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KIMBERLY CARLSON: Over to you.

STEPHEN DEERHAKE: Why am I getting that weird noise? Okay, whatever. I don't know who's on, who's not, I guess.

EBERHARD LISSE: You must click on the bottom on the participants where you put the mouse over your window, then there is a participants, and then you just click it on and then you see it on the right side.

STEPHEN DEERHAKE: We're all good. So, welcome, everyone. Good morning, good afternoon, good evening, and good late night or early morning depending on where you are. For me, it's midnight. I appreciate those of you that live close to the zero meridian for being up this early. In any event, thank you for joining.

I really want to thank everyone for the discussion on the list since our last call. I was meaning to drop a note on the list to that effect, I just haven't had time. My car got crushed by a fence that fell on it the other day, so I've been preoccupied.

Very interesting discussion on the list. I would like, however, to bring everyone's attention, both the specifics in the issue report that gave birth to this working group as well as the council resolution that firmly established it.

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*Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.*

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And in a nutshell, after reviewing those two documents, which I admit I've not looked at in a very long time, we're actually constrained to proceed in a serial manner with respect to first developing the retirement policy and then developing as a separate PDP process the appeals mechanism that follows on from that.

We really cannot, based on the resolution passed by council, as well as the issues report, but particularly with regards to the council resolution, combine the two [inaudible] nor can we swap the order in which they're addressed.

With regards to other administrative matters, in discussion with ICANN staff, we've decided to try to develop a decision repository which will basically record and tabulate decisions that we as working group have made so that we can formally keep track of what's been put to bed and what's not yet been put to bed. More details on that will be forthcoming.

With regards to actual outstanding action items, there's only one that I can recall, which is the continued revision of the draft document that Bernard's been working on and which has been done, and which will be the focus of our discussion on this call.

I don't have any additional administrative announcements, so Bart and Bernard, have I missed anything?

BART BOSWINKEL:

No, not to my knowledge.

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BERNARD TURCOTTE: Not to mine either.

STEPHEN DEERHAKE: Excellent. Thank you. I have to say I love the audio here on this. It's great. Alright, so that's it for administrative matters. So let's jump into it. Our main topic is, again, walkthrough through Bernard's latest revision. So I think at that point, we're up to item four on the agenda, and I guess Bernard, I'll turn it over to you. Thank you.

BERNARD TURCOTTE: Thank you.

STEPHEN DEERHAKE: Thank you, Bernard.

BERNARD TURCOTTE: Yes, I'm unmuted. Alright. Kimberly will be driving this since the remote page changing is a little sensitive, and our earlier try today, I didn't do such a good job. And given that I'm a little tired right now, I'm not going to try that. So, let's proceed. Next page, please. The first page didn't change.

The second page, nothing significant. I thought we – I should pull up the redline. Hold on a sec, so I can actually talk about this authoritatively. Alright. Anyways, moving on next page, there's nothing really changed here.

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Alright. Applicability of policy. As noted last week, we've changed in line 28 the policies applicable to all ccTLDs which are a member of the ccNSO and are managed by a functional manager. I've got that in square brackets right now just as a reminder to us that we've got to define that, and whose country code is removed from the ISO 3166 list.

So, I don't think that should be overly controversial, and it was in line with what was requested, so I think we should be good with that. any objections? Alright.

One point which was brought up, the text in 31 to 39 hasn't changed, but I did see the comment from Naela, and maybe I misinterpreted it, but when we're talking about avoiding the deadlock, "Allows PTI to proceed with a transfer of responsibility for the retiring ccTLD to establish a functional manager for the ccTLD for the purpose of retiring the ccTLD. Such a transfer should follow standard PTI process for such transfers where possible." As we said, it can't meet all of the conditions.

So maybe I can ask Naela, from your comment, I seem to understand that you were thinking that maybe the IANA functions operator should take over as the manager in these conditions. Did I get that right, or did I just misread your comment.

NAELA SARRAS:

Hi, Bernie, and hi, everyone. So yeah, thanks for picking up on that, Bernie. That's how I read it, that this is saying that – the way I read it is that this would be interpreted as IANA would step in and take over the TLD until such time that it could be retired, which I definitely wasn't

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advocating for that position, but that's how it read to me. [So I think that's what we were saying.]

**BERNARD TURCOTTE:** Okay. Thank you. Because I think we had discussed this in Barcelona, and we had pretty much cleared that up, that we would be looking for a replacement manager for that transition process if I remember correctly. Stephen, is that the way I remember it correctly?

**STEPHEN DEERHAKE:** I believe it is, at least that's the way I remember it. Anybody recollect to the contrary, please wiggle your hand and we'll talk. Eberhard's got his hand up.

**EBERHARD LISSE:** I don't recollect differently, but while we were talking about and we mentioned Nick Wenban-Smith's dog being difficult this morning, I remember that Nominet is a registrar of last resort for failing gTLDs. I would keep in mind maybe that we can look at this when we have got a firmer policy of whether we should not maybe ask one or two of the registries of last resort to be available to assist in these matters, just like moving all the domains or domain names over to their operations so that they are being at least maintained. Just as something to keep in mind as far as when the discussion progresses.

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**BERNARD TURCOTTE:** Alright. Thank you, Eberhard. So I think that clears that up. I think we're saying that we will have to find a replacement manager that is not the IANA functions operator.

While we're on the subject on the IANA functions operator – and I'll deal with all of Naela's comments – she had a comment relative to us using PTI in the document. Maybe referring to the IANA functions operator would be better. I'm really open here. We've been working with PTI as defined earlier, and it seems to work, but I'll be glad to take direction from the group if there's a problem here.

**STEPHEN DEERHAKE:** I don't have one. Does anybody else have any thoughts on this? I'm working my way through the list here.

**BRENT CAREY:** I don't have any thoughts either, other than if we go back to ICANN into the website that's sort of been at pains to point at PTI rather than referring to IANA all the time, so I wonder if we should be consistent and continue using PTI. But again, not dying in a ditch about it.

**STEPHEN DEERHAKE:** I think whatever we do, of course, we need to be consistent. And I saw that Nick's got his hand up before Eberhard, so Nick, the floor is yours.

**NICK WENBAN-SMITH:** Hi. Do you hear me good?

STEPHEN DEERHAKE: Absolutely.

NICK WENBAN-SMITH: Excellent. I like Zoom, actually. I think the audio, you're right, Stephen, it is better. Yeah, I think I agree with Brent that the PTI is the right expression, except that in terms of future proofing, if it changes its name, we don't want the policy to sort of look outdated. So legally, you might say where we talk about PTI, you say PTI is PTI or any later successor carrying out that function as a sort of definition point so that you future proof it in case PTI is reorganized, renamed or something happens in a couple years' time.

STEPHEN DEERHAKE: Thank you, Nick. I understand you correctly that perhaps we should come up with some neutral term and then in the glossary, tie it back to PTI so that we can –

NICK WENBAN-SMITH: Yeah. Spot on.

STEPHEN DEERHAKE: – [identify it] like that down the road if we need. Okay, great. Thank you. Eberhard, you're next.

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EBERHARD LISSE: Yeah. We have been using the term IFO, IANA function operator. That's the generic term that I propose we use all the time, and then glossary, it's currently done by PTI and so on.

Also, while it is good to mention these things and mention them repetitively, we're not focusing on the details of this now. We're getting the overarching or the broad policy right, and when we have the policy more or less right, then we will go with a fine comb over every word and make sure we have a consistent use of terminology, we have a consistent glossary that every term that's used will be defined at the first occurrence and so on. So it's good to make note of these things, but don't worry too much about the details, the names and things. We'll go over this. This is just that we write a document and come up with the meaning of it, and the actual details, we will wordsmith, as they say, when we have a more or less working document.

STEPHEN DEERHAKE: Okay. That works for me. Thank you, Eberhard. Bernard, I think we can turn it back over to you.

BERNARD TURCOTTE: Okay. Thank you. I think we cleared that up. Thanks, everyone, for that.

STEPHEN DEERHAKE: [inaudible]. Go ahead. Thank you. He lowered his hand. Carry on.



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BERNARD TURCOTTE:

Alright. Next page, please, Kimberly. Alright, expectations. Here we have a minor change. We were on line 43, we were talking about shutting down the registry, and we changed that to the shutdown of the retiring ccTLD as was suggested.

The big change starts on line 46. After the discussion from last week which we had a couple of times and we were talking about is, is the manager the right person? Etc. And I said I would look at trying to wordsmith something to address that concern on which we had the discussion last week. So it goes like this right now.

“Note, given the importance and exceptional nature of the ccTLD retirement process, PTI prior to sending a notice of retirement should contact the ccTLD manager and confirm who PTI should be dealing with regarding the retirement process. The person or role identified by the ccTLD manager to deal with the retirement process is referred to as the manager in the remainder of this document.”

So without trying to get too deep into procedural actions to actually find out who, we’re sort of pointing to PTI and saying, “Okay, before you start this, you should do some due diligence, make sure you're talking to the right person.”

Now, I don't know if that sort of meets what we were thinking about or if there are other comments on that text.

STEPHEN DEERHAKE:

Do we have any thoughts on what Bernard’s done here from the group? I'll scroll up and down to see if there are any hands. No hands, Bernard,

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so I think the answer is no. So I would suggest we continue if that's alright with you.

BERNARD TURCOTTE:

Thank you, sir. Moving on. the next significant change, we're going into line 82 possibly, so if you could bring us down there, Kimberly, please.

Alright. Thank you very much. Okay, so here, 73 to 80 is basically the same thing that we had earlier, and it seemed to be okay to everyone. Following the discussion on the list last week, and part of this week I guess, decided to give another shot at clarifying some of this, and that's the text from 81 to 91. So let's just walk through it.

If the manager wishes to extend the initial five-year retirement period, it should formally request this from PTI in its retirement plan. The request for the extension should clearly state the length of the extension requested, maximum five additional years.

The reasons for requesting an extension and an impact analysis which supports the reasons for making the request. A reasonable requirements document that PTI will have included with the notice of retirement will describe the factors it will consider when evaluating a request for an extension to the initial five-year period.

If an extension request in the initial five-year period is made by the manager of the retiring ccTLD, PTI should provide definitive response to the manager within 60 days of the request being received by PTI. The response by PTI, if positive, should state the extension that has been granted.

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If the response is – next page, please – negative, PTI should include the detailed reasoning of the refusal based on the reasonable requirements document.

So I've tried to weave in everything into one paragraph that we were talking about and just tried to get it in there and used the things like the reasonable requirements document that we had already mentioned and tried to work that in. I know it's a fair chunk of words, and if you haven't read it before, you may want to think about it. But anyways, that's my try at trying to weave everything in. I don't know if there are comments.

STEPHEN DEERHAKE: I'm looking to see. No, no comments. Anybody awake out there?

NICK WENBAN-SMITH: I was just going to say I agree with that. Bernie. I did put my hand up. Sorry, Stephen.

STEPHEN DEERHAKE: Yeah, I see it. Go ahead.

NICK WENBAN-SMITH: Yeah, so I agree that captures the sort of themes that we were discussing around like five years is the sort of default if nothing happens, but if you've got a good case and you get your extension for up to ten years – I wondered whether when we look at these sorts of processes going over multiple years, obviously the risk in things like the

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operator going bust or some intervening event or people losing interest, the risk is proportional to the length of time of these processes. I wonder whether it was part of that discussion that there should be an overall concept, that there should be some sort of diligence. You know, once the code, which is equivalent to your ccTLD is removed from the 3166, there should be a presumption that you will diligently go around the process of putting your registry into an orderly sunset and putting your affairs in good order.

i.e., just because you can have five years or ten years doesn't mean to say that you've got nine years and 365 days just because potentially you have that option. If the nature of your registry and the circumstances surrounding your ccTLD, the country reorganization, you know – if it's just a name change from one to the other and you're just doing an orderly switch to a brand new ccTLD and the people are all the same and the registrants are swapping registration in, I don't know, whatever it was, the Congo-Zaire situation, you're just getting a one for one – I don't know if that was the case in that one, but hypothetically. If it could be done because it's a simple straightforward switch from one code to another code and everybody's being given rights or grandfathered automatically into the new one, then you don't need to take five years or ten years, whatever. It'll be quite nice that it's not hanging around for longer than it absolutely has to. And I wondered whether people agree that that is part of the policy objectives of this process. That was my only thought on that.

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STEPHEN DEERHAKE: Thank you, Nick. Allan, I see you've got your hand raised, so the floor is yours.

ALLAN MACGILLIVRAY: Thank you, Stephen. So Bernie, just a question. So in this formulation, the retirement plan would exist only where a period beyond the initial five years is being sought; is that correct?

BERNARD TURCOTTE: No. A retirement plan is a retirement plan. It'll cover a variety of things, as we said about the reasonable requirements document. PTI will discuss the various elements that should be included in a retirement plan.

What we're saying is if the registry is looking for an extension, that's how it should make the request.

ALLAN MACGILLIVRAY: Okay. So I'm sorry, I'm going to ask the same question again, because if there's only five years and an additional period is not being sought, would the retirement plan still exist on a voluntary basis?

BERNARD TURCOTTE: Sure. I think the tone of the document is that the best thing to do, and what is being encouraged, is that there is a retirement document to be produced regardless of circumstances, whether it's five years or whether it's less than five years as the next clause, 94 to 98 states. So

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the best thing is to have a retirement plan so everyone understands what should be going on and that you checked off all the boxes of the things that you need to do if you don't want to do it – and we even say in the earlier section of the text that PTI should assist the registry in producing it if the registry so wants. But if they don't, they've got a document also that states what should be included and what PTI's got to be looking for in a document.

Now, since that already covers what's going to go on with the retirement for the registry, I thought it made sense to say, well, if you're going to be looking for an extension, then that seems to be the place to include it and send it in to PTI for consideration.

I hope that answers your question.

ALLAN MACGILLIVRAY:

Alright. Well then I'm still – see, I'm asking the question in the context of a mutually agreed retirement plan, because you might have a voluntary plan that's only five years, and then if they want to change that to go beyond the five, and let's say PTI doesn't agree – anyway, I'm kind of stumbling over mutually agreed, and so maybe we could square bracket that and come back to it, because I'm in a world of five years or less, everything's voluntary. Beyond five years, while there will be a discussion and we put nice words around it, fundamentally, PTI IFO will have the final say on whether that happens, and it would not necessarily be mutually agreed.

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In other words, they could ask for three more years, and PTI says, "I'm sorry, you're only getting one." So can we just square bracket mutually agreed just to say I think we have to talk through a bit more? Thanks.

BERNARD TURCOTTE: Okay. We can do that, Allan. Thank you. Our next hand is Eberhard.

STEPHEN DEERHAKE: Eberhard, go ahead. Eberhard, are you there?

EBERHARD LISSE: Yes, I unmuted myself, I think. Zoom actually told me that I'm muted when I tried to talk. That's also very cool. But retirement plan as far as I'm concerned is mandatory. We have no way of forcing anyone to do an amended retirement plan. If they say – let's say there's a territory in the Indian Ocean that becomes independent or changes its name, and the manager moves off into the Caribbean to lie on the beach and washes his hand off, then we don't have a retirement plan.

If dot-UK were for example to split apart and so on, you would come up with a proper retirement plan. And I am not worried so much about the mutually agreed plan. I'm not against reviewing it further, but I'm not too much worried about it. And PTI has so far been very reasonable, and I expect them to be even more reasonable in the future. So that's not a problem. As long as you come up with a proper plan how to do this, they will advise you, and eventually, there will be agreement.

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The point of the retirement plan is if you don't have one, you don't get an extension under any circumstances.

STEPHEN DEERHAKE: Alright. Thank you, sir. Nick, you've got your – I don't know whether Nick's next or Danko, but I'll go with Nick because I just [inaudible].

NICK WENBAN-SMITH: Yeah. It's interesting, isn't it? I think the queuing is a bit better in Adobe so you can see a bit more clearly the order of speakers.

STEPHEN DEERHAKE: It is.

NICK WENBAN-SMITH: Yeah, so this mutually agreed point, I'm just sort of thinking out loud. I think it's more or less captured it. Actually, Bernie's captured it very nicely in general, but I think the way that I look at it is that there would be some sort of good faith obligation on both parties, both the PTI-IFO and the country code manager. So there's a good faith obligation which we should try to put down in writing to agree together on a retirement plan. That would be the ideal option.

But obviously, at the end of the day, somebody's got to just decide whether or not that is the date, whether they do get the extension as Allan described, and mutually agreed is aspiration rather than sort of necessarily the outcome in terms of the policy.



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What I was actually going to ask was about communications and the status of a retirement plan once it has been agreed between PTI and the cross-community. Is that a public document? And are we expecting these things to be done under confidentiality, or is this sort of a fully transparent process that other people will have visibility over and be able to understand what's happening?

STEPHEN DEERHAKE: Wow, Nick, that's a good question. I have not considered that whatsoever.

BERNARD TURCOTTE: If I may for a sec, Stephen.

STEPHEN DEERHAKE: Yeah, absolutely, Bernard. Yeah, go ahead.

BERNARD TURCOTTE: Okay. In the precursor to this document that I had written, we talked about transparency of the process. we've since moved off that, but I think it should come back in our discussions, so that's a good point.

As far as a communications plan as part of the comments we got last time, that's now been included in 4.4. And as to Nick's comment of the expectation is that there is cooperation, I think that's the spirit of what we were trying to do in 4.1 where we say it's the expectation that there will be cooperation between PTI and the manager of the retiring ccTLD

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to ensure an orderly shutdown of the retiring ccTLD, which takes into consideration the interests of its registrants and the stability and security of the DNS.

So I think most of the things are there.

NICK WENBAN-SMITH: Got it. Yeah, the only thing which is missing, I think, is a good faith obligation on both parties which I didn't see explicitly [inaudible].

BERNARD TURCOTTE: Okay. We can –

NICK WENBAN-SMITH: I think it's useful to get in if we can. That's all. That's my only thought.

BERNARD TURCOTTE: That may be a good comment. So let me see what I can do with that. Thank you.

NICK WENBAN-SMITH: Sorry, I'm not really a great fan of drafting by detailed on a conference call when everybody's sleepy, but –

STEPHEN DEERHAKE: Who's sleepy?

NICK WENBAN-SMITH: I'm definitely sleepy.

STEPHEN DEERHAKE: [I'm just waking up.]

BERNARD TURCOTTE: Yeah, we're just getting going.

STEPHEN DEERHAKE: Danko. Nick, you're good with that? Bernard, you're good with that? Then I can turn to Danko. Yes, go ahead, Danko.

DANKO JEVTOVIC: Morning, at least from this side. Okay, thank you. I don't have anything against putting square brackets to the mutually agreed part, but I just wanted to remind about my earlier comment because I have a bit of a historical perspective. So we are discussing the [mutual agreement between the] manger and the PTI, and in the background, I'm also thinking about the local community. And as I said earlier, I can imagine a situation where the manager would be actually motivated to [press] the current registrations [in the] the community without thinking too much about their interests, press them to possibly move to new TLD if this is somehow – new CC is assigned because of the country changes or something.

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So in that case, the shorter period could be financially beneficial for the manager and actually not very good for the community. So one of the reasons why I wanted a possible shorter period than five years to be mutually agreed with PTI is because I was also thinking about how PTI could, in a way, protect – well, public interest or whatever is the proper body. So in that way, it's not only that the manager is motivated to have as long period as possible, because it seems that we are mostly thinking about the situation. Also, the end users' interests should be considered. Thanks.

BERNARD TURCOTTE: Stephen, if I may.

STEPHEN DEERHAKE: Thank you, Danko. Yes, go ahead, Bernard.

BERNARD TURCOTTE: Thanks for this, Danko. I understand your point, and that's the intent behind the idea of saying in 4.1 when we say, "To ensure an orderly shutdown of the retiring ccTLD which takes into consideration the interests of the registrants and the stability and security of the DNS."

So I think we're definitely looking at establishing that as a condition. And let's not forget that the exact details of what should be in a retirement plan, we're saying, are going to be listed out by PTI in the reasonable requirements document.

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So I think everything links in, especially with the note that we've added saying that we will confirm with the registry operator who is the right person to talk about the registration.

And we're trying to have – one of our initial objectives is to have something that is complete and not overly long and try to avoid getting into process, which is why I'm trying to use KISS on this and keep it simple where we can. And obviously, in some areas, we can't. but I think we've got this one covered, I hope. Is that okay, Danko?

DANKO JEVTOVIC:

Your comment is very good, and those things are important [and it's actually okay,] but my concern at this moment was only if we remove the mutually agreed flag in case of less than five years for example, then we can get a situation that the manager would just sunset in a year and then we will have problem.

I'm coming from a country where on cars in Belgrade, you still see .co.yu domain names with addresses. So it [inaudible].

BERNARD TURCOTTE:

Yeah, I understand your point. I think when we actually get to the next block, 94 to 98, we'll actually probably address part of that concern, Danko. I see Allan has his hand up.

STEPHEN DEERHAKE:

Allan's got his hand up next, so thank you, Danko. Allan, go ahead.

ALLAN MACGILLIVRAY: Thank you, Stephen. So just on this questions of transparency, actually, I agree with everything that everyone has said. The question I would raise – and we don't necessarily have to answer it tonight or this morning – is there any circumstance under which any element of the retirement plan would be kept confidential? In other words, should the possibility of that be built into the policy?

So I actually don't have a view on that, but I think we should just table that and think it through, because the sense I'm getting is unless we build it in, everything's going to be public, so it's something to think about going forward. Thanks.

BERNARD TURCOTTE: Stephen, if I may.

STEPHEN DEERHAKE: Thank you, sir. Yes, go ahead, Bernard.

BERNARD TURCOTTE: I think this is one of those that falls under the category that Eberhard keeps bringing us back to the core of what we're doing, is that let's write the core policy and agree to that, and then as we do the second pass on it, some of those issues like transparency, once we understand what the core requirements are, we can look at in a different light because if you're trying to do that before you actually have an idea of what the guts of this thing is, it may lead you down some rabbit holes.

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So I agree with you, Alan, let's table that for now, but let's keep it in mind but let's finish the core of the work first.

STEPHEN DEERHAKE: Thank you, Bernard. I agree with you guys completely. Think of it as another layer. Let's get the core down, and then let's go back and go to these peripheral issues, nonetheless important issues such as this transparency question in particular is a really interesting one. But let's not let it distract us from what we're trying to do at this point in time. And Allan, I see your hand is up. Do you have further comments, sir?

ALLAN MACGILLIVRAY: No, I hadn't lowered my hand. Sorry, Stephen. Thanks.

STEPHEN DEERHAKE: Okay. No problem. Just getting used to Zoom. Anybody else? I don't see any there. In lieu of any further hands, Bernard, I would request that you continue, sir.

BERNARD TURCOTTE: Thank you. Following on Danko's earlier comment, 94 to 98, the only change here is that you will remember in a previous version of the document, we had the extension here. So I've removed that and moved it in the section above, which we've just finished going over.

In this one, now it says, "A retirement plan that is mutually agreed to between the manager of the retiring ccTLD and PTI can specify any date

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for the removal of the ccTLD from the root if no later than ten years from PTI having sent the notice of retirement to the manager. For further clarity, this includes periods of less than five years from the time PTI has sent the notice of retirement to the manager of the retiring ccTLD.”

Now, just further on this relative to Danko’s point, we’re saying that it requires a retirement plan, and a retirement plan we’ve said is mutually agreed. So that’s the first thing. so you know a registry can’t simply say “We’re going to retire this in 24 months and that’s it, sorry. Too bad, so sad.”

And because of the requirements earlier of having to consider the best interests of the registrants, I think it just wraps it enough to give it the coverage. And I see in the chat, “Current text is okay. My reminder was for the benefit of the brackets around ‘mutually agreed.’” Thank you, Danko. I just wanted to make sure we answered your question.

Alright. That would cover section 4.3 for me, unless there are any last-minute questions on that.

STEPHEN DEERHAKE:

Any last-minute questions? Going once, going twice. I believe, Bernard, we can close that down, and let’s carry on.

BERNARD TURCOTTE:

Alright. Section 4.4. There are not really any changes here all the way down to 4.5, so let’s skip to the next page, please. “As noted earlier in answering some questions, line 109, details of the communication plan



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to advise the registrants of retirement of the ccTLD.” There may be some grammar to work in there just in finalizing the wording, but just signaling that that has remained there.

So, exception conditions. We've talked about the manager becomes nonfunctional after retirement is agreed. We've got the manager breaches the retirement agreement. These are all things we're going to have to work with. Next page, please.

We've mentioned IDN ccTLDs in our discussions on the list. We've mentioned the ISO 3166-1 exceptionally reserved entries, and the applicability to non-ccNSO members. So these are just the grocery list of things that came up on the list, and that is the end of the changes. So back over to you, Stephen.

STEPHEN DEERHAKE:

Thank you, Bernard. Any overall comments from anyone on the call with regards to where we are with this document? And any comments as to how you might think we want to proceed forward on this document? And scrolling back and forth, I see none. Bernard, thank you very much.

To the group, I believe we're getting something pretty solid here for discussion going forward. As you know, this is the last call prior to our face-to-face in Kobe. I hope most of you can make it, if not all of you. Let me discuss what I think we're going to be doing in Kobe, which is first of all, finalize this draft that we're seeing in front of us with exception of section five, of course, which needs to be fleshed out further. But basically, adopt what we've got here.

I think we're also going to be having a discussion of the IDN ccTLD retirement issue as well as the exceptionally reserved issue. I think the IDN question is one that we might well consider kicking down the road and giving it over to the group that's working on IDN stuff as we speak.

Also, I think we're going to be looking at oversight and we do need to review a slide deck that ICANN staff will be preparing for the CCT community. There is a session within the members' day where I need to present what we'll be doing, so I need to explain to the community what we've been up to all these months since the last meeting, and they would like to know and I'd like to explain it to them. So we should have a short slide deck that we can review collectively.

With regards to the actual face-to-face meeting, as you can see on the agenda, it's in the KICC room. I have no idea what any of that means other than the time and the date, so put that in your calendar from 15:15, and we run until 16:00 and something. So we've got a good long time. And as you can see – I'm kind of skipping back and forth now on the agenda – in terms of topics, it's the IDN and exceptionally reserved, decision points for the oversight.

We will be doing a couple breakouts, so be prepared to get up and move around. It's not going to be three hours of sitting in your seat. It's going to be up and about on some stuff. So that's where we are there.

I don't have anything further. Does anybody have anything further? Let's see here. We've got a late submission to the list by Nick regarding a possible intro to the whole – I guess I would call it the final report. I'm not quite sure [how] to describe that, Nick. And you can raise your

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hand. And he has raised his hand, so I will let him explain this. Nick, the floor is yours. Go ahead, sir.

NICK WENBAN-SMITH: Thank you. I won't take up too much time, and I think Eberhard actually answered it when you've said, look, this is not the wordsmithing of the actual text of the policy. This is more talking about the concepts of the policy and getting those settled before you move into detailed drafting of what the policy is. But I was just reading the documents sent out ahead of the meeting, and you go straight into RFC 1591 and the status of CCs and all the rest of it without any sort of gentle introduction.

STEPHEN DEERHAKE: We do jump into the deep end of the pool initially, yes.

NICK WENBAN-SMITH: But I think Eberhard spoke to that point, and I just was thinking about, well, how would I – I pick up this piece of paper, I don't know what it's about and what would be useful for me coming into it if I hadn't read any of these background things I wanted to know, or what is it that I'm about to read, and is it worth reading any further?

So that's that. The second point, I think, in terms of what the update is, I myself – because memories are short – it would be nice to have the reminder of the point you already touched on when you said, going back to the issues report, that this is a PDP in two parts, this is the first part, and just to remind there.

And actually, I appreciate this for my own benefit, because I have literally no recollection of kind of where we are on the route versus the original high-level plan about what was happening and in what order. And I suppose selfishly, for my own benefit, I'd be interested to know what's happening next and what's the sort of process whereby we try to settle the five-year, ten-year thing, which I think in this group, we're all pretty happy about. What order do we communicate that, try to seek public comments on it before going into the drafting process? Or do we come up with a draft policy for comment first? What's happening in the next period before the meeting in Marrakech, and who's doing it, I suppose would be something that if I was sitting in the ccNSO wondering what was going on with this and I didn't hear those points made, I might ask the question, what's happening next between this meeting in Kobe and the next meeting in Marrakech? And what should I be looking out for?

STEPHEN DEERHAKE:

Thank you, Nick. Well spoken on all fronts. What we are going to be doing is we're front loaded on the Kobe meeting, and we are going to go in there and do further work on where we are, this arc we're on that we're following. I will be presenting to the members. I think it's day one. And at that point, I think we will get a lot of your questions answered, because point in fact, at this point we've got enough under our belt where we need to go back to the community and tell them, hey, this is what we've come up with, this is where we're going, and show us your cards. Are you happy with it, not happy with it? Ambiguous about it? Which will help give us guidance going forward to obviously Marrakech.

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So there will be a presentation at the ccNSO members meeting as to where we've got. We actually have written stuff to discuss and carry on, and that of course is available. And I hope we get buy-in from our community on the work we've been doing to date. I sincerely hope that, and I will certainly make the case, present it so that we can get buy-in. But who knows?

Does that answer your question, sir?

NICK WENBAN-SMITH:

Yeah, I think so. Thank you very much. So if I heard you right, the next step is to present the outline concepts in sort of a short slide deck update to the ccNSO and see whether there is sort of – take a temperature of the room [whether] you're going to ask for a formal vote or in terms of red, green cards or whatever. If I heard you right, that is the sort of process that you would seek to go through so that we would have some confidence after the ccNSO meeting that we're not totally on the wrong track here and that people will violently disagree with whatever we come up with.

It seems to be sensible, but if you're going to do that, then I might appreciate a bit of a heads up before the Kobe meeting in terms of a brief update about just let people know that that is going to be put to them, and a little bit of background so that they have a bit of time to think about it and absorb it instead of – because I don't know how long your update is and whether necessarily it will have been signposted that actually, we will be asking for some feedback in advance.

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So I'm just saying that – this has happened to me in ccNSO meetings. Sometimes I've been faced with quite a short turnaround or an immediate sort of, “What's the temperature of the room?” sort of thing, and I haven't had time to think about it, and some of the questions, like these are quite existential points for the existence of ccTLD in a retirement situation. And I'm authorized from Nominet to speak on certain things, but on major questions, then I need to talk to my senior management about, well, do we agree? It's not my sole decision on some of these sorts of things.

So if we're going to get some useful feedback as opposed to, “Not sure,” you might be well-advised if you're going to be asking people whether they agree with these concepts to give them a bit of a heads up that this is coming down the track. That's my thought. Sorry, that's maybe not very coherent, but maybe you got the kind of gist of what I was trying to say.

STEPHEN DEERHAKE:

I think I did. [inaudible] hour of the day that you're making that, and [inaudible] your dog needing to be fed. As I recall, I'm on deck to present regarding ECA activity, and then that flows into this working group activity. I don't see – if I understand it correctly, formal reading of the room, it's just more presentation of, “Here's where we are, here's what we've got, here's how we got to what we've got, here's our work products to date” kind of thing. And I don't think there's going to be a requirement for temperature of the room reading as you describe, etc.

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NICK WENBAN-SMITH: Okay. That does answer that. And I suppose my request is if you are going to ask for a temperature of the room, that it's not done cold [inaudible].

STEPHEN DEERHAKE: I'm not anticipating it.

NICK WENBAN-SMITH: Yeah. And secondly then, are you going to go through kind of a feedback look where we formally put the concepts out for a bit of discussion prior to the sort of final report, or is there any preliminary stages before we do that, or is this literally just an update? And maybe it'll be answered when we talk about the process going forward, which [inaudible] he will provide the update of the schedule and the overview of the steps based on the PDP process, with which I'm totally unfamiliar, by the way, so I may be just asking stupid questions here.

STEPHEN DEERHAKE: No, you're not. You're not at all, Nick. This is an update to the ccNSO community. At the members meeting, we will present where we are in this process. I will present where we are in this process, and I will entertain questions, but I don't anticipate having to – at this point, it's way premature in my book to start asking the community, start waving red cards, green cards, yellow cards with respect to what we decided, because we're still in this process. We're noodling through this process, and I have a responsibility to report back to the community where we

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are in this process, and that's the beginning and the middle and the end as far as I'm concerned.

NICK WENBAN-SMITH: And I got that. I think that makes a lot of sense. And I suppose – maybe I'm asking before we get into the drafting of the policy, is there a formal feedback loop where we're checking whether conceptually there is broad agreement on the concepts. We don't waste a lot of time going into detailed perfect policy document, find that actually some of the major points that we all think are quite sensible actually are not accepted by the community. And I suppose that's the primary question, really.

STEPHEN DEERHAKE: Okay. Your primary question is, do we go back when we think we've got what we want and go and ask the community what they think about it?

NICK WENBAN-SMITH: Exactly.

EBERHARD LISSE: Stephen, if I may.

ALLAN MACGILLIVRAY: And I have my hand up.



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STEPHEN DEERHAKE: We've got many hands up, so hold on a minute.

ALLAN MACGILLIVRAY: Okay. All right. Thanks.

STEPHEN DEERHAKE: For both of you. Nick, I'm not sure – I don't have an answer off the top of my head on that one. I'm kind of reticent with regards to that, but can we table that? And certainly don't forget that one, let's bring it back up to us. If that's amenable to you. I've got people waving hands like crazy and I don't know what the order is.

BERNARD TURCOTTE: Eberhard first, Allan second.

STEPHEN DEERHAKE: Okay. Thank you, Bernard. Nick, I acknowledge that, and we need to do something. We need to address it. But are you good for the moment, sir?

NICK WENBAN-SMITH: I'm good for that. I think it needs addressing. I wasn't expecting you to have an answer off the top of your head. So I apologize for putting you on the spot there.

STEPHEN DEERHAKE: No apologies needed, just get your dog fed.

NICK WENBAN-SMITH:            Alright. Eberhard, I believe, was next.

EBERHARD LISSE:                Okay. Thanks. Nick, we have a process. First of all, informing the members beforehand, during the meeting or after the meeting is overrated. The response rate will be the same. I agree with you, we shouldn't take a temperature of the room, but we brief them every ccTLD meeting, and our presentation will have links to the documents that they can read if they want to.

The way this works is we also solicit input, so if they have something that we haven't looked at or if they strongly [inaudible] can just feed it in too. But the PDP is written by the members, participants and observers. We are looking for consensus, preferably full consensus. If there is not full consensus, people who are unhappy can, if they want to, but don't have to, write dissenting opinion. And then when we more or less have a finished product, we put it out for a contracted parties.

I hear what you're saying, but we don't really need two separate comment things, but we are informing members anyway, and anybody having an issue can feed that back to us. And then remember, we do nothing without consensus, or rather at least two readings if somebody is saying, "No, I'm dying in a ditch on something," we will work towards resolving this so that in the end, we have a full consensus that no objection is raised by any participant, member or observer. That's the plan for this.

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And then we feed it to the members, and if they're totally wrong and the ccTLD says, "No, you're totally wrong, you must do this over," then we review the comments and work that in. That's the process, this works. We shouldn't really change process since it covers already what you're saying.

I'm not saying we shouldn't ask the members, I'm not saying we shouldn't take back their feedback, but we should sort of work within the process we have. Maybe we should prepare for the Kobe face-to-face a ten-minute presentation about the process for ourselves internally that we refresh our memory how this works, like shortly reviewing the charter, so to say, how we do things and what the process is so that we refresh our memories, as you are right, memory is short.

STEPHEN DEERHAKE:

That's not a bad idea, Eberhard. I hope that goes into the notes. Thank you, Eberhard. Allan, please go ahead, sir.

ALLAN MACGILLIVRAY:

Thanks. Actually, Eberhard said much of what I was going to say, but I'd just like to summarize what I think I've been hearing, and going way back. Firstly, the document we've been reviewing tonight is not ready for prime time. It's not a document to be used to brief anybody. It's simply our own internal working document. I think that's what everyone agreed to.

Bart has suggested in the chat he's going to prepare some kind of summary or some such thing that you, Stephen, would present to the

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ccNSO on members' day. I think that's an excellent idea. I think if it's going to represent where the working group is, maybe it's something that we should have a look at on the Sunday just to make sure that the working group – yeah, I think that captures where we are collectively. So I think that maybe we should throw that on the agenda as something we could just take a couple of minutes to go over.

And thirdly, yes, I agree with Eberhard. We have to have a discussion on what our process is, but maybe where we differ is – I think we have to have a discussion in Kobe about doing what I think Nick has suggested and which I'm in violent agreement with, is getting some kind of general feedback from the community before we turn ourselves to writing a final document.

I think once the concepts are stable – by that I don't mean cards that are red, green or yellow, but I would really want to get a sense that there's not violent disagreement before we turn our minds to doing the fine points. So I don't think we should debate that element tonight, but I really think process, engaging the community, something like that should be on the agenda for the meeting in Kobe. Thank you.

STEPHEN DEERHAKE:

Thank you, Alan. The plan of action with respect to Kobe is we're front ended at that meeting, which I think actually is a good thing because we can make further progress on all this, and then I need to turn around with the help of ICANN staff in like 48 hours, and produce a slide deck and presentation to the ccNSO community to say, "Okay, here's where we are," and then solicit questions – not with the formality of taking the

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temperature of the room as we usually do on final matters, because this is not a final matter. This is a work in progress – and solicit input/feedback from our community, and then we can take it back and work on that, incorporate that into our first post-Kobe teleconference call. Does that work for you, sir?

ALLAN MACGILLIVRAY:

I'll repeat what I said: I think it has to be an engagement with the community, has to be an agenda item for discussion in Kobe, because I think it's a subject we all have to participate in. And to the extent we could do some of that at the members' meeting that week, I think we should try and do that. That's why I think we should put it on an agenda item. Just if we have some concepts that everyone feels, "Yeah, I think we have agreement on that," then I think we should take the opportunity to let the community know that's where we are, and see if there's any questions or reactions.

So that's why I think we should be talking about it generally on Sunday before the members' meeting. Thanks.

STEPHEN DEERHAKE:

Thank you, sir. I believe I've got like a half hour or so, so we can probably incorporate that into it. Bart, do you have any comments on the scheduling?

BART BOSWINKEL:

Yes. Stephen, you started off, say, with the face-to-face in Kobe. The first one is, as you rightly pointed out, the working group meeting. And

you also said at the end of it you want to share a draft slide deck for the community. So the working group could provide feedback and input and have their thoughts.

So that was addressed. Unfortunately, we didn't produce a written down agenda yet of the Kobe meeting, but I think that point is really just – what I also heard and what we as staff will do is Nick's concern, say, you want to know which stage you are in the general process. Stephen pointed out early in the conversation when he opened the discussion, is on the point about retirement and the order of retirement and review mechanism, and the scope of both.

I think it's a good idea that we start in the Kobe meeting with just providing that overview, and I'd say looking at it, I've noticed that the schedule for this working group for the whole PDP needs to be updated. So I'll present that to you as well at the start of the Kobe meeting. So that's just a procedural point.

Going back to what Allan and Nick we're looking for, the nice thing about temperature of the room is it's fairly informal. It's not seeking consensus or anything. But this is more an advice for you and the working group, is you've reached some, I think, significant conclusions since Barcelona, and that's the approach of the retirement process in general. It would be a missed opportunity not to share this with the community and seek their – whatever you want to call it. Not consensus, it's not formal, but just a hum of the room whether you are – to use IETF terms – traveling in the right direction.

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If you, again, want to have comments, then you miss the opportunity just to explain what you've been doing, check whether people feel comfortable about it, and then get on, because you achieved quite something over the last couple of weeks, since Barcelona.

And I think Nick and Alan, you were looking for something like this, is just, use this as an opportunity to seek broad agreement or broad support from the ccTLD presence. Thank you.

STEPHEN DEERHAKE: Thank you, Bart. Nick, I see your hand is up. So the floor is yours.

NICK WENBAN-SMITH: Yeah. Thank you. What Bart said, I think I want to totally support that, and I think the only final point – I know it's past the hour, but I have actually woken up now – is that to maximize the opportunity to actually get some meaningful feedback. I suppose what I'm saying – sorry, Stephen, I don't want to bully you, but if you could put something on to the –

STEPHEN DEERHAKE: Feel free.

NICK WENBAN-SMITH: – ccNSO list even if it's a sort of advance warning of, "Look, we have reached some significant preliminary conceptual conclusions in terms of how this is going to look, and we will be feeding back, and here's some

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stuff to be thinking about before the meeting so that you don't come into it –“ because I know half an hour is quite a long session as the meeting goes, but this is not a sort of, “Do you take sugar in your coffee?” sort of question. These are things we should need a bit of time to reflect, unless you are very closely involved in it like we are.

So to maximize the feedback that you will get, I think you have to warm people up a bit before the actual session that, this is what it is, here's some materials to think about, or even just a sort of update or a reminder that you can follow these things and there will be a session, and if you want to look at it in advance, then you will get more out of the session in terms of what we're looking for. Because obviously, it's selfishly from our perspective, we want good engagement and feedback, and I'm not sure – just presenting a slide deck without any forewarning that we have reached some significant preliminary conclusions will maximize opportunity. And Bart exactly summed it up, this is a great opportunity to get some feedback. Let's make sure that we do everything to get something useful and meaningful back, otherwise it's a missed opportunity.

STEPHEN DEERHAKE:

Nick, I concur with you completely. You're giving some additional homework which I'm going to have to engage with. Yeah, in terms of dropping something on the ccNSO members list saying the session's coming up, here are the issues – crap, now I've got to put something together for that. But yes, I think you're completely correct, we need to do that as a working group to at least put out to the members reference to background material. Whether they actually engage and consume it



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or not is beyond our control, but yes, I agree with you completely. That's a great suggestion, and I thank you for it. Thank you, Nick. Anybody else?

There's this weird button by Kim. I think we're quiet, otherwise. Wow. We are now on to Kobe. And as you know, we've got a long afternoon in Kobe, which will be great. I hope to lock down a lot of the text that Bernard's been working on for us. I think we're also going to have a discussion on the whole IDN ccTLD retirement issue, and we're also going to have a discussion on the exceptionally reserved issue.

We're going to have a couple of breakouts. We're going to have a breakout on oversight, I think. We are also going to have a bit of a discussion about PTI and retirement and how that works. I'm looking at my notes which are rather scribbled, so bear with me.

By that point in time, I'm going to have a slide deck to get back to Nick's issue, slide deck for presentation to the overall ccNSO community as to where we are, where we're going, etc. And the plan is to review that with you guys at the face-to-face meeting as well just so I'm not completely off the reservation as to what I've done here.

What else are we going to do? We're going to have a few other things, but basically, we'll have an engaging meeting, we're going to have a few breakouts as we've done in past face-to-face meetings with flipcharts and various colored pens, etc. So if we prepare for that. I hope most of you can attend it. And as you can see on the agenda, the meeting is scheduled in whatever the KICC is, etc.

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And I think that's about it from me. Is there anybody else [who] wants anything to say? Because we are over time, and I don't like to go over time. And everybody's being quiet. Bart, do you have any last-minute – what have I forgotten? Or are we good to go?

BART BOSWINKEL: We're good to go, Stephen.

STEPHEN DEERHAKE: I would love to shut this thing down, because you're 17 minutes overdue. Alright, on that –

EBERHARD LISSE: My hand is still raised.

STEPHEN DEERHAKE: Oh. Well, excuse me, doctor. I didn't see that. Go ahead, Eberhard.

EBERHARD LISSE: We schedule these meetings for 90 minutes. We try to close at 60, but have 30 minutes in order it takes over. That's what I wanted to say. But is there Any Other Business? We haven't done that yet.

STEPHEN DEERHAKE: Yeah, you're quite right. You're such a stickler for detail. Item six, AOB, Any Other Business. I see this blinking thing by Kimberly, which I don't understand what it is. Nobody else has raised their hand, so I will say

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that there is no Any Other Business. I've already discussed point seven, next meetings, which will be in Kobe. I hope to see most if not all of you there. I wish you safe travelers. And I think with that, barring any other hands raised, which I do not see, we will call this meeting to an end. It's formally adjourned. Thank you all, especially for those who are up at weird hours for attending. Thank you very much. Hope to see you all in Kobe. And safe travels, and be well. Thank you. Good night. We're done.

BART BOSWINKEL: Thank you. Bye.

[END OF TRANSCRIPTION]