you now need to wake up because you have your red and green cards. Has everyone got their red and green cards? While we're just making sure everyone's got their red and green temperature cards, are there any immediate questions, or have we missed anything out? Did we go too fast?

Are you all experts on this and you knew it all before? Any comments? Hello, Nigel.

NIGEL HICKSON: Well, you asked questions, [then] answer it. I think you've done a good coverage of the spectrum of the controversy from one end to the other. Obviously, we've all got opinions and maybe we can feed those in, but it's probably not the time to talk about them now. But when the new gTLD stuff comes along, we will need to feed this stuff in. We will need to be alive to this.

NICK WENBAN-SMITH: Thank you.

ANNEBETH LANGE: I would like to say before we pose those questions, we know that it is the policy forums today and on Thursday, and Avri Doria and Jeff Neuman have really tried to make it doable for us and try to find compromises. And what they have done is that they have engaged a mediation company. So, two people will be coming as a moderator or mediator and negotiator to try to lead us through that discussion today and Thursday, and I really encourage you to come. And if you have thoughts about this, pose questions, engage and try to give the cc view on this. It's very important. If you think this is important for you, please do

it. There's a lot of other people doing it from other stakeholder groups, so we have to have our voice heard out there. So, now we have made some questions.

NICK WENBAN-SMITH: It would be helpful for myself and Annebeth who do speak with the leaders of these policy groups around what is the temperature within the ccNSO. Could you please get your red and green cards to say – a green card if you have no concerns about the geographic restrictions, or a red card if you are concerned that geographic protections in the new gTLDs going forward might potentially be diluted from what they currently are in the Applicant Guidebook?

ANNEBETH LANGE: Diluted is a very British term. Could you please explain?

NICK WENBAN-SMITH: I suppose I'm looking for how interested are you to defend geographic protections going forward?

ANNEBETH LANGE: And keep the Applicant Guidebook as it is, or more, do you want restrictions for things that have to do with country and territory names in one way or other?

UNIDENTIFIED MALE: I think it's confusing.

NICK WENBAN-SMITH: Too confusing.

ANNEBETH LANGE: Too confusing. Okay. Today, we have protections in the Applicant Guidebook that protects two-letter codes, three-letter codes, capital – and for us, let us keep it to two-letter codes and three-letter codes and country and territory names, because that's – we are coming from the ISO3166 over two-letter combinations of a country. Do we want to keep that? Do we think that's fine, or do we have concerns if it ends up the new round that all protection of this is gone?

NICK WENBAN-SMITH: So, put up a green card if you want to retain restrictions on country names and two-letter names and three-letter names.

UNIDENTIFIED MALE: I kind of want to object to this, and I'll tell you why. Because I want to put up both cards. And I'll tell you why I want to put up both cards: because I have an opinion that some of these restrictions are disproportionate and wrong, and others are a

red line and must be kept. So, how do I vote? Do I say I want to keep it as is, do I say I want to loosen them? This kind of question is too broad brush.

NICK WENBAN-SMITH: I think we're looking at the moment for a temperature around what is the level of concern. It sounds like you're not that bothered.

UNIDENTIFIED MALE: I'm not that bothered, but I'm bothered about some of it.

NICK WENBAN-SMITH: Well, you need to decide.

ANNEBETH LANGE: [inaudible] one level at a time?

NICK WENBAN-SMITH: Yes, okay.

UNIDENTIFIED MALE: [inaudible] talking about red and green.

EN

ANNEBETH LANGE: Okay, let's do it this way then. Do you want to keep the protection for two-letter codes?

UNIDENTIFIED MALE: Yes.

UNIDENTIFIED MALE: [inaudible]

ANNEBETH LANGE: Okay, good. As for three-letter codes, should we keep it as it is, protect it, not possible to have? Yes or no. A little more – mostly green. Will it be okay for you if we let the three-letter codes be registered? It will be a gTLD, but with support from the government or a nonobjection. Is that okay?

UNIDENTIFIED MALE: Yes. Okay.

ANNEBETH LANGE: Yes, that makes sense. Good. And what about full country names? Should they be protected? Okay.

NICK WENBAN-SMITH: So, it's three versus –

ICANN POLICY FORUM 59
JOHANNESBURG
26–29 June 2017

ANNEBETH LANGE: More or less, yes. Good. Let's see if some of these other questions we had make sense now, or we should just… Yes. I think we have got answered what we –yes.

UNIDENTIFIED MALE: [inaudible]

ANNEBETH LANGE: So, I just want to end this with thanking you for engaging. Now we know a little more and – [inaudible] yes.

UNIDENTIFIED MALE: Thank you. [inaudible] to put you back. Maybe just a quick one to check. My concern with this, I fully agree on people with the stance we are taking. It's very fair, it's very solid. But are we anticipating maybe a need to engage the proper bodies that do these country codes? The ISO themselves. And I'll tell you why: my country, South Africa is abbreviated as Afrikaans, and I still need to talk to my government, and I tell you they'll wake up and say, "No, no way."

So, there has to be an opportunity for countries as well to update their country code. For example, South Africa is there as .zaf. There's another abbreviation that's very common of South

ICANN 59
POLICY FORUM
JOHANNESBURG
26–29 June 2017

Africa, ZAR – Zuid-Afrikaansche Republiek – but then there's another one which is RSA, or Republic of South Africa. And as much as my government may not have realized that that list is outdated, they will need to have an opportunity to defend that. So, that's what I think we should also accommodate in the process before we hit the next round of new gTLDs.

ANNEBETH LANGE: I agree, but what has been happening now just to say what happen forward is that it will be one kind of working group or other. We don't know yet if it will be a special work track under the new gTLD process that concentrates on geographic terms, and then I just encourage you to engage in that. So, nothing will be decided here. This will be a long process. But it is a large interest for a lot of the gTLDs to do something we the geographical names, so we have to find a way that we can accept, and it will be not ruining our ccTLD, and at the same time not close everything down. So, how can we do that? And engage in the working group, whatever it will be. We hear that after this Johannesburg meeting, so just follow. Pierre?

PIERRE: Yes. Thank you very much, and thanks for the question. I know that when you ask question to room, a lot of people would like it to be rephrased another way, so I'm not going to enter this

game. Just explaining on the three-letter codes, if you have asked that it can be released by a formal acceptation of a government, I would have been green. But the nonobjection to me is not enough, because a lot of governments are not organized well enough to – maybe they will miss something, and if they have been contracted a cc, taking a decision to have another kind of cc registry in the country should be a positive decision and not a nonobjection because it is too important. That was just my point. Thank you.

PETER KOCH: Peter Koch, DENIC. I have two remarks or additional questions for both of the previous speakers. One is you offered the ISO3166-1 alpha-3 list as one of those. That appears to be a bit arbitrary. There are other lists that contain more popular abbreviations as was referred to by one of the previous speakers, being from the IOC, from FIFA or other interesting Geneva-based organizations.

Now, there's nothing special about the ISO3166 alpha-3 list in comparison to these others. So, that is kind of a gap in the list of questions you posed. That said, I'm not sure I understood the full extent of the question that you asked subsequently, which is the permission of the government. What I see appearing at the horizon is a second class of not-so-really ccTLDs operating under

ICANN gTLD policy with the blessing of the local government, and I'm not sure that is what we want, at least.

ANNEBETH LANGE: Just a comment to the ISO list. There are a lot of lists out there, I know. But ISO3166, that's where the two-letter codes come from. So, it's the two-letter codes and then we have the 3166, the three-letter codes. That's why that has been the list that has been used. But I know it's a lot of other lists, but if we start that road, that will be really difficult and complicated.

PETER KOCH: But all these three-letter code lists, including 3166-1 alpha-3 are equally non-two-character code lists. What I'm trying to say here is that there's nothing special about the ISO three-character list, and we shouldn't imply this.

NICK WENBAN-SMITH: Under the existing Guidebook, when it comes to the protection of country names, so for example the three-letter alpha-3 code for the USA is USA, but even if three letters was allowed, I think it would still be blocked under the restriction on country names, or the terms by which countries are commonly used are also blocked. So, there's a number of different rules and restrictions, and sometimes you might be allowed under one but not allowed

under others. Sometimes, you're not going to be allowed under several different rules. The [inaudible] three-letter code and as a country name for some things. So, it's possible that if you've got a three-letter acronym for a county name like RSA for South Africa, you would be able to say if someone was to apply for it, "Actually, we object because that is a common acronym for actual country name," so even if it's allowed as a three-letter name, it's not allowed as a country name. So, there are lots of multiple and overlapping restrictions and rules around geographic terms. It's actually a quite complicated area.

PETER KOCH: Yes, and thank you for adding the special case of a country with a very short name.

UNIDENTIFIED MALE: Any more questions? Maybe from the remote participants as well. Okay, from the room, we still have time for questions.

NIGEL HICKSON: One final comment. Maybe while you're encouraging the remote participants, one final comment. We started to get into the weeds of the discussion here, which is you see how easy it is to tease out different opinions that people even didn't know they had, or concerns they didn't know they had. We need to widen

this discussion and not just have it away in one little group. We should be all discussing this.

But I think there's one thing that's come out of this, and I think we need to – as a ccNSO – make much more definite. I think there are no circumstances under which we could possibly permit any two-letter TLDs that were not under the ccTLD regime of RFC 5091 interpretation and then any PDPs that we subsequently do, like we'll find out this afternoon about retirement and so on.

I think that because of the possibility for confusion, because clearly – how many new ISO3166 alpha-2 codes have been created in the last ten years? Well, I can tell you one – well, 11. GG. Brand new. AX. A bunch of stuff. We've got to actually put this down as a ccNSO saying, "That's a red line" going forward. And then we can put that off the table, because we can then discuss the other stuff until the cows come home.

ANNEBETH LANGE: I agree, Nigel, and actually, that is ccNSO policy, not GNSO policy.

YOUNG EUM LEE: Yes, thank you. This is Young Eum Lee from .kr. I would just like to add an additional condition besides the case of South Africa

ICANN 59
POLICY FORUM
JOHANNESBURG
26–29 June 2017

where the current three-letter codes might not be sufficient, in that South Korea and North Korea, there is very real possibility that there's going to be a unified country, a new country with a new name. We've seen that in other countries as well.

CHRIS DISSPAIN: Good morning, everybody. Chris Disspain, ICANN Board. I just walked into the room at obviously a perfect time for me to be able to say hi and let me say something. I wasn't listening – I've been here about five minutes so I don't know the background, but let me just make it very clear to you that as far as the Board is concerned, two letters at the top level are ccTLDs, and it's very clear that that's what the ccNSO policy is. It's also very clear that – perhaps I suspect to our distinct advantage – we do not control what the two-letter code is that is given out. Therefore, all two-letter combinations must by definition be held back, because we don't control it. So, we can't say, "Well, okay, we'll allow you to use this" and that we won't let it become a ccTLD. Because we can't do that. So, that seems to me to be a no-brainer.

I think the three-letter one is a bit more complicated. There's a session this afternoon, isn't there, on this? Yes. And I think that's a little bit more complicated for a number of reasons, not least of which because the first gTLDs were three letters. So, it's going

ICANN 59
POLICY FORUM
JOHANNESBURG
26–29 June 2017

to be quite challenging to work our way through. But I just wanted to say two letters, absolute no-brainer. Thanks.

UNIDENTIFIED FEMALE: I can see there is a remote question. There's a comment from Paul Szyndler. He's in the Adobe Connect room, and he says, "Please pass my personal thanks to Annebeth and my former co-Chairs Heather Forrest and Carlos Raul Gutierrez for their tireless work, and an even greater thanks to Bart.

Thank you. Any more questions from the room? Okay. I think we can have the last question, and then we'll go for the second presentation. We'll check if we have extra time, we can have more questions before we close.

ANDREAS MUSIELAK: Andreas from DENIC. I have a suggestion because three-letter codes are really difficult. So, probably to make it more catchy, we probably can make a list with examples for the ccNSO community for the next session we have. For example, like from USA, so that we understand a bit more about that. And [that's] for the African three-letter codes. That's my suggestion.

ANNEBETH LANGE: Thank you, Andreas. And actually, I really would like to encourage you to read the final report, because even if we haven't reached some really good results, it's a very good report with the background, the history, and we've got a lot of help from [Jaap] to do that. And if you don't know so much about this from before, this is the way to start. Read it.

ABIBU NTAHIGIYE: Okay, good. So, it means if we will read it after this presentation, it will be more clear and we can contribute more to the report. Now, let me invite Peter for the second presentation on new gTLD auction proceeds. Peter, you have the floor.

PETER VERGOTE: Thank you, Abibu. Good morning, everyone. Something interesting, something about money. Unfortunately, it's not our money. I'm just waiting for the slides to get up. Okay, thank you. Annebeth, do you have a clicker there that I can use? Yes, okay. Can you go over to the next slide, please?

UNIDENTIFIED MALE: [inaudible]

PETER VERGOTE: Oh, okay. Whatever. Go back one slide, if you can. Okay, here we go. That's the first slide.

Okay, auction proceeds. Well, you know that there was a new gTLD round. It started in 2012. There was an anticipation that there might be contention between strings, the fact that more than one applicant applied for the same string.

In the Applicant Guidebook, there was a kind of last resort mechanism to deal with the contention. Namely, if participants didn't agree among themselves, who eventually – supposing that the application run through all the approval cycles of the Applicant Guidebook, if participants didn't come to a resolution among themselves, there was going to be an auction, and the highest bidder was going to become the TLD operator of that string.

So, the result of the auctions that we have seen occur is that there is currently a fund of about $233 million U.S dollars sitting there on a separate ICANN account. Now, obviously, a pile of money of that magnitude gets interest by the community members. So, even since the ICANN meeting in Singapore, ICANN52, there was widespread interest to find out what ICANN was planning to do with that money.

Eventually, there were a lot of deliberations set up, and in early 2016, this led to the creation of a Cross-Community Working

Group, and the [exception] of a charter. That was during a meeting in Hyderabad. So, beginning of this year, the Cross-Community Working Group started its activities, and the ccNSO – after a long deliberation – agreed to become a chartered organization of this working group. Next slide, please.

So, what's the task of this working group? This working group is not going to decide what to do with the money. It's not going to organize funding rounds, nominate projects or organizations that could be entitled to get subsidized. The task of the working group is to find mechanisms that could be used – after endorsement of the SOs – to distribute funds that are coming from the auction proceeds.

So, we have to consider scope of the fund allocation. We also have to consider what is ICANN's fiscal and tax regime so that you do not find out a mechanism to distribute money and then ICANN finds itself in problems because it's doing something that it cannot do from a fiscal point of view. So, that's what's on the plate of the working group. Next slide, please.

What happened? Well, you have the brief history there. The creation of the working group after the initial discussions and the adoption of the charter, and the start of the activities. Next slide, please.

EN

So, where are we now, and what's the aim? Well, we have begun the activities in February. It was kind of a slow start-up because what is also important is that the participants in this working group, it needs to be clear that they're independent, that they're not member of an organization that subsequently once the mechanisms are identified is going to apply for funding, because this will create a conflict of interest. So, every participant had to file in a declaration of nonconflicted interest. We also got a letter from Steve Crocker expressing and stressing the importance of the absence of conflict of interests.

After that was cleared, the actual work started with going through the charter and clarifying it where necessary. In the charter, you have about 11 questions or bundles of questions that are the actual work of this working group and that needs to be responded to. That's the current work that has been undertaken. If I'm not mistaken, because there is a meeting of the working group, but unfortunately it's coinciding with our meetings here, I think it's scheduled for this afternoon. So, I guess that we currently are trying to provide a response to the last couple of questions.

At the same time, during the last meeting we have had a presentation by ICANN's CFO, Xavier Calvez, that puts into perspective the audit requirements and zooms in on the fiscal details. What's left is that we need as soon as possible, that we

need to complete stage two which is finding the responses to the questions and then move on to the next phases. Next slide, please.

So, while I think this is pretty obvious, we have a work plan. The goal is of course that the Cross-Community Working Group produces an initial report. Then there is of course a link back to the community to gather comments and insights, and then we want to move on to create a final report and put that for consideration to the Board, and then adoption by the chartering organizations. Next slide, please.

Okay, that's not that important. Next please.

Okay, so the working plan – and we have broken down the work in six phases. The first was – as I explained – the initial run through all the charter questions. Now we're in phase two, address the charter questions themselves and look what needs to be done before we can go to phase three, and that's compile the list of possible mechanisms.

This is going to be obviously one of the most crucial phases, and this is also going to be the moment where the working group will try to reach out as maximum as possible to organizations that are already in the field. So, this is also I think important for us as ccTLDs. If you have as a ccTLD – if you are working together in close relation with organizations for social causes, for projects

EN

that you fund, and you feel that their work can be exemplary and guiding for the work of or for the activity of this working group, please get in touch with them, and if they're interested, please provide them with my contact data so that we can [cue] this into the span of attention of our working group.

I have to speed up. Next phases are to determine which mechanisms show the most potential, answer any remaining charter questions for the identified mechanism, and then following consensus of mechanisms and responses to charter questions. Next slide, please.

Okay, this is again the workflow. Like explained before, first getting to initial reports, and then gathering community feedback leading towards a final report, and then consideration by ICANN Board and approval by chartering organizations. Next, please.

This is the place where you can find all relevant materials from the working group. We have a wiki workspace where you'll find the charter, where you can find also other material, like for instance the presentation from Xavier I was talking about, and the letter that we got from Steve Crocker concerning conflicts of interest. Next, please.

Oh, I thought there was a slide about the timing. So, importance. What is the timing? The timing is that we would like to have an

EN

initial report by the end of the year. So, to get it out for public comment.

Currently, we are on track. We're having a schedule of biweekly meetings, and it might be, if we feel that we are lagging behind, that we crank that up to one meeting per week. But that's currently not necessary as we feel that we are on track. So, that's the update from my behalf, and happy to take questions if there are any.

UNIDENTIFIED MALE: Thank you, Peter, for the report. And you spoke about the draft report. Is that in timeline for the final report?

PETER VERGOTE: Come again?

UNIDENTIFIED MALE: When is the final report expected? We know by the end of this year we expect draft report.

PETER VERGOTE: Obviously, that's tied with the feedback that we get from the community. If there is a lot to digest, then I would assume that it would take considerable time to get to a next level of the report. Is that then going to be the final, final report, or do we have that

ICANN 59 POLICY FORUM
JOHANNESBURG
26–29 June 2017

much points of attention that we need to do several iterations? It will depend on feedback from the community.

UNIDENTIFIED MALE: Okay. Questions from the floor, or comments? Including the remote participants, if any. Well, I can open question also for the first presentation, because we are having the final report. At least for the second presentation is work in progress, but for the first one, if there are any other comments or questions.

It looks like people are ready for coffee, but we still have five minutes. Any question from the remote participants, please? None.

PETER VERGOTE: [inaudible]

UNIDENTIFIED MALE: Please.

PETER VERGOTE: Since we have five minutes, I can add something. You know that originally, we had three ccNSO appointed members of the Auction Proceeds Working Group. It's Ching Chiao, Mathieu Weill and myself, but we know that Mathieu Weill is no longer CEO of AFNIC, so we had to replace them. There was a call to the ccNSO

members to look for new volunteers, and I have been told that there was no reaction whatsoever, which put us a bit in a weak position, because the GNSO started to ask themselves, is ccNSO still interested in being a chartered organization of this working group? Because as a chartered organization, we need to appoint three members. And we have the option to delegate a Vice Chair. Currently, That's Ching.

So, we discussed this yesterday during the ccNSO Council Prep meeting, and thank God, we have at least one volunteer that emerged, so we're going to have three ccNSO-appointed members. And Katrina yesterday during the joint meeting with the GNSO Council even mentioned two volunteers. So, that's good because I have been told that Ching whose term as a Councilor comes to an end will unfortunately also disappear as an active participant for this working group.

So, it's good that we have, again, two volunteers, but it shows that we are a bit in a weak spot. And I know this is money coming from gTLD area, not from ccTLD area, but we should not slip our attention here. It's still very unclear which mechanisms that are going to be chosen to distribute the money, but we should keep in the back of our minds that this money can be used, for instance, to raise awareness for TLDs, for domain names and the general. So also, we as ccTLDs could benefit to take part in this exercise. Thanks.

UNIDENTIFIED MALE: Thank you, Peter, for your comments. We have three minutes before we break for tea and coffee. From the first presentation, even if we have a final report, I think it is still a work in progress in the sense that once we have a new working group, we request the ccNSO members to engage fully so that we get what is desired.

From the questions asked about the temperature in the room, it looks like for the two-letter codes, it's an obvious thing. But for the three-letter codes and geographic names, it's still an issue. So, we need to go through the report thoroughly, and engage fully in whatever working group will be created. Before I close, maybe give the presenters of the first presentation, maybe if they have – in less than 30 seconds – a word about the report.

ANNEBETH LANGE: I just would like to encourage you to read it, and as has been said here, when it's a new working group established, the work is not over. Please engage, and I would be delighted to have some more ccs with me. I will continue, but I need more support from you. Thank you.

UNIDENTIFIED MALE: Thank you, Annebeth, for your willingness to continue in the new working group that could be created. Thank you all for participating in this session. It's time for a break, and after coffee, we have another session, public technical identifiers session, and we look forward to meeting you all in this room. Thank you.

[BREAK]

UNIDENTIFIED MALE: Ladies and gentlemen – does it work? No, it doesn't. Hello? Is it working? No, it's not working yet. Yes, thank you.

Ladies and gentlemen, could you be so kind to take your seats? We'll be starting momentarily. Demi, please take your seat or go outside. Thank you.

ABDALLA OMARI: Okay, thank you. My name is Abdalla Omari. I'm chairing the PTI Public Technical Identifiers session. First of all, on a light note, I would like to put a disclaimer. Yesterday during the cocktail, I thought I was popular. Two guys were taking pictures with me. Then I discovered they said I look like Jacob Zuma. I want to

confirm that I'm not related to the president. So, those who took pictures, you didn't take a picture of a relative of the president.

Now, on more serious business, this session will run for one and a half hours. We have the Customer Standing Committee, which will take about 30 minutes. Byron will present that. We have the Root Zone Evaluation Committee. Peter will take us through for five minutes. The upcoming Root Zone Domain Name System Security Extensions, it does 15 minutes. David will take us through. Update by PTI on IANA functions delivered to ccTLD community. They have three strong members: you have Elise, Lise and Kim.

So, without much ado, I give the chance to Byron to proceed.

BYRON HOLLAND: Thank you. I'm going to provide a bit of an update from the Customer Standing Committee or the CSC. We started our work last fall, immediately after the transition. So, we have some experience under our belt, but it's still most definitely a work in progress.

Just as a reminder, there are four members of the CSC: two appointed by this community, country code registry operators, and two appointed by the generic registry operators community. Jay Daly is my partner from the cc community, and Kal Feher

and Elaine Pruis are the generic registry operator members. And then we have nonvoting liaisons from most all the other communities: ALAC, GNSO, RSSAC, SSAC, PTI itself, and the GAC.

We have regular monthly calls where we review the fulsome and detailed report that PTI puts out as per the service level expectations that the community has with PTI. So, we review that report in detail, although as time has moved on and we're more comfortable with the report and the reporting and the process, we focus much more on any exceptions than the vast majority of metrics which fall within the designated ranges.

Since the last ccNSO meeting in Copenhagen, we've reviewed four more monthly reports. PTI continues to have a high level of service, anywhere between 97.6 and 99.5 compliance with the SLA. Just for your information, February was 97.6, March 99.5, April 98.6 and May 98.6. So, from our perspective as the CSC, one of the metrics falls outside the range. We take a look at it and either satisfy ourselves with the fact that it is an explainable and reasonable variation or not, and have a discussion about that and what is to be done, if anything.

To that end, in the areas where PTI missed some of the SLEs, there really weren't any problems that were resulting from this, and in some of the cases, in fact, it was CSE's impression that the SLE itself should be changed, given that as the SLEs were

created during the transition process, some of them were best guesstimates or estimates of what the metrics should be and as real life has unfolded, we think there's an opportunity to fine-tune some of those SLEs, but that's work to be done yet, but we are starting to organize ourselves sort of in that general direction.

So, there's the monthly regular work, which is really around reviewing the PTI reporting and metrics, but there's also some bigger pieces of work separate and distinct from the regular monthly reporting, one of which is concerning us right now or we are concerned with right now is the PTI customer survey, and that is something that I would like to draw this community's attention to in particular, and that's where the community has the opportunity on an annual basis to feed back our impressions and our experiences with PTI back to PTI in fairly detailed survey format. And this is where we can really speak to PTI and convey successes or not, opportunities for improvement.

So, we've been working with PTI to try to make sure the survey can best capture that kind of feedback and input and PTI is in fact reviewing the survey with the independent third-party service provider that does the survey for them.

We'll report on the outcome of the surveys. We also have discussed, however, quite frankly, the extremely poor

participation by this community in providing any survey feedback. And I would just say I would strongly ask everybody here PTI is clearly one of our most important service providers in our daily business. It would be important for all of us, or as many as possible, to provide feedback and input to PTI.

I mean, if there's anything that we think can be done better, this is our regular opportunity to provide that input and feedback, so when you get that survey, please fill it out.

The next piece major work item for us are the remedial action procedures and the… as I think we know the naming functions contract contains provisions that allow the CSC to invoke a set of remedial action procedures where the CSC has found a problem to be persistent or systemic. And that is a key component of where CSC or how CSC could trigger the remedial action procedures and I think it's important to note that because CSC does not deal with individual complaints per se. We would get involved if we see a persistent or systemic problem or set of problems.

The remedial action procedure is to some degree outlined in the work product of the transition, but we are in the process of fine-tuning it and actually making it an operational procedure or process. So, really, that's the next big piece of work that is on the dance card for the CSC in the coming months and we should be

able to bring forward what we believe is a more detailed remedial action procedure as we get to Abu Dhabi. We have a small working group who's working on this right now and it's expected that they will provide their output by Abu Dhabi.

Finally, I'm just going to remind everybody that there is a review of the charter. I mean, it does seem like we only just got started and to some degree, we did, but there is a charter review with both the GNSO and the ccNSO are currently striking a working group to undertake this review. I'm going to pass this to Bart for a little more detail on that. But just before I do that, I also want to recognize somebody who's been critical not only to the transition process but certainly to the work of the CSC and PTI, and that is Elise, who will be leaving the PTI in October, I believe, and I just wanted to make note of that and to offer my thanks and on behalf of the CSC, our thanks to Elise, who's helped us build this whole new process, so thank you very much, Elise.

And with that, I'll pass it over to Bart for a little more detail on the CSC charter review.

BART BOSWINKEL: Just briefly, the ccNSO Council together with the Registry Stakeholder Group is tasked to define the terms of reference of the charter review. They've set up a small group. Abdalla is part of it from the ccNSO as well as Martin Boyle, Donna Austin, and

Keith Drazek from the side of the Registry Stakeholder Group. They're working on the terms of reference and draft is not yet ready.

The intention is to make it a very lightweight review, starting at around October 2017, one year into existence of the CSC itself, and the charter is effectively included in the current charter or the charter review is one of the obligations in the current charter and as adopted by the CWG stewardship, because nobody was really waiting for it, but yeah, it's a good thing that it's happening. Checking whether the charter provides enough bases for the CSC to function and to fulfill its role.

So, more news to come around October. There will be, if you look at the methodology developed by this small group, it is they will have definitely conversations with the CSC itself. There will be a public hearing at ICANN60 and they will probably want to meet with you, as well, as, and with the Registry Stakeholder Group. If any adjustments come out of it, so the charter needs to update the updated, that will go through a public comment period and then finally, it needs to be adopted by the ccNSO and GNSO, so yeah, that's the overview. Back to you, Byron, or back to Abdalla.

BYRON HOLLAND: Let me just open up to the room if there are any questions for me or on behalf of the CSC. No. Seeing none, then – oh, Paulos.

PAULOS NYIRENDA: Paulos Nyirenda from .mw Malawi. Yesterday, there was a report on some of the performance of ccTLD on DNS, and we had that at least five ccTLDs are permanently down from a monitoring point of view. Maybe you could comment on it or it's something that PTI can work on.

BYRON HOLLAND: I have to admit I'm not familiar with that particular report, Paulos, so I can't really speak to it, sorry. But I will say that it's my very brief understanding of what you're referring to is probably not the remit of the CSC unless PTI has a comment on what exactly it is.

ELISE GERICH: I believe you're commenting on a report of the health on the Internet that's been done by the Office of the CTO at ICANN, and this is a report that is informational and is going to show trends across the different ccTLDs. Is that the report you're referring to. Okay, Eberhard, do you want to speak to this?

BERNHARD LISSE: It was a Tech Day and Francisco Arias presented the API monitoring thing, and he mentioned that there's 250 TLDs that have issues, a certain number of ccTLDs. The IDNs are more affected. It's not major issue. The IDNs are affected than the normal TLDs and he said five have got permanent issues.

I would think it could be something like North Korea, which I know is never reachable than [inaudible]. Syria can have a problem, things like this. But it's probably none of the ccTLDs that are in daily contact. I would like to know who the other three are because that we can maybe try and help them.

ELISE GERICH: I'm going to ask Kim Davies to reply to that on behalf of PTI.

KIM DAVIES: Thanks, Elise. I think I'd also like to find out who the five are. I'm curious as to whether they're like totally lame or if it is just that some of the names servers are not functioning. I will say generally, we try and formally to help the situations, as well. We have no mandate to step in and do anything explicitly, but wherever we can to try and restore function or coach TLD operators that are having problems. We try to do so.

UNIDENTIFIED MALE: Any other question for the CSC? From the remote participants? None? I think you have really economically used your time and take in consideration we came in late, I thank you for doing the presentation in such a short time.

Now, I will call in Peter to do his presentation on root zone evaluation. Thank you.

PETER VERGOTE: Yeah. Thank you, Mr. Chairman. So, I'm going to give you a short update of the RZERC work, starting from Copenhagen. Next slide, please. Yeah, thank you.

So, just to remind you, you find anything about RZERC including our working documents and minutes and everything at this URL based on the ICANN website. And I probably should say how many of you have heard of RZERC before? Okay. So, for the rest and for the others for refreshment or refreshing, say one or two sentences. RZERC is an output of the IANA stewardship process and it was installed to fill a small gap that the NTIA left when leaving. One of the smallest, probably, which is approving of the, well, that was the role of the NTIA, not necessarily the role of RZERC, approving of architectural changes to the root zone system.

Now, what would that be? We don't really know for the future but speaking from the past and experience from the past, introduction of DNSSEC might have been such a topic. So, if we introduced DNSSEC for a second time, that will be up to RZERC. There have also been discussions that the introduction of the KSK rollover might have been a topic for RZERC, but this is also moot because the initiation of that project predates IANA transition and also predates the start of RZERC.

So, think in terms of occurrences and frequency this size of issues is something that RZERC may be presented with, may be asked to advise on. Okay, next slide, please.

And so there are nine members in the committee appointed by various AS Advisory Committees and Supporting Organizations as well as the root zone maintainer, which is Verisign and PTI. All of these are full member so forth the committee, so in contrast to the CSC, there is no distinction between members and liaisons, and the committee is tasked by the charter to make decisions based on consensus – and I'll come to that in a minute. Again, nine members, I'm the appointee by the ccNSO, and all the others have appointed a member by now. Next slide, please.

So, this is where we are. I hope that's kind of readable but since most of this is a repetition from Copenhagen anyway, the slides serve as reference material in the archives and it can go from

EN

there. Otherwise, always talk to me in the hallway or somewhere else if you want even more details than I'm providing here.

So, the first and most important information is that none of the issues that RZERC is tasked with has been brought forward, so there's no pending architectural change that RZERC is supposed to consider. Instead RZERC is still in kind of bootstrapping phase. Each working on the procedures document and I'll outline that in a second. We have currently have monthly teleconferences and we're not going to meet face to face in Johannesburg because as a policy meeting, we might have a meeting in Abu Dhabi but that hasn't been decided yet. Next slide, please.

Okay, so the major topic on the agenda, on our agenda is the procedures document and view, as I said, all the archives, all the mailing list and transcripts of meetings and minutes of meetings are open. You can read the mailing list in the archives. You can subscribe to the lists. That was kind of a clerical issue but the mails are submitted to the archive and you can see it almost in real time.

So, we're currently thinking about defining three types of meetings. It's the regular meeting, which is the usual teleconference and stuff we have and maybe face-to-face meetings, if that happens in the future. There will be several

public meetings that is something that we might consider for Abu Dhabi, which is explicitly faced to invite the public to watch RZERC doing what we do, which is just procedural at the moment. And just as a precaution, our suggestion is to define so-called executive meetings, which may or may not be recorded and they serve the purpose to discuss sensitive matters when it comes to architectural changes that would be security [inaudible] or have other requirements for confidentiality. We don't expect that to be the norm, though.

Decision making. The charter says that the community works by consensus but you all know that there are several flavors of consensus and you can have lots of discussions about this and then decide what consensus is, and then you can go to the meta level and decide what consensus to apply to find out what consensus is.

It's not that bad. The current draft says there should be two levels of consensus and that's copied from other groups, so both full consensus, which is more or less unanimous, and rough consensus, roughly in the sense of the IETF, which means that all issues have been reasonably addressed but some might still disagree, and for that case, there's always the opportunity to have minority statement. But this is all still work in progress and I appreciate any input from this community how things should progress.

Most importantly, of course, how would we as the committee like issues to be brought forward to us, so the suggestion is yeah, somebody should approach a member of RZERC and make a description of what the architecture change would look like and what the timeframe is and so on and so forth, and then some timelines about how quickly the committee would call this or call a meeting to order and discuss this.

Again, we are talking about architectural changes. Nobody expects that there's any rush, but then that some things happen unexpectedly and we want to be prepared for that, as well.

Statement of Interest, again, that comes out of the charter. The charter says that the members of the committee have to submit a Statement of Interest to as a precaution for conflict of interest and this is lined out. There's kind of the various versions of this floating around based on what other committees do. It's work in progress, so I'm going to skip over this. You can really read this in the archives.

And finally, the item that is under discussion right now is how would the statements or the advice given by RZERC relate to the advice given by other Advisory Committees, Supporting Organizations, or the other members on RZERC. The RZERC is a committee that was set up by the ICANN Board. However, RZERC is not a Bylaws committee, but the definition of a charter tasks

RZERC with the specific role of giving advice for those architectural changes to the root system, especially the provisioning and the root zone maintenance. If you have any questions to this, I'm happy to respond.

[PETER VAROS]: Good morning. My name is [Peter Varos] from [CENTR]. Thank you, Peter. I have one question and I think it relates both to your second bullet and your last one. Is there any hierarchy and the advice and opinions that you get in that group? And the same question is probably related to the statements. Has there been any thinking on it or RSSAC or SSAC advice into the work as a group trumps additional advice? The level of consensus and rough consensus does seem to match with that. Is that a fair statement?

PETER VERGOTE: Yeah. Thanks for the question. I think actually two questions. Could you elaborate on the consensus versus rough consensus? You said that is not fair –

[PETER VAROS]: Well, if there is rough consensus, so that could mean that all issues have been discussed but there is a dissenting opinion from some members. If that dissenting opinion would be on the

stability of the root zone, then might be a very important dissenting opinion. Is there a hierarchy in the type of advice that the group gets? Is there clarity on that? Just in case that there is an issue, that you don't end up in a conflict on that's considered procedures first.

PETER VERGOTE: Okay, yeah. Thank you. So, let me respond to that in two ways. First on an issue of how consensus is achieved or what do we mean by consensus. As I said, anonymity is that what it is strive to achieve. That's the goal of the committee. Also, keep in mind that the committee is supposed to gather input from the community, weigh that, and judge on that, and then make an assessment, and then make a statement and give advice based on this. So, it's not that nine people in a room with expecting white smoke and then there comes a solution. The community input is hard-coded in the charter. That's one thing.

On the decision making, yes, focusing on anonymity in the case that cannot be achieved for one reason or another, there's a strong encouragement that we apply the rough consensus principle, which means that there is no voting. That is not that some member or some topic can just be overruled. The issues raised need to be addressed and that needs to be documented and then there is still the opportunity to submit a minority

statement and the recipients of the advice, usually the ICANN Board, would be able to take that into account, so then I guess it's to the first question. Does that answer the question? Okay, thanks.

For the second, speaking of hierarchy, I think that's an interesting approach, an important approach. Other than CSC, all of these members are all of the groups and entities appointing persons to RZERC are on equal footing, so there is no hierarchy there. However, we know that some of the Advisory Committees have their own channels by their own charter into the ICANN Board and it's an open question and currently under discussion what that means. So, if for example, not pointing on anyone in particular but a very prominent committee is the Security and Stability Advisory Committee. What will that mean if SSAC gives an advice to the ICANN Board and RZERC then based on the consensus principle with an SSAC member or SSAC representative in RZERC would give a slightly different advice and is there guidance on how the ICANN Board has to deal with this?

My personal opinion is that we can discuss this and that our questions that should be leveled up should be addressed and identifies in the first place, but not necessarily can this be solved in internal procedure document of one of the committees.

There is a charter review, I think, scheduled for the fifth year, but it could also be initiated earlier if need be, and if that turns out to be an issue of relevance, then the relation of advice should be clarified at a higher level. The current understanding is that the other committees would not be bound by the RZERC consensus but what that means in practical terms is still to be determined. Input from the community to this schism in a way would be more much welcomed. Thank you.

UNIDENTIFIED MALE: Any other questions for Peter? From the remote participants? None? Thank you, Peter. I now hand over the session, the upcoming root zone domain system security presentation to David. I think he walked in. Here he is. Thank you.

DAVID CONRAD: Good morning, everyone. I'm David Conrad, ICANN's CTO. Waiting for some slides to come up, I hope. Actually, while we're waiting for the slides, how many people here run a resolver in their network infrastructure? Raise your hand. And of those people, how many have turned on DNSSEC validation in your resolver? Okay, cool.

So, I'm talking about the KSK rollover. You might have heard of it. We've been trying to talk about it quite a bit. This is where

we're actually changing the topmost key of the DNSSEC sign root. Next slide, please.

So, part of the DNSSEC is where we have created a public/private key pair. The private key is stored within a key management facility. There are two of those, one on the East Coast of the U.S., the other on the West Coast of the U.S. The public key is configured into the resolvers, DNSSEC validating resolvers across the world, and we are going to be changing the key, both parts, of course, which requires a change of configuration on all those resolvers.

To give you an idea of the scale of this undertaking, we estimate there are probably on the order of 100 million resolvers on the Internet today, of which we estimate somewhere around 20% to 25% have enabled DNSSEC validation, so we're looking about somewhere around 20 million resolvers that need to be updated. Next slide, please.

So, why are you actually updating it? Well, we've used the analogy that you can think of the KSK as a sort of like a password and with at least used to be guidelines from various agencies suggest that you should periodically change your password in case it gets lost or corrupted. More realistically, part of the reason that we're doing this KSK roll is to ensure that we have the ability to do the KSK roll should we ever need to.

Right now, there is no belief that the key has been compromised in any way, but we want to make sure that we exercise the infrastructure necessary to change the key should it ever be necessary to change the key. When we signed the root in 2010, we told the community that we would update the key after five years. It has been after five years, so we're doing that, but actually changing the key is something that needs to be carefully coordinated. We have to talk to a lot of people, we have to touch a lot of things, at least indirectly. So, the actual process itself is taking a bit over two years to fully roll the key. Next slide.

So, we've been doing this for a while. Back on the 19th of September, we actually inserted the key into the root zone and that caused an increase in the size of responses. It was possible that that could cause some resolvers to be unable to do any lookups because the packet size was too big and would run afoul of firewall rules or something like that.

We did not actually hear of any reports of any challenges relating to the increase of size of the key. The next event, and this is actually the most significant event, is on 11 October of this year, and that's when we actually used the new KSK for signing. So, right now, the KSK has been inserted into the root but it has not been used for signing on 11th of October. It will actually use to sign zones for the first time and if you have not updated the trust anchor on that date, you will all of a sudden be unable to

ICANN
POLICY FORUM 59
JOHANNESBURG
26–29 June 2017

resolve anything in the root because everything in the root is actually signed.

There are some subsequent dates on 11 January. We actually set a bit in the old key to say it is revoked and no longer usable. On 22 March, we actually pulled the old key out of the root zone and on in August of 2018, we actually delete the old key from the hardware security modules at the key management facilities, and that is when we would declare the key roll complete. Next slide, please.

So, who needs to care about this? Well, DNS software developers and distributors, the folks who actually put the key into the software distributions. System integrators, folks who have taken software distributions and put them into platforms. Network operators, anyone who actually runs a DNS resolver, ideally, a validating resolver, but if not validating, you probably still have the configuration bits that it would be useful to update.

The root server operators will be impacted a bit because they'll be getting queries for the root DS key and there have been scenarios, at least in the past, where broken software, if it couldn't use the key to validate, would get really insistent about querying DS records. It was actually termed roll over and die. Hopefully, that won't occur moving forward.

EN

ISPs are likely to be the folks who are going to receive the calls, if all of a sudden nothing is resolved, so they'll probably be impacted. And end users, if the network resolver operators do not update the key, the end users will be impacted because they'll no longer be able to look up things on the Internet. Next slide, please.

So, what do you need to do to prepare? Well, if you have enabled DNSSEC validation, you must make sure that your system has the new KSK to allow your users, who actually using that resolver, to look up things on the Internet. So, as mentioned, if the resolvers do not have the new key, the day we turn on the new key, which again, this is probably getting boring, but it is 11th of October, all of a sudden, validations will start failing. Next slide.

So, what do resolver operators need to do? Well, be nice to make sure you have DNSSEC enabled in your servers. Be aware of how trust is evaluated within your operations. Test and verify your setups. Historically, if you ran a resolver, you basically turned it on and pretty much forgot about it that point forward.

In many installations, they actually would install resolver on a read-only file system. Prior to deploying DNSSEC, that actually was perfectly fine. But with DNSSEC, because it needs to be able to update the key, you'll need to have the ability, if you're using

the automated key roll technology that's implemented RFC 5011 is implemented within your resolver, it'll need to be able to write to disk. So, if you have a read-only file system, that would obviously be bad. What would happen is your resolver would get the new key through RFC 5011 semantics, keep it in memory, but the next time you rebooted your computer, the resolver or restarted the resolver, it would try to use the old key because it was unable to write the new key because the disk was read-only.

Inspect any configuration files. You don't have to use RFC 5011 in resolvers that support it and, in fact, a number of folks don't because they don't like the idea of someone remotely being able to mess around with configuration files, but it's always a good thing to, every now and then, check to make sure the configuration files are up to date.

If DNSSEC validation is enabled or planned in the system, have a plan for participating in the rollover. Know the dates and know the symptoms if something goes wrong and be prepared to implement solutions. Next slide, please.

How to update your system. Well, if your software supports 5011 and you've turned that on, then basically you don't need to do anything, although it is probably prudent to test to make sure that the update occurs. However, if you have not enabled 5011, then you'll have to manually insert the new trust anchor. The

new trust anchor is available on data.iana.org/root anchors, so if you have a manual configuration, do make sure you pull down the latest trust anchor. Next slide.

I mentioned testing. So, ICANN has actually set up a testbed for resolver operators that have enabled validation to verify that their system can update the trust anchor. It's at that URL, go.icann.org/ksktest, and it basically allows you to sign up for an automated test. It gets a new trust anchor every week and it rolls through that trust anchor so you'll be able to tell if your validator is able to handle the key roll in real time.

So, what happens if something goes wrong? Well, obviously, stop any ticketing system that's getting flooded because people are complaining about DNSSEC validation. So, you want to turn off DNSSEC for the time being. Do remember to turn it back on. It may not be the trust anchor that's failing. There may be some other reason, so you're going to need to debug the problem, and then test to make sure everything works again and then re-enable DNSSEC. Next slide.

So, what are we asking of folks? Well, please, if you do run a validating resolver, do try to test it out using the testbed. When you go to that website, it will provide you with instructions on how to test. And also, and more importantly, is within your communities and one of the reasons I'm speaking to the ccNSO

is you do have a very vibrant community, is just spread the word that this is going to be happening. The last thing we want to do is roll the key and find out that a good portion of the folks who are actually doing the right thing in terms of validating DNSSEC, have gotten bitten because they didn't know that we were rolling the key.

We have been executing a very elaborate communications plan, talking all over the place about the pending key roll, but we can't be able, we're not able to contact everybody as much as we would like. You may know that we, I guess, two weeks ago now, we actually sent letters, Goran Marby sent a letter to all of the regulators in all of the countries to ask them to check with their network operators within their countries to see whether they have turned on validation in DNSSEC, and if so, whether they were prepared for the key roll, that we noticed when we, after we sent that letter, we did get a spike in the number of folks who signed up to the test bed, so this is an ongoing effort and will continue to be ongoing until after the October 11th date, so we would actually ask you, plead with you to do contact the network operators that you're familiar with and just tell them if you have DNSSEC enabled, please check to see that it won't fail during the KSK roll. Next slide, please. Sorry, next slide.

For more information, there is a hashtag #keyroll. There's a mailing list that you can sign up to. It's relatively low-volume. We

did actually very recently get a notification from someone that the Infoblox product does not support automated key roll. So, if you are using an Infloblox box for your DNS service and you have enabled DNSSEC validation, you'll have to manually update the trust anchor. If you have any questions, our global support desk is able to answer those questions or at least refer the questions off to someone who can answer them, and we have a bunch of events that are scheduled where we basically give the same presentation over and over and over again, but do encourage you to participate in your region just to help spread the word. Next slide.

Thank you very much. If there are any questions, I'll be happy to answer them.

UNIDENTIFIED MALE: Any questions for David? Oh, yeah. Robert.

ROBERT MARTIN: Hi. This is Robert Martin from PCH. When you do the change of keys on the something of October, is it all root servers at the same time or is it like maybe three of them would respond with the old key and verify it for a few weeks so you could catch things that look weird?

DAVID CONRAD: So, we discussed that, the actually key rollover plan itself was community-developed and that was one of the topics that was discussed, but the belief was that that would actually be more dangerous than not rolling all of the root servers at the same time.

We aren't able to do the same thing we did when we signed the key, signed the root initially because the, when we were signing the root initially, there weren't validators already in operation and the problem that would occur if we did sort of the staggered deployment, like we did with the root zone, is that some validators would get conflicting information in the way DNSSEC deals with that is it calls it [bogus] immediately and you get [inaudible] fails.

So, something we looked at but the community decided that it wasn't worth the risk and as a result, all the root servers are going to get the zone when we do it. Any other questions? Yes, Peter.

PETER VERGOTE: Yeah. Hi there. Thanks for raising the awareness once again. I have a question that might be go beyond what you're actually aiming at here. Like what's going to happen after March 2018, like what could be the next steps? Would we have to expect regular rollover? Could you imagine something that is even more

complicated than a simple KSK rollover? And how is that going to happen and when will it be decided?

DAVID CONRAD: Right. So, part of this, as I mentioned earlier, part of this exercise is to make sure the infrastructure is able to support the rollover. Unfortunately, that's not something that you can only do once. You need to continue to make sure the infrastructure hasn't ossified and broken in between key rolls. So, we will be, undoubtedly, rolling the key again. When we roll the key subsequently has not yet been determined, that would be a community decision and so far, nobody's really weighed in on the frequency of rolling the key.

In addition, we are probably going to want to roll the algorithm because currently, the RSA algorithm is results in pretty large signatures. There's much better technology out there. The elliptic curve, 25519 algorithm is much better in a bunch of different ways, so at some point, we want to also roll the algorithm. We decided not to do that this time because we want to sort of minimize the variables in this first attempt at rolling the key. So, after we complete this key roll, we'll probably engage the community to find out how frequently do we want to roll the key in the future and when we want to actually do the algorithm roll.

UNIDENTIFIED MALE: Any other question for David from the remote participants? No? That was very important information, the KSK rollover. Those ones who are here when David was about to present, you notice also the systems disappeared temporarily to give him a standing ovation.

Okay. Now, we move over to update by PTI on the IANA function. Yeah, oh, Doctor, sorry.

BERNHARD LISSE: I just wanted to mention that Jaap Akkerhuis taught me that [inaudible] also the DNSSEC meeting and L-Lab has developed a [portrait] canary or something, can speak to Jaap where they make measurements on the key rollover's impact, so you might want to talk to him about this, whoever is interested.

DAVID CONRAD: Right. That's the Root Canary Project. It's actually some really interesting developments and we're looking forward to using that project to see the implications.

UNIDENTIFIED MALE: Thank you, Dr. Lisse, for that information. Now, an update by PTI on the IANA function delivered to ccTLD community. They have three strong team to do the presentation. Welcome.

ELISE GERICH: Hi. I'm Elise Gerich from PTI and thank you for your round of applause in the beginning. I hope you weren't applauding that I'm leaving. I'm hoping it was applauding because I'm still here. Okay. May I have the next slide, please?

Today, I'm going to just talk about three things. The agenda, the annual customer satisfaction survey. This was mentioned earlier by Byron. Root zone management system enhancements that are planned an update on where we are with that, and then planning for the FY '19 PTI budget, which will start in June 2018. And that part will be interactive, I hope. I hope I'll get some good comments from the audience. Next slide, please.

Okay, so as Byron mentioned, there's an annual customer satisfaction survey coming up, and this is an area where you all can make direct input into the service that we offer. I should mention that the survey goes out to any TLD that has sent a request to the IANA functions operator to make a change either update to a contact or to change a phone number or add a name server or whatever. If you haven't made a request, you don't get

EN

the survey, and that's one of the things we talked about and it may be a change in the future but not for this year.

So, also, the CSC was nice enough to say that they were going to help us engage the TLD community to try and get more participation and survey from those who receive it. Just so you know, last year, when we sent out the survey, we had zero response from the ccTLD, community, so we were a little disappointed but we thought maybe that meant good news that you liked us so much that you didn't feel you had to respond. But hopefully, they'll be more responses so we have input from you all this year.

A couple of things that we're looking at changing after discussion with the CSC and thanks to Alan and the audience who worked with us on this, one thing is we hadn't done as much segmentation as might be necessary. For instance, a ccTLD operator might also operate or be the back service provider for gTLD, but they only got the questions for, say, a ccTLD or a gTLD, and they could only answer in response as one of those entities. So, we're thinking of working with the vendor. We use a third-party vendor for the survey to see if there's a way to offer the selection that you can say I'm both a ccTLD, a gTLD, and I also maybe I'm an RIR, a Regional Internet Registry. I have multiple hats.

EN

The other thing that we're going to do is in the past, what we received from the vendor is the raw data and then we analyze that we generate a report, which we publish. This year, we're going to ask the vendor to also analyze the data for us, provide the raw data to, but they're a little more expert in the evaluation of survey results and so we're hoping that that will help us to understand the data better even then when we do it ourselves.

And the final thing that's changing is we had proposed that our normal timeline is to send out the survey in August/September timeframe, and then we would be looking at the results in the early fall. And the CSC's recommendation was that we not end the survey so early, that we let it run through past the next ICANN meeting so that we could also promote the survey more at the ICANN meeting and then close the survey after that. So, those are some changes we're looking into with the vendor and we consulted with the CSC on all of these topics at the last CSC meeting. Next slide, please.

For those of you in the audience who might be considering getting a survey because you've sent us a request, this is the timeline. Basically, as I said, the survey would come out in the early fall, it would be open until after the ICANN meeting in November, and the results would be published in March of the next year. Next slide, please.

Okay, I have one slide about development on the root zone management system, and Kim to my right is the person who's led this as you all probably know. So, if there are any questions about this, I would definitely defer to Kim. But there are two types of root zone file updates that are not automated through the root zone management system right now. That's a deletion or a revocation of a TLD, and also root server change requests. This is work that's been undergoing, and we've had a project that we've collaborated with the root zone maintainer. The root zone maintainer is VeriSign. The code's been completed, we're having some interoperability testing right now and we expect to have the releases by the end of Q3 2017.

In that same release, we'll be updating g the framework of interpretation recommendations on terminology. I know you all have been anxious for this to happen, so instead of using re-delegation it'll be transfer, things like that, all of that terminology will be updated also. So, that's where we are with the root zone system updates at this point in time, and if you have questions at the end, we'll be happy to entertain them.

Next slide, please. I keep pushing my on/off button thinking I'm moving the slides, and it doesn't work. I don't get it.

Okay. This part, we're beginning to plan for the FY19 PTI budget, and what I've put up here are the requirements that we're

following from the PTI Bylaws that are the result obviously of the post-transition. One thing is the PTI budget must be completed nine months in advance of the commencement of the fiscal year, and also in that production of the budget when we develop the budget, PTI needs to have consulted in some fashion with the Supporting Organizations and the Advisory Committees. This consultation needs to take place before there is the public comment, so it has to happen before we've even drafted the budget.

The way we've approached this is we're doing informal consultations with each of the groups. I met with the GNSO yesterday and had an informal consultation with them. We've had informal consultations with the IETF and the IAB, with the RIRs – the regional Internet registries – and now it's the ccNSO's turn. Next slide, please.

This is the timeline for the budget planning. We are right now in the first step of that kind of [aqua] bubble that says June 2017, and that's the informal consultation. You can read the timeline, it's pretty straightforward. And this gets us to the point where the PTI Board will have enough time to review the draft budget and adopt it, at which point it gets submitted to ICANN and then the fiscal year begins. Next slide, please.

This is the ask for you all today in the room. We'd like to brainstorm with you about things that you might think that would enhance the service that we're offering to you, that we might need to include a budget request for in the FY19 budget.

So, some ideas that we have that we've already thought about internally to our team is continuing to fund the rearchitecture of the root zone management system to be more modular. As many of you probably know, it was designed I think in 2010 and before, and that's very monolithic and it's a little hard to make changes to.

So, we've had a multi-year project and this would be kind of the final year in that rearchitecture. Also, we've had request to have better APIs to the community for the root zone management system, so we're looking at new customer-facing interfaces.

Finally, the IANA website has looked the same for a long time, and we've been thinking of refreshing its look and feel to make it a little more modern.

Now, this is the interactive part. My question to you all – and please do come to the mic – are, do you have any ideas or suggestions of things that you think we might consider when we put together all the input we've received from the various communities for our budget? Please come to the mic. Not budget-related question?

STEPHEN DEERHAKE: Hi there, Elise. Thank you for this. Stephen Deerhake, .as, American Samoa. Did I understand you correctly that the budget will be adopted by ICANN in December 17?

ELISE GERICH: No, it'll be adopted by PTI's Board.

STEPHEN DEERHAKE: Okay.

ELISE GERICH: Could you go back to the timeline slide, please? Okay, I think it's –

STEPHEN DEERHAKE: Bingo, PTI. Excellent. Okay, thank you for that.

ELISE GERICH: Yes, that's the plan, is that they would have received the budget, and the PTI Board would have adopted it, and the process is once the PTI Board adopts it, it's then submitted to the ICANN Board because it's part of the ICANN overall budget.

EN

STEPHEN DEERHAKE: For the overall budget, right. Okay. The [ECA] wheels are spinning here. You can go back to your last slide. With regards to your suggestions here with regards to the root zone management system, it would be lovely to be able to have more than one change in the [hopper] at the same time. Last time I was down that path, I discovered I couldn't have more than one, and I don't know if that's still the case.

We regards to the website, it's fine. I don't see the need to keep updating and spending resources on "refreshing" websites. If they work, they work.

ELISE GERICH: Thank you. I have pen and pencil, and I've recorded that it would be nice to have more than one change in process at the same time in the root zone change request system, and that you like the website fine and not to bother spending resources on that. Anybody else?

If you want to mull this over a bit and perhaps come back to us later, you can always send your suggestions to iana@iana.org, or to kim.davies@iana.org, or to elise.gerich@iana.org.

Anybody else? Give you some breathing room. Well, then are there any other questions on the information I presented, or anything else that you want to ask us?

EBERHARD LISSE:	I assume that even though Stephen likes the website, we can change the word "sponsoring organization" in terms of the FY recommendation when it happens. Secondly, I had – if you may know – a little issue the other day when I changed my e-mail address, and your staff made it conditional on providing input into who is behind the role account. When I questioned this on what published and developed policy this was, I did not receive a proper answer. In the end, it went through because everybody knows who is behind the role account. But it cannot be that decisions – especially uncontroversial decisions – are made dependent on wishes of IANA staff or PTI staff that are not published policy.

I must say after this was sorted out, I had to send a second change in for e-mail change, it took six to eight hours which is actually 16 hours faster than I need it to be done. But I want an answer about this making things conditional. In the past, it happened that root server changes were made conditional on signing contracts or on doing zone transfers well in the past, and I am personally a little bit concerned that we should stop these things right here in the beginning that these things don't happen again, these things don't grow to things where we have problems.

One more thing: I've heard that this happened before. I'm not the first one who was asked to provide this information.

ELISE GERICH: I'll go first to thank you that you said something happened faster than it needed to. We're always happy to be faster. But then go to your second point, asking for a contact name behind a role account has actually always been what has been asked, and it's sort of common sense. You need to know the contact. But what you've asked me is, where is it written and what the policy is. So, what I did is I looked into the Framework of Interpretation Working Group, and there are two sections: section 7 and section 4.5. In both of those sections, one of them talks about – and I'll read it because I wrote it down because I anticipated your question – "The IANA operator must be able to validate the administrative contact resides in the country or territory associated with the ccTLD. In order to be able to validate that, we need a name. It's not a role account. And yes, every policy doesn't have every implementation detail, but I believe it's common sense that if we're told that we need to validate it, then we need to have a name."

Do you want me to read the second one before you comment, or do you want to comment to this?

EBERHARD LISSE: I was part of the working group. The role account that has been there for almost 20 years clearly states the name of the company, the name of the address and a cell phone number. It just doesn't specify a human name. It has been the same for almost 20 years. This is not the intention of the FoI. I do not mind asking for it. I do mind making it an unrelated decision dependent on this. I don't mind asking for it and getting it. That's policy. But saying you cannot get this change done unless you give us this, that's not policy and that I want to stop.

ELISE GERICH: I guess I don't understand the connection. If it is policy and we ask for it, then yes, we should wait until we receive it before we take action.

EBERHARD LISSE: Sorry. This has been the same thing for 20 years and you have never asked. You cannot make a decision of a registered domain name contact changing of an e-mail address dependent on providing other information, which is debatable. This is not developed policy. And if you don't agree with it, it's fine, then I will just go to the next step, Ombudsman complaints and so on.

ELISE GERICH: Well, I guess you and I don't agree, and you do have other options. Thank you.

UNIDENTIFED MALE: I'm just a little curious. Policy seems to be the province of the ccNSO. Could you tell me what policy you are implementing here? Can you refer me to the paragraph number?

ELISE GERICH: I don't have the paragraph number, but I did do the research and looking into the FoI, which then referred back to RFC 1591 and its interpretation of 1591 which is the policy we've been following, indicates in two cases, section 7 and section 4.5 that we need to have information related to the administrative and technical contact. And we've done an implementation of RFC 1591 for many years, and the framework of interpretation seems to support that implementation.

UNIDENTIFED MALE: Well, I think some of us will probably disagree with your interpretation of the interpretation here. The fact remains that IANA – once again, going back to 20 years ago – is holding up and refusing to do changes. Now, 20 years ago we called this blackmail. Would you like to comment on why all of a sudden you started doing this again?

ELISE GERICH: I actually am kind of offended that you say this, but I'll get over that. I'd like to say that it's not blackmail, and asking for a contact name behind a role account has been a precedent for many years. Perhaps it didn't exist 20 years ago, but it's certainly been the precedent for the last 10 years. And I think it's common sense, and as mentioned to the previous speaker, if you disagree with our actions, you certainly have other paths you can take. The CSC is an area you can go to, the Ombudsman is someone you can go to, and I don't know what else to say. But it has been common practice, and I think it's common sense that there should be a name, and the policy supports this implementation.

UNIDENTIFED MALE: Well, we won't argue over what the policy does or doesn't say, because I don't have it in front of me. And although you have the advantage of me and do have it in front of you, you're not quoting the… But I will say this. You say "common practice." That means you just decide to do something. Just like 20 years ago, you decided to rename registrants of ccTLDs as sponsoring organizations and are blatantly refusing since 20 years to make this change despite the fact that the FoI Working Group we highlighted this. We've had promises and promises, and you still

do it today. So, can you answer that? Why are you still calling us sponsoring organizations?

ELISE GERICH: To answer to why as today it's still sponsoring organization – and we've spoken to this in the meetings – we were making changes to the root zone management system that we then perpetuate the new changes [or] make them installed, and we just reported today that that will be finished in the Q3. So no, we don't continue to resist to do these changes.

UNIDENTIFED MALE: How difficult is it to go to your website and edit two words?

EBERHARD LISSE: Okay, that was a rhetorical question, apparently. I must take exception that you said that it has been common practice. This is blatantly untrue. I've sent numerous changes over the last 20 years. It has never been asked who is behind the role account, never mind that it is commonly known. I do not mind asking who is behind the role account, I do mind making a change dependent on this providing information that you require. It's debatable whether it's policy or not. I do not – and I have to repeat it – mind if you require this information. But these are two separate issues, and you cannot unilaterally decide to make

one dependent on the other. You have done so in the past. It has caused enormous upset and bad feelings, and you're doing it again. And we are very upset, and I'm not the only one. We are very upset that we see soon after the accountability measures are being implemented, IANA, PTI is starting exactly the same things they started 15-20 years ago, which gave rise to an enormous set of problems.

UNIDENTIFED MALE: Okay. Thank you for the sentiments expressed. Are there any other questions from remote participants? Okay.

LISE FURH: Well, I am actually going to give you a short update from the PTI Board. And after this little exchange of opinions, I would say I don't find that there's any correlation between actually that the accountability is stopped. We are going to have reviews, so if you find that this is actually something that is related to the change of IANA and PTI, we will actually get it into the light then. You also have, of course, CSC and the Ombudsman. So, let's proceed from that.

Regarding the constellation, I just want to remind you the PTI Board is actually consisting of five members. it's Elise Elise Gerich who is the PTI President, it's David Conrad from ICANN,

ICANN
POLICY FORUM 59
JOHANNESBURG
26–29 June 2017

he's the CTO. We have Akram Atallah, also from ICANN, and then it's Jonathan Robinson and I. We're representing the community as directors. And as you recall, we're interim directors. That means we're only here for a year. That term ends in October.

We have so far had three meetings this year. The last one was actually yesterday, where we also discussed the issue that was brought up here regarding the name. I must say it didn't create the same sense of concern, and I would like to actually investigate this concern because I can hear you are obviously concerned, and also comparing with a situation 20 years ago. From my point of view, without having been digging further into that, I don't see it as the same as actually asking for signing a contract to provide a name. But I don't think we should get into that discussion now. Let's look into it and see if we can solve this in a good manner, all of us.

But at the meeting yesterday, what we actually discussed is we are at the PTI Board in a transition period. We are trying to find out the different processes like the CSC Byron told you and the RZERC Peter told you. We're looking into first the setup for the Audit Committee, and normally, there would be no problems with the setup for an Audit Committee, but both Jonathan Robinson and I are actually working with registries. He's on the Board of Afilias and I'm on the Board of pir.org. We cannot be on

the Audit Committee because then we could be part of – dependent on any decisions here.

So, we're looking into actually getting an independent consultant helping us with this. This is not a paid position, but it's a person who actually can help us on the Audit Committee. It's not that we cannot be on the Audit Committee, we can just not vote on the Audit Committee. And this is actually because of California law, because it's a nonprofit, so we have to apply with the law and have to find a way around this problem.

Furthermore, we're also looking into defining the roles and the responsibilities of the PTI Board in relation to ICANN. ICANN is actually having a first go on this, and we will review it in the PTI Board later. It's in process. I haven't seen this draft yet, but this is something that will be done, and hopefully be done before October, because October, we have two issues. We have Elise Gerich unfortunately leaving us, as you were told, but she has actually agreed to stay until October, which is good, because that makes the period where we can actually get a new person positioned longer.

Furthermore, in October, I don't know if Jonathan and I will be elected by the NomCom. We've both applied, so we'll see if we'll get appointed by NomCom. So right now, we have would like to conclude on. Of course, responsibilities of the PTI Board is an

important one. Also, Jonathan and I have been on the working group that worked with the IANA stewardship transition, so we find it's important we see that work follow through. And we will actually also be a part of the recruitment of the new PTI President, so we will also be working on finding not a replacement but a new PTI President.

And I must say I would also like to thank Elise for the work she's done. I know especially over the last couple of years, it's been a lot of work with the community and finding this new structure, and getting the new structure in place.

And last but not least, we need to start looking at the PTI budget, and that is from our side also important because it is very early that we need to look at it, but that's because of the process that the IANA budget and the PTI budget are dependent on each other, and we need to have it done well ahead of the IANA budget. But that budget for me is important, because that defines what we can do with PTI in the fiscal year of '19.

So, that was a quick update on the PTI Board. I'll take any questions if you have any. Seeing none, then I'm done. Thank you.

UNIDENTIFED MALE: Okay. Thank you. Any questions from the remote participants? None. First of all, I'd like to thanks Elise Gerich for having done good work, and wish you peaceful retirement. Or are you moving into another assignment? Maybe.

Now, I will request the audience to give the team a round of applause for the good work they've done. Thank you very much. I'd like to introduce the next session is the ccNSO working group updates, chaired by Alejandra. Thank you.

ALEJANDRA REYNOSO: Well, thank you, and welcome to the working group updates session. First, we'll have the TLD-OPS update by Jacques Latour, please.

JACQUES LATOUR: Hi. I'm Jacques, I'm with CIRA. I'm the newly appointed Chair for the TLD-OPS Standing Committee.

I'll give you a quick into on what TLD-OPS is. I guess every session, we repeat the same thing. But right now, we're building a security community and we build a repository of security contacts within the ccTLD community. The intent of the repository is for the security community to have the contacts of other people when there's an incident and we need to reach each other. So, we built a mailing list and a bunch of little things,

ICANN 59
POLICY FORUM
JOHANNESBURG
26–29 June 2017

but the idea is that if you're under duress or there's something happening to your ccTLD, you have a way of reaching out to the community to get help from other ccTLDs. That's our mandate that we have right now.

Every twice a month, we send to all the members this e-mail, which is the community contact repository. In there, you have the name, the phone number, the work e-mail address – we're planning to add a personal e-mail address – for a ccTLD. This is what the main function of the group is right now.

One thing we started to do on the list is to share security alerts, so we can e-mail to everybody on the security list with issues. Since the last meeting, there were two issues that were communicated on the list. One registry was compromised with a frontend zero-day vulnerability, so the details of that were shared, the specific information, and a lot of people appreciated this kind of information in advance for their infrastructure. And then there were two DDoS attacks that were reported on the mailing list, so that's a heads up for everybody, "This could be happening to you" and all that.

So, we started to use the mailing list for reporting security alerts. This function is not really in the charter, and that's something I want to talk later on, that we need to take this in account. The goal of TLD-OPS obviously is to get all ccTLDs on the planet,

irrespective if they're part of ccNSO or not. We're at 65% reach. We're missing another 102 ccTLD there, so that's an ongoing focus of us, is trying to find ways to reach out to the smaller ccTLDs in Africa and Latin America. We've got some work to do to get the reach out. We've tried a bunch of little things. We've sent postcards, we do e-mail, but it doesn't seem to work that well. But every meeting, we add a couple of TLDs, so we are growing, it's just a matter of time we find the right approach to get better reach.

So, operational status. It's a mailing list. On the mailing list, there were – I talked about that, so two DDoS and one frontend issue that occurred. We also added two members, so .ir – Iran – and Guadalupe. And we do some contact management, we add and remove contacts to the list. So, this is pretty standard operating. If you're a ccTLD and your name is on this list, come and see me because it shouldn't be on the list. I'll let you time to look at it.

Alright, so if you're there, let me know. If you know people, if you know the ccTLD contacts that are in here, that would be useful because if we can grab them and reach out to those ccTLDs, so we've got some work to do still.

Since the last meeting, we had three calls between the two ICANN meetings. We developed a new membership procedure.

That's documented on the website. At the Copenhagen meeting, we had a DDoS workshop, so we shared the result of the workshop with the community.

What came out of the workshop is that – there was a bunch of us, about 60 people, and we ran a DDoS mitigation workshop. The outcome was clear is that all ccTLDs don't have a common method or a common framework to respond to security events. So, what we'd like to do is build a framework so that everybody can at least have a baseline on how to respond to DDoS attacks or different kinds of security events. But doing that kind of work is not in charter, so we need to look at our charter and see if we want to do that kind of work.

We did some minor website update, we updated our leaflet. We also had a result. Because we send a list of contacts to everybody, it's information you can use offline. We don't see evidence of registry contacting another registry for security issue. We don't see that, the activity, so we sent a survey to see if people were interested – they like the value of TLD-OPS, and 60% said they value highly TLD-OPS, which is a good thing.

The objective for this ICANN that we set in the previous one were to have a second workshop, and we decided not to do that. And then we only added two more ccTLDs. Our goal was to add three, so we didn't get that done. The objective that we defined

for the next ICANN meeting is we want to present a revised TLD-OPS charter to the ccNSO Council, and in there, we want to add things like we want to use the mailing list to share security events, because that's not in scope in the charter. We want to develop a DDoS mitigation framework, so that's not in scope also.

The other thing that became interesting is that some regions, Africa and Latin America asked us, TLD-OPS, to participate in local, regional DDoS workshops. So, the expertise that we have to be brought at the regional level and to do workshops. That's another thing that is not in scope, and we need to figure how to do that or how to find that kind of work. We have the same goal, add three more ccTLDs. Eventually, we'll get there. That's about it. Any questions?

ALEJANDRA REYNOSO: Thank you, Jacques. Any questions from the audience?

EBERHARD LISSE: When are you going to permit role accounts to participate in this? Because for my TLD, we have a strict policy, we will not use individual e-mail addresses. We'll only use role accounts.

JACQUES LATOUR: The e-mail address, if it's a role account – but we need a name, right? So, the way it works is that we need the name of a person. So, that's something we need to look at the charter or changing the policy. Not exactly sure how we do that. Our goal is that for security contacts, the e-mail itself can be a role account e-mail, but it should have your name, your phone number and a role account e-mail that is acceptable.

EBERHARD LISSE: .na wasn't on that list, but we'll sort it out.

JACQUES LATOUR: That works, yes.

EBERHARD LISSE: Yes. The role account at IANA has my cell phone number on it, in fact, and our physical address. We basically use the same one. The point is I do not want to have it going to a single e-mail address and if I'm unavailable, then nobody can contact it.

JACQUES LATOUR: You can also add up to six contacts with potentially the same e-mail.

EBERHARD LISSE: Sure, but then we have to maintain it. The point is I would like to have it normalized that we maintain the role account locally. If we add somebody, if we get a security person added on, we have to do it only in one place and it's much less maintenance. But if you take the e-mail address, this is a change of your previous stance. If you'll take it, we'll add ourselves on today or tomorrow.

JACQUES LATOUR: Perfect.

PETER KOCH: The red one is more stable. Peter from DENIC. Following up on the previous question, you can't really tell a role account or an expander from a single use mailing address anyway. But how would that reflect to your trust model when we talk about certain TLP colors and sharing information? And by the way, how would the policy be changed, and who is going to govern the policy?

JACQUES LATOUR: It's based on accountability, I guess. So if your name – so it's going to say like Jacques Latour and then whatever e-mail address, you're never sure where the e-mail address goes, but the entry is for an individual, and that individual is responsible

ICANN
POLICY FORUM 59
JOHANNESBURG
26–29 June 2017

to make sure TLP stays there. So, TLP red, there could be some issues around that.

PETER KOCH: Well, some issue – now it makes sense that I used the red balloon here.

JACQUES LATOUR: Yes.

PETER KOCH: TLP red and some issues is scary in the same sentence, isn't it?

JACQUES LATOUR: Yes, but today, TLP red is for the ccTLD. Most likely the security contacts at the organization have access to TLP red information. So, I would assume that the e-mail address doesn't go to all staff, it goes to the security people who are trusted, and all security incidents. It's not a perfect world, but I understand.

PETER KOCH: Okay, let's take it offline.

JACQUES LATOUR: Yes, we can.

PETER KOCH: Thank you.

ALEJANDRA REYNOSO: One more question, please.

UNIDENTIFED MALE: Actually, a comment. We did talk about TLP stuff a long time ago, and the decision was to clearly discourage sharing TLP red on the list and take it one to one with the contact directly.

MAUREEN HILYARD: Hi. Mine isn't a technical question, I'd just like to raise something that we may be able to use to enhance our cooperation between the At-Large community and the ccNSO.

                           My name is Maureen Hilyard and I'm the ALAC liaison to the ccNSO. You mentioned that you're going to hold an event or an activity in ICANN60, and that's of course in the Asia Pacific region and it is the time when the Asia Pacific ALS community will be gathering at a General Assembly there, and we'll have 49 ALS representatives there from different countries from within the region that I think would really benefit from actually hearing about what this particular organization does, and if they need to support their ccTLDs and encourage their engagement with your

organization. And [I'll use the occasion] to add that I'm very sorry to see that Cook Island was actually listed in that list, which has actually made me think that we really need to do something. But I'd really appreciate if we can actually coordinate some sort of – during our General Assembly, that we actually engage your group within that program. Thank you.

JACQUES LATOUR: Good, thank you.

ALEJANDRA REYNOSO: Thank you very much. Also, in your package where you get the printed agenda, there is more information about the TLD-OPS group, so please check it out, and now I will hand it over to Giovanni.

GIOVANNI SEPPIA: Thank you, Alejandra. I'll try to provide you a very short and sweet update on the work of the ccNSO Strategy and Operating Plan Working Group. The ccNSO Strategy and Operating Plan Working Group recently provided comments to ICANN on the Fiscal Year '18 Operating Plan and Budget, and was this public comment period that lasted almost until the end of April and on the 25th of April, the ccNSO SOP provided its feedback.

The ICANN staff report on the feedback provided by many more stakeholders than in the past fiscal year '17 was published on the ICANN site on the 2nd of June, and the ccNSO SOP commented on different areas of the plan, starting from the plan structure. I must say, this is something that we have been highlighting to ICANN several times. The need to make sure that this plan is easy to access for anybody who wishes to provide feedback at the end, because currently, it's quite laborious and time consuming to go through the plan text because the narrative is not consistent, and this is because the plan is the result of a sort of brickwork of the ICANN Finance Team because they are receiving input from the different departments and they're collecting the input together to prepare the plan.

There is a recommendation of the working group to include more timelines, and the response – what you will see in italics – is the response of the ICANN staff to the recommendation or the feedback provided by the ccNSO SOP. And in terms of timelines, the feedback we received is timelines might be misleading or impact negatively on transparency, and we discussed that yesterday during the ccNSO SOP Working Group meeting with ICANN staff. As usual, they've been very cooperative, and also willing to improve the overall process.

Second area we comment is about the funding. How many of you have spent one minute of your time in the recent past to

have a look at the Fiscal Year '18 Operating Plan and Budget of ICANN? Please raise your hand. One minute. Not bad. I thought worse, but they're all members of the working group. Okay, so that's so and so.

So, regarding the funding, the main comment is that there are different estimates regarding the growth for legacy TLDs and new gTLDs, and the main recommendation of the working group to ICANN is that ICANN should stay more – let's say should be more prudent with estimates, and ICANN as a matter of fact has reviewed and updated those estimates in the plan that was approved by the ICANN Board during the weekend. So, we are talking about the ICANN Fiscal Year '18 Operating Plan and Budget that was approved already by the ICANN Board.

In terms of headcount, this is a recurring stomachache that we have, and we have put forward our concerns to the ICANN staff. We have highlighted many times that ICANN headcount has been growing exponentially over the past years, and it will continue over fiscal year '18. And one of the main concerns that we have reiterated is that there is hardly any reference to optimize the existing HR.

KPIs is really the main area where we express concerns, and here are some examples of KPIs that we have highlighted as KPIs not being valid or strong enough against the objectives of the plan.

For instance, there are some KPIs that we have provided some input for objective 3.2, that is ensure structure coordination of ICANN's technical resources. Feedback from ICANN staff is, "Expect to see something in fiscal year '18." So, there is a sort of commitment. And as well as part of the KPI is about indicators and indexes.

The first one is the identifier technologies health indicators, which was launched at ICANN55. The feedback we received from ICANN is that indeed, ICANN is still working on this indicator and they are still defining the metrics. So, soon, ICANN will publish an update about that in the KPI dashboard that is available on ICANN's side.

The second indicator is also very important, is the domain name marketplace indicator. On this, ICANN staff is currently working with a community advisory panel to evaluate and identify measurable factors. So, it's again work in progress.

There is also, let's say, commitment of ICANN to publish updated KPIs on several of the objectives, and let's say that some of these commitments are linked to a specific timeframe like the one for objective 5.3, which is expected to be published n the KPI dashboard in August. So, there is a lot of, let's say, work going on at ICANN level to really provide more reliable, more sound KPIs. And again, Xavier and his team are fully committed to provide

those kind of data to the community. I'd like to thank the working group, because the work they're doing every time to empower the working group to submit everything on time to ICANN is amazing.

Again, we are talking about a plan whose narrative is at some point weak, not clear, so we have quite a lot of work for each of us. And one important element to underline is that the plan is the result of this sort of patchwork of the ICANN Finance Team, and in the past, the ICANN ccNSO SOP Working Group expressed the wish to ICANN to have a better understanding how the different ICANN departments are working in the different areas, and how they at the end produce the strategies and the objectives, the actions that are behind what we read in the Operating Plan and Budget.

And starting from the very first ICANN policy forum of last year in Helsinki, we had very interesting session, very operational session with some head of the departments of ICANN who last year helped us to understand the processes behind what is the final, let's say, output that is included in the Operating Plan and Budget. So, we're going to have this same session at this policy forum, and it's the commercial moment of my presentation.

So, this session is going to be tomorrow afternoon at 3:15, and it's a session that will focus on three topics. The first one is the

PTI budget and long-term planning. The second is about ICANN international engagement and hub strategy. And for those of you who may have not seen, there is a recent blog post by the ICANN CEO about the new hub strategy and some changes in the international engagement and hub policy of ICANN. The third area is the New gTLD Program, and that will include some estimates and plan.

So, those are the three areas that will be covered in the afternoon session tomorrow. I invite you to be present at the session, because again, it will be a great way to engage and interact with ICANN staff in charge of the three different topics, and ask them how, let's say, they produce a certain strategy or ask them clarification on the current strategies. And again, it would be a moment of meeting with ICANN staff. So, not only with ICANN staff in charge of the finance part, but also those behind the different objectives.

That said, again, thank you so much to my working group team members, and I'm happy to answer any questions.

ALEJANDRA REYNOSO: Thank you, Giovanni. Do we have any questions? No? Okay, well, thank you very much to both of you, Giovanni and Jacques. May I ask the audience for applause?

A couple of announcements. Right now, we are entering the happy time of lunch, so please be back on time at 1:30 for the joint session with the GAC that will be in Ballroom 1. Thank you.

[BREAK]

KATRINA SATAKI: Okay. We won't wait for our Session Chair, who's Nigel, so we'll just kick off. I'm sorry to see so few people in the room because we really need to discuss things and really need to consult the community.

We'll start with the shortest bit. That's an update on PDP. I'll give the floor to Bart to brief us.

Sorry, Kim. I didn't –

UNIDENTIFIED MALE: He's coming.

BART BOSWINKEL: Next slide, please. Again, a little bit longer than a few minutes ago at the GAC/ccNSO meeting. The working group had its first meeting, and, as you know, one of the things – let me go to the next slide; it's just as easy. At this first meeting, they went

through the charter of the Retirement Working Group. Again, the charter is included in the issues report. If you're still interested, you're welcome to join the meeting on Thursday. The charter itself, as you know, was drafted by the community. This is a novelty. This is the first time we've done this as the ccNSO, although we had just [inaudible]. This is the third PDP.

The scope around retirement and review is at a very, very high level in the charter itself. There are some underlying documents, which we'll reference in a minute. That is the starting point for the discussions by the two working groups.

I'll touch a little bit on the deliverables, working method, and the tentative timeline off the working group on the next slide. Next slide, please, Kim.

The deliverables. To really understand the structure – and this is just a reiteration of what we discussed in Copenhagen – the working group will deliver an interim paper, including at least one public comment on it. So even if you're not participating in the working group itself, at one point you have the opportunity to provide input and feedback.

After this – at least one public comment – they will produce a final paper. The role of this final paper is that it will be combined with the final paper of the other working group, and it will be included in the interim report. That's in, say, one or two years'

time. This interim report will then combine the two policies – the policies of retirement and the policies on the review mechanism.

Next slide, please. Going into the timeline of the Retirement Working Group, we're now in the, I would say, phase of establishing the working group. As I said, we had our first meeting. We discussed during that meeting the working methods and the rules of engagement of the working group. We still await participants from the GAC and maybe from SSAC, although that's going to be difficult. But at least they are informed and they are invited again, even tomorrow, to participate on a regular basis.

Although retirement appears to be an easy topic – that's reflected in the timeline – this timeline is a bit optimistic. If all goes well, by November 2017 – in four months' time – the working group will have developed its interim paper, gone through the issues, and have a first draft on how to resolve it and have a recommended policy.

This will go for public comment, as you can see, and that will be at least two months. The reason for this is that this will allow overlap with ICANN60 and allows the working group to inform you about its [inaudible] and have a fulsome discussion on the initial draft of the policy, etc., and the way they want to address the issues identified.

After the interim paper, the working group will revisit its recommendations and develop the final paper. Around the time of public comment on the interim paper, the call for volunteers will go out for the second working group on the review mechanisms. Once the final paper has been developed, it can start its work on the review mechanisms. So the whole PDP will gain some time, and these two working groups will be back to back. I hope this is clear.

After the final paper has been produced and submitted to the issue manager, this working group – the Retirement Working Group – will close.

Next slide, please. Again, membership for those interested. Members are ccTLD managers or people related to ccTLD managers, and they need to be appointed by the ccNSO Council. To date, we have approximately 15 members, I would say. If you're interested, you're more than welcome to join. If you miss one or two of the meetings, no harm done because one of the basic rules by now of working groups is that only after a second read, a document or a sentence will be adopted. So there is always the opportunity that you may influence the discussions.

The other group of people is participants, appointed and participating through other SOs and ACs. Again, there are participants from the ALAC and GNSO, and as I said, we are

waiting participants from the GAC. There was a bit of a hiccup in the exchange around participation of GAC members, but we'll see.

Observers. To date, none. And we have experts – experts from PTI and IANA, and the usual expert on ISO 3166 is also part of it. As I said, the first face-to-face meeting tomorrow will go in depth into the ISO 3166 and into the IANA practices around retirement to date.

Next slide. I think that was it – yeah. So I assume [inaudible]

UNIDENTIFIED MALE: Any questions? Pretty self-explanatory, I thought. Come on, Katrina. You've got a question.

KATRINA SATAKI: No, no. I don't have a question.

UNIDENTIFIED MALE: We'll balloon it all.

KATRINA SATAKI: If there are no questions, let's move to the – Kim, could you please upload it? I'll do it from here. I think it will be easier for me to do. Hopefully this one will work.

Basically, at this point you have two options. One is that you read the Bylaws, especially Annex D, yourselves. Or the second option, you just close your laptops and pay attention because now I'm going to tell you everything that the Guidelines Review Committee has digested for you. It was really tough work. Therefore, please appreciate it. Really, don't look into your screens. Look up there.

UNIDENTFIED FEMALE: [inaudible]

UNIDENTIFIED MALE: I think she wants the balloon.

KATRINA SATAKI: The first one I will – ugh. Okay. Next slide, please.

First is briefly what we did since Copenhagen. We still work on three guidelines and produced one, which was sent to you for consultation. So you had time to read it. Thanks a lot to everybody who provided some input on that.

I'll go directly to the guideline because today we really need to prepare your cards. Keep them close because we will need your opinion.

First things first: approval actions. What are those? According to the Bylaws, three cases trigger approval actions. One is a change in the fundamental Bylaws. Today in the morning we saw the first community forum covering exactly that. Then there are, according to the Bylaws again, some amendments, [articles] and asset sales.

What does our guideline do? First of all, it defines the role of approval actions – okay. The pointer doesn't work that well. Approval action manager. Every time when there's some approval action, we select an approval action manager, who will be responsible for the process and procedures in the guidelines – describe communication, how we communicate, how we inform the community, how the community gets all necessary information, consultation mechanism, how we got all our input from ccTLDs, and also Council decision-taking mechanism.

In the guideline, we offered two alternatives, but we'll talk about that a little bit later.

First of all, the process. This is a simple one. For rejection action, tomorrow we're going to talk about rejection actions. That process is way more complicated. For approval actions, let me guide you through all the steps.

First, what triggers the process? It's not approval action yet, but nevertheless, if the ICANN Board adopts something, some

EN

resolution, covered by those three cases I mentioned before, they come up with a decision and then they publish this decision. We have a 40-day public comment period.

As soon as it's clear that at some point there will be an approval action, an approval action is what it is. It needs approval from the community. As you know, now we have this Empowered Community. We're going to talk about that tomorrow. We have five decisional participants. The ccNSO is one of them.

In order to approve an action, approve the decision, three decisional participants need to support it, and not more than one to object, as Steven pointed out today during the community forum.

As soon as it's clear, the Secretariat creates an Archive record. We use this case where the change with this new Board committee [is] actually to test and to run the process and see how it should work for us.

As you can see on our website, we have a new section: ccNSO as a Decisional Participant. There we have approval actions and rejection actions. If you click on Approval Actions, you'll go to a list of approval actions. Currently there's only one. If you click on that particular action, then you go to a wiki page where we try to collect all the relevant information, including all the background documents and links that might help you and all e-mail

communication and correspondence in case we send something out. If you scroll down, you'll see a list of ccTLDs, when you started supporting or were neutral to that.

Let's go back. During this 40-day public comment period, the ccTLDs individually can submit their comments, their proposals. Here, with the current particular approval action, it turned out that in some cases you expected that the ccNSO Council would gather all the input and then submit. If that's your wish, we can do that, but at the same time, to save time and effort, anyone can do that individually.

After this 40-day public comment period, ICANN staff will prepare a report on all those comments received and present them to the Board. The Board then looks at the comments and decides whether to go with the initial resolution or slightly change it or maybe just forget it altogether. So here we wait for a decision on the Board of Directors.

As soon as they approve the resolution, this event really now triggers the action. The ICANN Secretary informs the Empowered Community Administration. In that case, the Empowered Community Administration directs the ICANN Board to organize a community teleconference call. Here we have it within 30 days. But that's optional. It's not mandatory.

Then we have a community forum, probably at the ICANN meeting. This morning we had the first one. After that, the ECA holds a community forum. At the end of that particular ICANN meeting, a 21-day period starts. After that 21-day period, the ccNSO has to come up with a decision and inform the EC Administration. When the EC Administration gets input from all decisional participants, it can come up with a final yes or no.

Now we're going to talk about this 21-day period. This is actually all we have to come up with a decision. That's the final stage.

Now a little bit about the current structure of documents. First of all, we have external documents. Those are the ICANN Bylaws. ICANN Bylaws say that the Council, subject to the direction of ccNSO members, shall adopt such rules and procedures for the ccNSO as it deems necessary, provided that they're consistent with these Bylaws.

The rules of the ccNSO guiding document that we use were developed in 2004. Let's be fair. The document is not overly detailed. Some things actually are obsolete, and at some point we definitely need to revisit this document and update it. But at this point, we have the rules and we follow the rules.

Then we have our guidelines and charters, and those guidelines and charters also follow from the rules. We cannot, with our guidelines and charters, break the rules, technically.

Here we tried to summarize our process, which unfortunately – yeah. I'm sure that in the PDP it looked okay. Now in the Adobe it looks not as good as it's supposed to look. But anyway, we have an issue. We discuss it. The rules do not say how long we're supposed to discuss it. Actually, it could take forever for us to discuss something.

Then we have some resolution, and the ccNSO Council is asked to vote. Basically we have a vote from the Council, and then, within a five-day period, this resolution must be published. So it's seven days that we give to the Councilors to come up with a decision, and then five days to publish it. Usually, according to our procedures, we publish it much sooner – the same day, or, at a maximum, two days later. The Secretariat publishes the decisions really, really quickly.

So a decision is published, and that gives ccNSO members the right to review the resolution and ask for ratification [vote]. If during the seven days, 10% or more – sorry. If we say 10%, it doesn't mean only 10%. Probably 80% object. So at least 10% of ccNSO members ask for ratification – what is really important here is that, in case less than 10% or nobody asks for a ratification vote, the ccNSO decision comes and forces only after this seven-day period ends, which is really important here. So the ccNSO decision does not come into effect as soon as it's adopted – only seven days after.

If there is a request for a ratification vote, then the decision is put on hold, and we have another five days to prepare ourselves for the voting, and then another 14 days, at least, for our members to vote.

Then there is either a decision or a second vote. For the first vote, we need quorum, so at least 50% of our members must vote. It was okay in 2004 and 2006/2007 when the number of ccNSO members probably wasn't that high. The number of our current members is 161. It's a challenge. I'm sure that we won't get past the first vote, and we will need a second vote. There's no quorum requirement for the second vote, but we need to wait 14 days before we can have a second vote. Then we need at least 14 days for this second vote. Only then we can see either members supporting or not supporting this Council decision.

As you can see, in the worst scenario, we need at least 66 days, and that does not include any discussions – 66 days to go through all of the process. Of course, we can cut a few days here and there. For example, as I mentioned, it's not five days. It can be one or two days. Here probably we also, with new technologies, can prepare for voting sooner than in five days. Anyway, at least 60.

It's quite clear that there's no way we can squeeze a 21-day period given to us by the Bylaws in the 66-day process. It just

won't work. So we needed to come up with a solution here. The Guidelines Review Committee all thought about the stages of the process. First is the discussion stage, then here's the Council decision stage, community objection, and members vote. Please know that only when we follow all these four stages can we say that we follow our internal process.

At this point, it's clear that we need to cut something. The question basically will be: what are you, as members, ready to sacrifice? Which part?

We have two alternatives. First, we do not have community objection. We don't have a community vote. We have a pretty long time for community discussions. It's 12 days. Then it gives seven days to the Council to come up with a decision. Then the decision is final. That's one of the alternatives. Apparently, if we do not trust the Council, this will not work for us.

Therefore, here's Alternative 2, which means that we cut shorter consultations. We do not discuss that long – a little bit shorter. Here we have five days. We still have the Council decision. We give seven days to 10% of our members to object. But again, please note: 10% is the minimum threshold. It might be 70%. In any case, if 10% of our members do not like the decision, it means that something is probably wrong with the process.

The problem with Alternative 2 is that this basically, a veto exercised by 10% or more. But still, 10% of our members can exercise the veto because there will be no time for other ccNSO members to express their feelings towards the approval action.

Those were two alternatives that we presented in the draft guidelines. I told you we received good feedback. Some were supporting Alternative 1. Some were supporting Alternative 2, saying, "That's our right of the members, to object, and nobody can take this right away," which is basically true.

Therefore, we came up with a third alternative. It's new. It hasn't been presented in the draft. So we have a new alternative. Alternative 3 would be the members' vote. Basically, after this meeting we do not run any discussions/consultations. The Council does not decide. The community won't need to object. So we go directly to the members' vote. Since the Bylaws give a 21-day period, it's pretty okay. We can manage two weeks of voting, and then the Council summarizes and sees what the will is of the majority and comes up with a final decision and informs the EC Administration, which means, as you can see, five days to prepare, 14 days to vote, and, finally, we have the decision.

So these are the three alternatives that we could come up with. Maybe there is something else – Alternative 4, 5, 6. Any other idea? If not, then I'll ask: are there any questions? Some things

are probably not clear about the process of approval action or it's not clear how we're going to come up with a decision.

One more thing I need to stress, though, is that, no matter we decide here, even if, on Thursday, the ccNSO Council adopts the guideline, that guideline is still subject to the rules. It will come into force seven days after it has been adopted by the Council. In this case, it means that there's no way we can have anything. So this time, since the issue is not controversial, apparently, we will risk and say, "Okay, Council. This time you can say yes and approve the action." Then we have a little bit of time for this guideline to be adopted.

I see first is Stephen, then Annabeth.

STEPHEN DEERHAKE: Stephen Deerhake, .as American Samoa. Can you go back one slide? Thank you.

Katrina, with respect to Alternative 3, you have promoting a five-day prep period plus a 14-day vote period. That's less than 21, but it's still kind of tight. If you could take a day off of that prep period, I think that would be helpful.

One of the peculiarities of the mechanisms in place for executing the Empowered Community's power is that ICANN does not run on UTC. ICANN runs on Los Angeles time. I'd like to have, with my

ICANN 59
POLICY FORUM
JOHANNESBURG
26–29 June 2017

ECA hat on now, two days for the ECA to hear from the ccNSO so that we have a little more time to do our thing as well so we don't get caught in a time zone crunch by a couple hours, for example.

KATRINA SATAKI: Five plus 14. That's in the rules. That's why it's here. Yes, we can –

SETEPHEN DEERHAKE: Okay.

KATRINA SATAKI: As I said, in practice, the Secretariat does it faster. Members still vote for 14 days, but the Secretariat prepares and liaises with the relevant ICANN staff much faster.

Annabeth?

ANNABETH LANGE: Are we the only ones having such a long time? What about the other organizations? Because 21, as you say, is very short compared with what we have now. So what about the other Supporting Organizations? Do you know?

KATRINA SATAKI: ALAC has some internal processes, but they will deal with each case separately. They just come up with a Council decision. They do not have any ratification votes or anything.

The GNSO? For them it's way more complicated – even more complicated than for us because they have to agree in both houses and all other constituencies they have. I'm sure that for them it's even a bigger challenge.

For the GAC – yeah, a two-year period would suffice, perhaps, but that's not we've got here.

ASO? I have no idea. That's it.

[Dan] [inaudible]?

[DAN]:   [Dan] [inaudible], .rs. Clarifying question. It's a complicated process, but regarding the way it's structured now in our Bylaws, I understand it. Members vote only if 10% or more object to the Council decision. So my question was: how often did that happen in the past?

KATRINA SATAKI: Well, first of all, it's not in the bylaws. It's in our rules.

[DAN]:	Yeah. Sorry.

KATRINA SATAKI:	That's something that we developed, and that's something that is not in the Bylaws. That's one thing.

[DAN]:	No, no. It was an error in my English. I'm calling Bylaws everything. Rules.

KATRINA SATAKI:	Okay. I am not aware of any case, no. Apparently, we've had [a] reasonable Council by now.

[DAN]:	I was asking because I wasn't aware of any case.

| KATRINA SATAKI: | We're not aware of any such case, either, but you never know. Those people can get totally off track.

Jordan? |
|---|---|

JORDAN CARTER:	Katrina, are you looking for opinions on these options or just questions?

KATRINA SATAKI: At this moment, we have questions. We'll have a show of cards a little bit later because we have to understand what to do.

JORDAN CARTER: Okay. Can I just clarify then that this is the process for approval actions only, which is a subset of the community powers, which is changes to the fundamental Bylaws, changes to the articles of incorporation?

KATRINA SATAKI: Correct. Yeah, approval actions only.

JORDAN CARTER: Right. So, uncommon and highly technical most of the time.

KATRINA SATAKI: Bart, please?

BART BOSWINKEL: Of course Katrina is right. This is what we're discussing. But as you will see tomorrow, you will face a similar situation with regards to the rejection action procedure because the final decision stage of that one is 21 days as well. So the structure of

the rejection actions at its final stage is the same thing. You will face the period of 21 days.

KATRINA SATAKI: Yeah. In the middle, there are some other steps that are even shorter –

BART BOSWINKEL   And for the decision you have the same timing and structure, I think. But that's more an observation. You do not want to have too many different voting procedures for the ccNSO as a decisional participant.

KATRINA SATAKI: Yes, please, Peter?

PETER KOCH: And I have the friendly balloon. Peter, .de. It appears to me that we are in an unconstitutional situation, and we try to get out of abiding to the constitution. That is a bit weird, even for an engineer.

One question is: is this meant to be a one-off? Or are we expecting whatever solution is picked to be the precedent for future applications of this procedure as well?

KATRINA SATAKI: First, a one-off will be the case that we will give the ccNSO Council power to approve this particular action – the action is going on now that we discussed this morning. If we talk about approval actions in general, we need a guideline that'll guide us every time when we will have approval actions in the future.

So, yes, now we would like to come up with one of the decisions to have a guideline, but the guideline is not carved in stone. It can be changed. If we eventually come up with a better solution – if the Bylaws change and give us two years' time, we will change the guideline. But, yeah, currently we're looking for the way to solve the situation and how to write the guideline.

PETER KOCH: Okay. So basically a one-off with the option to continue based on that solution. That's what I read here.

On your Alternative 1, the risk is that this 10% threshold is –

KATRINA SATAKI: No, Alternative 1 is that we will not give ccNSO members the right to override the ccNSO Council decision. The risk here is that 18 people that we currently have on the Council will go totally

against the wish of the community and come up with a decision that the community doesn't like.

Alternative 2 is that maybe we have a crazy or reasonable 18 people on the Council, but 10% – currently 17 members, maybe more – also still can go totally crazy against the wish of the community. So everything can go wrong everywhere.

Bart?

BART BOSWINKEL: The risk here is that, no matter what, you will exceed the 21-day period. If the ccNSO Council or the ccNSO would exceed the 21-day period, then you will be considered to have abstained. That's what's in the Bylaws. That's so it will be seen as you didn't support or you didn't object. It will counted as abstention. You heard Stephen about what is happening if one or two or the decisional participants abstain, for example, with the approval action. The action will not continue, and with the rejection action – although maybe the vast majority will be in favor of the rejection, the ccNSO vote will not be counted as such.

PETER KOCH: Okay. Thanks. I wanted that point clarified, and you did that very well. Thank you.

KATRINA SATAKI: We have a remote question.

[KIMBERLY CARLSON]:   Yes, from Ryan [Tan], Singapore. "For Alternative 3, what's the likely quorum requirement and our confidence level that we have of majority of members actually casting their votes?"

KATRINA SATAKI: Well, as I already said, in case of Alternative 3, we will not have a quorum requirement. Sorry, I do not believe that we will ever meet the quorum requirement. So here we do not have quorum.

                         Bart?

BART BOSWINKEL: Again, to explain, the ccNSO hardly votes. The votes I recall are for Council elections and the one on the second PDP. In some of these Council elections, we did not meet the quorum, or only the threshold. In the second PDP, we did not meet the quorum, or the 50% plus one member, in the first round. Once you have the first round, you can go into a second round, and that will be without quorum. But again, there will be time in between the first voting round and the second voting round, and therefore you will exceed the 21-day window again.

KATRINA SATAKI: Yeah. We cannot go with the [forum]. In this case, those care will first vote and, second, will determine the outcome of the vote. Those who do not care to vote? Apparently their opinion will not be taken into account.

Irina, I see you have a question.

IRINA DANELIA: Irina Danelia, .ru. May I ask you to remind us: you say there are 18 people in the Council. How many votes do you need in the Council to make decisions?

KATRINA SATAKI: The Council vote: by majority, currently. Well, of course we can set a higher –

IRINA DANELIA: Just simple majority?

KATRINA SATAKI: Yes. Simple majority. But if that's a proposal, for example, we can definitely set a higher threshold for a super-majority or something. We are free to impose any requirements for Council votes.

With that being said, any other questions about the process, proposals, alternatives, risks, or consequences?

UNIDENTIFIED MALE: Katrina?

KATRINA SATAKI: Just a moment. I have a question here.

UNIDENTIFIED MALE: [inaudible] from Korea. As you mentioned, we may not meet your majority from the ccNSO members. In case of [inaudible] there to keep the decision-making authority to the Council, to the 18 members. We cannot guarantee there is majority [total] of that decision. How about having more additional staff? If there is some threshold of objection to the Council's decision, we may have member support again. I don't know how much of a threshold is needed for some members [inaudible]

KATRINA SATAKI: Thank you very much for your comment. If I understand it correctly, it means a longer period, and we cannot manage it within 21 days. We still cannot make it.

I see Nigel wanted to –

NIGEL ROBERTS: I just think it'd be quite helpful – I hope that's okay – if you clarify one thing about the 21 days because everything you've said comes back to 21 days. When does the clock start ticking? Does it start ticking from yesterday morning, for example, or does it start ticking from the –

KATRINA SATAKI: As I already mentioned – maybe you were not in the room at that point –

NIGEL ROBERTS: No, I was. I just want to make sure.

KATRINA SATAKI: Just to make it sure, at this meeting we held a community forum, which means that, at the end of the meeting – the meeting ends on Thursday – from that day we start the 21-day period.

Okay. With that, I will ask you to prepare your cards and have a show of cards. Who prefers Alternative 1? I remind you, Alternative 1: long consultation with the community, ccNSO Council decision, no possibility for 10% to veto. So who is in favor of that?

Okay. Can somebody do the counting? Bart? Yeah.

Yeah, sure. We're asking that the Council votes with super-majority.

UNIDENTIFIED FEMALE: Katrina? [inaudible]

KATRINA SATAKI: Okay. Alternative 1: who is in favor? Thank you very much. You're allowed to vote twice.

Alternative 2: 10% of members – currently 17 – have the right to veto Council decisions, no possibility for the members to vote, and a shorter consultation period. Who is in favor?

One? Okay. Two. Thank you.

Alternative 3: the new one, which means that we go directly to members votes. So members will determine the outcome of the thing. No quorum. Who votes? Majority of the votes determines the outcomes. Who is in favor?

Nine as well. Okay. How sweet. I love our community. It is always so easy to understand what it wants.

Okay. Thank you very much. I have no idea what to do with this, apart from that we're going to discuss it during the upcoming face-to-face Council meeting.

Please note that tomorrow we'll have an even more interesting session on rejection actions. This will also be important for rejection actions.

Yes, Bart? Please.

BART BOSWINKEL: May I suggest, because you have a few members in the room, that, tomorrow, after the rejection action – because this will set the precedent for how you want to deal with the rejection actions as well; that at the end of the rejection action, you revisit this again with more information and check whether there is still this sense of preference because everybody, when we just need a five-minute explanation again – having heard everything, do this again.

KATRINA SATAKI: And please tell all those members who are not here at the moment how interesting, engaging, and fun this session was so that they come here tomorrow. Okay? Thank you.

UNIDENTIFIED MALE: Thank you, Katrina.

UNIDENTIFIED MALE: Okay. You're allowed to go for the coffee break now.

BART BOSWINKEL: We reconvene at quarter past three, I guess, with the first cross-community session on the GDPR. That one was submitted by the ccNSO, and it will be in the GAC room, where we were just before this session started. So at quarter past three, the cross-community session on the GDPR.

[END OF TRANSCRIPTION]