SINGAPORE – GAC/ccNSO Joint Meeting
Tuesday, March 25th 2014 – 14:00 to 15:00
ICANN – Singapore, Singapore

CHAIR DRYDEN: Good afternoon, if you could take your seats, please. Thank you.

>>   Ladies and gentlemen, if you could take your seats please, the session is about to start. Please take your seats.

CHAIR DRYDEN: Hello, everyone. Welcome back from lunch. The GAC now has its session with the country code name supporting organization. We have a few things to cover but, really, one main thing. And that is the framework of interpretation working group effort.

                          So you have some materials in front of you or available to you. One is a brief that was prepared for the GAC on the issue of redelegation and revocation and as well the GAC principles on delegation and redelegation which were finalized some time ago. And this is one of the references for the GAC on this topic as well.

                          So to my left we have the chair of the ccNSO, Byron Holland, and several colleagues seated up at the front that are involved in the framework of interpretation working group. So they will take us through this topic. And, as you will recall from this morning, we have Frank March from New Zealand as the GAC lead on this area of work.

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Byron, did you want to say anything before we move along? Okay. Let's continue.

So, at this point, I'd like to turn over to Frank and to Keith Davidson who is chairing the working group on the framework of interpretation.

KEITH DAVIDSON: Thank you, Heather and it's great again to be in the GAC room and reporting what we hope is some good news in terms of the framework of interpretation working group as we get very close to the end of our task. So I think I'll hand over to Bernie Turcotte, who has been our ICANN support person for this working group, to run us through the slide presentation. And then I'll come back and make some summary comments. So, Bernie, over to you to walk us through.

BERNIE TURCOTTE: Thank you. So, given we're never sure and there's always new people, we'll do our standard presentation and walk through the basics and then get to the most recent progress. So we'll do the scope of the working group, our processes for getting decisions, topics for interpretation activities since ICANN Buenos Aires. And some of the topics include consent, significantly interested parties, revocation, and terminology, which is a glossary of the terms that are used.

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The scope: The applicable policies and guidelines referred are RFC 1591 and GAC principles 2005. The framework of interpretation is to add color and depth to existing policies and guidelines. So we are not

making policy. We are providing some needed color and depth sometimes. Because, as we have seen, as a result of the previous working group, which was the delegation/redelegation working group, there were some interesting interpretations of policy that had been taken over the years. And we decided it would be nice to bring all of that into one formal document so that everyone could refer to the same interpretation of the policies or the looks. Out of scope, changing applicable policies or guidelines. And the IANA functions contract including contract implementation issues or procedures.

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The process: The working group prepares a draft set of interpretations for a specific topic in an interim report. Like the consent report. The working group undertakes a public consultation of the draft interpretation. The working group reviews the comments and input from the public consultation, and the working group prepares a final report of interpretation for the topic.

Now, as has been discussed several times here, we do not expect the GAC to give us input through the public consultation process. But sort of in the same timeline, if there are comments to be made, we will be glad to receive them directly from the GAC.

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The GAC and ccNSO support for final report for all topics. Support from both communities is required. Submission of the final report to the ICANN board by the ccNSO will include -- we're missing some pieces

there -- confirmation of support by the GAC and the ccNSO and the framework and its associated recommendations.

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The topics for interpretation: Consent for delegation and redelegation requests. The final report is complete. So, basically, what we're talking about here is that, if there is a request for a change and it is noted as being supported by the incumbent, that is the person that is currently operating the ccTLD, then what form should that consent take?

From our review of all the redelegations that occurred since ICANN has been around, it was our conclusion in the DRD working group that there were highly variable parameters for defining consent.

Significantly interested parties or SIP is public consultation and draft recommendations are complete. We received some input from the GAC. And the working group had decided to move on to revocation before completing the significantly interested parties, and we will be returning to that.

Revocation or unconsented redelegation: Public consultation on draft recommendations was completed in February. And the FoI working group will begin its work on finalizing its recommendations here in Singapore.

Next slide, please.

We will also produce a comprehensive glossary. The point is also, as was brought up in the DRD working group of an analysis of all delegations and redelegations, is that there were random changes in

vocabulary for describing key elements of the players and activities involved. And it was felt that, if we were going to do this work anyways, we should produce a standard vocabulary which would be documented to allow everyone to refer to the same thing using the same words so we can understand each other and we don't have to worry that they're going to be changing from one redelegation report to the next.

We will also produce a set of recommendations for IANA reports on delegations and redelegations. And the working group will begin this work after completing its other reports, which, hopefully, will be after this meeting.

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Activities since ICANN Buenos Aires: The working group met by teleconference four times, published a progress report on its activities, completed the public consultation on revocation, and began work on the glossary.

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As mentioned, the status on consent, the final report on consent is on the Web site. It will be included in the final report from the FoI working group to the ccNSO and the GAC.

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Status on SIP: The Public consultation on the initial recommendations is complete. The FoI working group will return to this topic after completing its work on the topic of revocation, which, hopefully, we can get done at this meeting.

Status on revocation: Unconsented redelegation or revocation. The public consultation on the draft recommendations is now complete. The FoI will begin its work on final recommendations in Singapore.

And next slide, please.

The summary of results from the public consultation on revocation: We had all of two submissions -- one from the ALAC and one from an individual. Both agreed in general to the draft recommendations overall. Both made a number of suggestions which were beyond the scope of the FoI working group. We'll take you through now some of the work. We're almost complete. The glossary, as a matter of fact, we published our last definition to the working group a few days before coming to Singapore. And, barring any unforeseen circumstances, we are hoping that that report will be accepted at our meeting here Thursday and that that will be finalized.

Just to give you a bit of a flavor, we're going to take you through some of the key points that have come out of that.

Consent for a delegation or transfer of a ccTLD. Consent must be specific, informed, unambiguous, affirmatively communicated, and freely given. I think, for those that have been following our work, this is a direct cut and paste from the consent document and, essentially, the core of that recommendation.

Delegation: The process by which the IANA operator initially assigns management responsibility or transfers previously assigned responsibility for the management of a ccTLD. Now, it may seem odd to some of you that we're actually writing these things; but some of these

words have been used in the common vernacular of dealing with ccTLDs for well over a decade, yet, you go reading through all the material that's been written and published and you will not find a good definition of what it means. So we said we'd get down to it. And Becky Burr, who has been of great assistance in this, has been helping us really clarify these terms so that we can all use them and refer to the same thing.

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Revocation of management responsibility for a ccTLD: The process by which the IANA operator rescinds responsibility for the management of a ccTLD from an incumbent manager.

So, basically -- and, if you go through the revocation paper, we explain in great detail where we start from this and how we detail exactly what can happen.

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Significantly interested parties: Significantly interested parties include but are not limited to, a) the government or territorial authority for the country or territory associated with the ccTLD, and b) any other individuals, organizations, companies, associations, educational institutions, or others that have a direct, material, legitimate, and demonstrable interest in the operation of the ccTLD. If you go through some of the definitions in RFC 1591, it's important to have a good definition of what a significantly interested party is.

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Stakeholders: A stakeholder is someone who has an interest in the operation of the ccTLD and includes significantly interested parties, interested parties, and other parties referenced in RFC 1591.

Transfer from an incumbent ccTLD manager to a proposed manager. In effect, if you go through the entire documentation, there is no reference in the original documents to a redelegation. It seems -- the term seems to have popped up and caught on very well, but there is no official reference to redelegation. There is a reference to a transfer. So a transfer from an incumbent manager to a proposed manager: Reassignment of the incumbent manager's role as trustee for the ccTLD as the term is used in RFC 1591 to the proposed manager including, without limitation, changing the entry in the IANA database.

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As usual, we'll be meeting Thursday morning 9:00 to noon in the Moor Room. And, as usual, our meetings are always open. And we welcome anyone with any kind of interest to come and join us and see how we do our work.

Our main focus at this meeting will be completing the glossary, finalizing recommendations on revocation, and adopting a schedule to London.

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And, if you get the presentation, you'll have our contact coordinates. And you can find all the work that we do -- meeting reports, et cetera -- are published on the ccNSO Web site. And you can track our history from A to Z through that, if you have the time and the interest.

Keith?

KEITH DAVIDSON: Thank you. And so, just in terms of recapping on history in terms of the framework of interpretation, we've had members of the GAC on the working group since its inception as well as observers from other communities. And we thank them for their input along the way.

We -- for those who remember the history, we had an initial desire to sign off chapter by chapter on the framework. But it -- yeah, the GAC wanted to reserve its right to look at the framework in its entirety before giving a final approval. So we've now come to the point where we have the framework and the glossary pretty much done. We recognize we haven't responded to a couple of the GAC's earlier inputs on SIP, significantly interested parties, and so on. And we will revisit that. But what we're inviting the GAC to do is to review the framework in its entirety and to make comments in the hope that we will see an approval or negotiate our way through the last remaining unresolved issues fairly quickly.

What we're aiming to do is to also start work on the implementation of the framework with the IANA staff fairly much straight away after this meeting as we head towards London. And I think where we don't have any contestation between the GAC and the ccNSO, we might be able to complete those transitional aspects along the way and hold back until we have anything that's unresolved resolved in London at the latest.

Of course, some of this feeds into the change of IANA stewardship that's been thrust upon us in recent days. And the framework is an important

element and remains one of the very delicate areas of the aspects of sovereignty over a ccTLD and serving the local Internet community and so on.

So, having this piece of work out of the way and used and implemented to give greater color and depth to delegation and redelegation issues would be most useful. We're just contemplating what else lies ahead of us. There's a possibility that, since there is no policy for the retirement of ccTLDs, that we may have another trench of work to do a very fast policy development process, maybe a fast track policy development process on retirement of ccTLDs just to have a framework in place for that prior to the transition from the U.S. government. But that's something our community needs to talk a lot more on. But just, you know, alerting you to that as being a possibility. And, you know, our real desire is that, if we can get some focus from the GAC on the framework, we would really like to work together with you in ICANN London to present the framework to the ICANN board remembering that our original motives in doing the framework rather than doing a policy development process was that, if the GAC and the ccNSO could work together, endorsing the document that the ICANN board would find that as binding advice. And that saves us all the ordeal of a full PDP. That's precluded us from developing policy on the fly. So this is purely, as we've said, seeking to add color and depth to what the existing policies and guidelines say. With that, thank you very much. And we invite questions and comments.

CHAIR DRYDEN: Thank you for that really helpful overview of where we are in the Framework of Interpretation Working Group effort.

Do any colleagues in the GAC have comments or questions about the work and about the GAC contribution to it?

France, please.

FRANCE: Sorry, just a point of -- probably a detail. Since I'm not a native in English, I just need to understand what you mean when you say "retirement of ccTLD." What is it exactly?

KEITH DAVIDSON: Sure, the IANA -- sorry, RFC 1591 comments that the IANA is not in the process of deciding is or isn't a country. And for the purpose of countries, it will rely on the ISO 3166 list. On occasions, the ISO organization determines that a country code has been retired, because maybe the country's been into two or two countries have merged or some other change to boundaries and so on.

There have been two instances in ICANN's history, one is former Czechoslovakia and I think the other one was Serbia. So when those dot-whatevers come up, there currently is no process for policy. There's no basis of policy whatsoever. It's not referred to in 1591. It's not referred to in the GAC principles.

So it's to ensure that there's not a policy gap. And part of that is probably dealing with the ISO organization who have given a general indication that they won't redelegate in the ISO 3166 list for at least 50

years, so maybe that gives a transition plan of 50 years or maybe we need some other policy.

So in a nutshell, that's it.

CHAIR DRYDEN: Thank you.

So I have Australia, then Iran.

AUSTRALIA: Thank you, Chair. And thank you, Keith, for that very useful update.

A couple of times, just in terms of trying to get my head around the process, you were talking about the relationship between this work and the IANA transition in terms of it being useful to have certain things in place potentially before the IANA transition.

In the great medium that it is, Twitter, which is a useful way for breaking down boundaries between us, I gather it was talked about between the Board and the ccNSO this morning, but it's very difficult for me to decipher the full conversation from Twitter.

Given that's the pertinent conversation or you've done independent thinking, what's the -- for those who are still getting our head around all the technical bits and pieces around the IANA transition, how does this fit in and what are the considerations we should potentially be aware of?

KEITH DAVIDSON: I think that raises a whole host of questions that we're probably not able to answer either as we get our own heads around the issue. We've had the information of the recent days, our interactions with the Board and so on. We've had our first few steps of panel discussions in our own community. But until tomorrow when we meet to actually start to develop our own strategy, I don't feel really that it's appropriate to comment, except perhaps to say that there will probably be general agreement in our community that things like the straightforward changes in the IANA database; i.e., a change of server name for a ccTLD or the change of a phone number for the manager or something like that, is currently fairly seamless. And I don't see -- we probably don't see a transition of that being of, you know, huge concern. But the issue that will confront us is the oversight of the delegations and redelegations function. And that's, you know, probably where things start to interact with the GAC, because you'll have your own views on that. And of course the statement from NTIA is whatever this transitions to won't be multilateral or shouldn't be multilateral. It should be multistakeholder. And again, I see the opportunity for collaboration and building on the GAC and ccNSO relationship as being the ideal way for us to find a way through this. But too early days to really give you anything much more than that.

CHAIR DRYDEN: Thank you. Next I have Iran, please.

IRAN: Thank you very much, first of all, for the report. It was very useful.

I think we -- my question is more or less along the line of what was said by Australia. The IANA transfer has two different concept. One is transfer of stewardship, that is something, the other is transfer of function. Transfer of function may involve that some of the function currently done by IANA may need to be modified, may need to be reviewed.

I give one example. For instance, report. Report of IANA is very, very complex to read and very, very complex to understand. So maybe you need to look at that one.

So I think for you it's very new, and you have to work on that. We don't expect anything you reply immediately, but I think we have to distinguish between the two the a stewardship transfer and function transfer.

And, secondly, what instead of retirement of the ccTLD we don't make modification? Some language that we understand. Czechoslovakia is now Czech and Slovakia. East and West Germany and now is Republic of Germany. So is modifications in the name, and why retirement? retirement have entirely different connotations.

So maybe in some of the functions we do not need to use some of those purely particular type of words used by a particular organizations. Thank you. Use something that is understood by everybody.

KEITH DAVIDSON: Thank you. May I? Very good points. Retirement is a concept that needs visiting in its own right because while the country may cease to

exist and new entries are entered into the ISO 3166 list, there are delegations of those new countries.

The concept of retirement is because their entry no longer remains on the ISO 3166 list, then the policy for delegation has gone, and it should be retired, as in removed from the root. As I said before, there's only two occurrences in ICANN's history that a retirement has happened, but because there is no policy but a specific concept, I think it's the right word to use.

And to your first question, I think that was more an observation. And, yes, we're certainly grappling with exactly that separation between the stewardship and the functions themselves. So thank you. That reinforces our existing metrics of concerns.

CHAIR DRYDEN: Thank you.

Next I have Italy.

ITALY: Okay. Thank you, Chair.

So first of all, let me welcome very much this advancement, because this is a very great piece of work that completes the GAC principles that we made in 2005, because it is treating this problem of delegation/redelegation or retirement or whatever it is, and complete the picture, let's say, concerning the policies connected, policies and operational questions connected to country codes.

So I understand that in London we could sign and then give this to the Board.

My question is what we expect then after the Board takes note and approved? What will be the implications?

Probably I can say that this will be sort of a guidance how to instruct the IANA group to deal about questions connected to the country codes. And then you say that this is not the best way to go through a PDP, because this might become much more complicated. And what we understand here is that we are treating very operational models. And so there is not so much concerning the policy provided that, of course, it is clear that country codes are then the decisions connected to the country, to the governments and so on.

So I very welcome this progress.

Thank you.

CHAIR DRYDEN: Thank you, Italy.

Did you want to reply to that, Keith?

Please, go ahead.

KEITH DAVIDSON: Again, thank you for the input. And remember, this is a test of whether we can get binding requirements on the ICANN Board by avoiding a PDP. So the method by which we can do that is if the GAC does endorse it and provide it to the Board as advice. So it becomes binding on the

Board because of your processes. And that might be a much simpler way for us all to have agreement about something that adds color and depth, rather than the more complex methodology of going through a PDP.

So it's an attempt, and I think it probably provides an enhancement to your own GAC principles, and what we should see coming out of the implementation is much more consistency in what IANA reports provide us in terms of feedback, that it's producing predictable results and using predictable language that we're all comfortable with.

So thank you.

CHAIR DRYDEN: Thank you.

Next I have Nauru, please.

NAURU: Thank you. First of all, thank you, gentlemen, for that report.

I noticed using the term color and depth a couple of times, and I'm just wondering is it possible to be more specific with regards to, say, revocation in that RFC 1591 has sort of a general add line toward verification. And when you say you're adding more color and depth, can you just be more specific, please.

KEITH DAVIDSON: I think, you know, a careful reading of the report where it outlines, for example -- let's take a simpler example. The term "manager" is used in

RFC 1591. For some reason, ICANN has decided that in the IANA Web site, it will refer to the ccTLD manager as the sponsoring organization. That term came up somehow, but it's not appropriate, it's not based on policy, so we're seeking to substitute that term with the word "manager" and then defining the manager as being the ccTLD operator, as defined in RFC 1591, and so on.

So that's the kind of color and depth.

So again, when you read a redelegation report from the ICANN Board in the future, that the terminology will be the same. They won't chop and change. And that the results of that redelegation should be predictable and consistent.

CHAIR DRYDEN: Thank you. Bernie, you have something to add?

BERNIE TURCOTTE: Just maybe it might add some more information, but the -- if you haven't read the public consultation document on revocation, we actually walk you through all the steps and how we got there, and exactly what the terms mean, what are the processes for arriving at these things. And we're always available to answer questions if you have them from that.

CHAIR DRYDEN: Thank you. Okay. I see no further questions or requests to speak from colleagues in the GAC.

Frank, please.

FRANK MARCH: Thank you, Heather. Just very, very briefly.

The papers that were circulated in early March will be updated slightly, I understand, because there will be some modifications come through as a result of the meeting on Thursday. And that will be recirculated to the GAC. And that basically summarizes the recommendations for consideration by the GAC. And I will be very happy to collect comments, feedback on that.

I'll discuss it with the FOI Working Group, particularly with Keith and Becky, and anybody else who is interested. And will aim could have something which actually puts firmly in place, before London, a decision-making paper that we can sign off on, assuming at that point there are no further concerns.

Thank you.

CHAIR DRYDEN: Thank you, Frank. So for the GAC, between now and London they can look for these additional papers or communications, or there are other ways that the GAC should be participating or is that your guidance to them to participate? Next steps.

FRANK MARCH: Well, I think the critical thing is to find out if there are any concerns about the paper. So far, the only comments we have received have

been from Australia and the United States. Whether silence is consent to the rest or not, it's hard to say, but it's hard to say, but I would ask people to say, if they have any concerns, to let us know as soon as possible so, if necessary, we can try to work through some intersessional process if it's required.

But if not, then maybe we can deal with it rather quickly at the London meeting.

CHAIR DRYDEN: Thank you. Okay.

So just before we conclude our session, there are a couple of points that we can briefly touch on.

So the first is related to improving the format of the GAC ccNSO meeting. I know that some in the GAC have been talking to their colleagues in the ccNSO to think about how we can organize these sessions and continue the good efforts on both sides to talk about issues of mutual concern. And I think the Framework of Interpretation Working Group is a really good example of the kinds of joint efforts that we have had between the GAC and the ccNSO. But for planning for a session like this, and perhaps on other topics, it might be useful to have volunteers, certainly from the GAC side, to help organize that.

So there's no need to come forward now, but if you can think about that and see if you are willing to volunteer to help with the organization and preparation of the sessions, I think that would be really helpful to us.

And on a similar note, there is a cross-community working group being set up to look at the issue of country names to be used at the top level. You will recall that in the current round, the rule was that there could be no use of country names at the top level. And in the meantime, this cross-community working group will look at whether it is possible for the ccNSO, with the agreement of the GAC and other interested parties in the community, to determine whether there is a policy or some sort of guidance that we can conclude on that would provide the guidance about what conditions would lead to introducing a top-level domain that is, in fact, a country name.

So there will be some information recirculated to the GAC about that effort. And again, the question for you on that is whether you would want to participate from the GAC's side in that working group.

So we're looking for interested colleagues to join in that. And again, you will see a notice coming via the GAC email list to remind you about the details of that.

And as our colleagues from the ccNSO have told us, there are meetings this week under way, and the Framework of Interpretation Working Group is one of them. So if you are very keen to join those meetings, you would be most welcome, I believe.

Okay. So is there anything that you would want to add? Okay, Byron, over to you.

BYRON HOLLAND: We do have a brief update from my colleague who just sat down at the table on program improvements. Very brief update. Peter.

PETER VAN ROSTE: Yes, thank you, Byron, thank you, Heather. I think most of it has already been covered by Heather in her summary. Maybe just to underline that it's not only for volunteers for a liaison who would work together on formulating agenda items. It's also basically all the people, both from the ccNSO and from the GAC, to let us know in advance what they are expecting from each other. That's very important. It's one of the things that came up from the conversation that I had with people from the GAC.

The other constituencies are much better at expressing clearly what they expect from the GAC, what they want to understand from the GAC's processes, what they want the GAC to report to the Board in their name.

So that's definitely something to take away from that.

The other thing is that our meetings are way too formal. We're presenting slides. It's quite often a one-way conversation, and we need to get to a level of improved interaction, and hopefully preparation, as some of the guidelines that Thomas may have touched upon, would help us on that.

Thank you.

CHAIR DRYDEN: Thank you, Peter.

So thoughts and suggestions are very welcome as far as how we can improve our interaction and also be answering questions and

responding to things that the ccNSO would like to talk about on our side of things.

Okay. I think at this point we can thank the ccNSO as always for coming to meet with us today. And we have taken note of this area of work related to the Framework of Interpretation, and we can move forward on that basis.

United States, you have something to add.

UNITED STATES OF AMERICA: Thank you. I did want to follow up on Peter's comment. First to thank all of you for us joining us again and for your patience as our attention has been a little more directed towards new gTLDs as opposed to ccTLD matters.

But I did want to follow up on your last suggestion. I think it's an excellent one. And I see a link, if I may, to the Meeting Strategy Working Group recommendations for new meetings structures. There are -- There has been a deliberate attempt -- we doesn't know how well these recommendations will be received, but there is an attempt in there to actually structure meetings so they will facilitate more SO/AC face-to-face interaction.

And during the presentation yesterday afternoon, Patrik Faltstrom, who is the chair of the SSAC, made a very useful intervention to ask whether any of those recommends on the part of the Meeting Strategy Working Group had actually been taken into account and, I guess, tested against the current meetings structure.

So what he was doing was, to me, step two. How do these ideas fit into today's -- the way current meetings are actually organized?

There were at least 255 competing sessions for this week, which is a lot.

So I'm wondering if we might collaborate on taking Patrik's ideas maybe the next step further and link it to the Meeting Strategy Working Group recommendation so we can say -- maybe hopefully people will say these are fine insofar as they go, but they don't go far enough. We now need to tackle how do you structure those meetings.

And that, I think, might get to some of the issues that you propose, because I wholeheartedly agree with what you're proposing.

Thank you.

CHAIR DRYDEN: Okay. Thank you. So we have identified a link to the Meeting Strategy Working Group.

All right. So thank you, everyone. And we will hopefully be contributing actively to the development of the final report on the Framework of Interpretation.

For the GAC, we're going to move into a preparatory session for our exchange with the Board at the end of today, and to prepare, as well, for the briefing that we will have from the CEO tomorrow. So if we can just take a two-minute pause to allow our colleagues to move on to their next meeting.

BYRON HOLLAND: Thank you very much. An administrative note for the CC -- my CC colleagues, we now have to rush back to our room because a further session at 3:00, in two minutes. See you there.

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