ICANN66 | PDP-retirement

Saturday, 2 November 2019 | 15:15-18:30 | 514A
ICANN public schedule and remote participation details:
https://66.schedule.icann.org/meetings/1116946
Notes & Action items: https://docs.google.com/document/d/1mL1zLsL0koVm-
l2FDDPFVHgZv5f0va9kZS64OTyjWjQ/edit?usp=sharing
Workspace: https://community.icann.org/display/ccnsowkspc/Teleconferences+and+meetings+-
+2019

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1. **Welcome**

By chair Stephen Deerhake.
Primary focus for today's meeting: stress-testing

Disappointed by the lack of interaction on mailing list in between sessions
Silence will be interpreted as consensus.

> ICANN66 | IDN ccTLD policy review & next steps
> Thursday, 7 November 2019 | 10:30-12:00 local | room 514A
> ICANN public schedule and remote participation details:
> https://66.schedule.icann.org/meetings/1116960

Stephen runs the group through the agenda for today. Scheduled end time: 18:30 pm

2. **Administrative matters**

3. **Presentation to the GAC**

Presentation by Eberhard Lisse.
High turn-over at GAC. on-boarding to GAC.
Presentation has been reviewed by the WG and others, incl. Paul Mocapetris

Comments: definition domain name (do not use the one from wikipedia), what is the role of
governments in the retirement? Consider which slides need to be skipped, in the interest of time

4. **Final reading process document**

Overview by Bernard Turcotte on the changes to the process document.
E.g. footnotes are being taken out. We keep the definitions in the main text.

Nick: line 41. Do we have contacts with ccTLDs listed there?
Peter: explicit enumeration of ccTLDs might not be helpful in a policy document. (line 41)

> ***Action item #1:***
> Line 40 and 41 requires further tweaking, pending stress-testing.

Line 85
Setting a date for retirement? Or setting a date for removal from? Bernie to review. We always
speak about retirement

5.   Stress test / hypotheticals

Introduced at the previous meeting
7 corner cases to date.
Goal today:
1/ check whether we captured most of the corner cases for the stress-testing.
2/ start of the 1st breakout session: once you got the corner cases, you need to understand how the policy applies to them.

To do: First exercise:
WG members to run through list of scenarios and check whether you want to add anything.
Individual exercise. 5 minutes time.

Any additions to the scenarios?
Peter K: ccTLD manager receives an injunction against removing 2nd level domain names. Successor state under international law or not?
Nenad: how to keep the line of communication. To whom do you send the retirement? How do you know you are talking to the right address with the ccTLD manager?
Nick: suppose 3166 standard disappears and maintenance agency takes this decision. How do we handle this?
Eberhard: breaching agreement after extension as separate item
What happens if a ccTLD manager goes bankrupt ? if a court gives orders
Brent: what if a TLD wants to join ICANN's gTLD programme?
Kim: set of policies applicable to ccTLDs already in process of retirement?
Patricio: breach during extended period. What if an island state were to physically disappear? 2-letter code might be very relevant to a certain industry?
Jaap: if a TLD disappeared, it has consequences on other TLDs.
Allan: bankrupt. Where the operator ceases to operate.

Brent: how do we prioritise?
Bart: we use every corner case to stress-test. If we do not finish today, we don't.
A smaller group looks into the individual cases and share the results. Covers all 11 scenarios.

*   Break – out

Next exercise (15 min time): if you use the policy, what will be the result to that corner case?
3 groups
Group 1: scenario 1,2
Group 2: scenario 3,4
Group 3: scenario 5, 6, 7

Bart will circulate the list of additional scenarios with the WG mailing list.

1.   Report by Group 1. Alyssa
     (Notes missing)
2.   Report by Group 2. Nick
a.   Case 3. Breach of the retirement agreement
          Plan continues. This is not a legal contract that has been breached. The time period is either 5 years, or an extension. It will lead to the retirement regardless

   b. Case 4. Cctld manager going bankrupt
    Cctld manager in breach with obligations to be a good operator. A ccTLD can be revoked and then delegated, if there is substantial misconduct on behalf of the manager. What is the retirement already started? Retirement case are rare. Security and stability issue. IFO is able to assess the situations on a case by case basis

Bart: findings to be included in the report. It sets the tone for the policy. Do you think the existing set of policies apply during the retirement phase? (transfer for instance)

Allan: even if there are active 2nd level domains operating, that is not determining the decision to remove from the root. When we write it, it should be consistent

3. Report by Group 3. Bernie

a. Case 5. Request to transfer post retirement notice
    Retirement is the result of significant name change.
    Retirement policy applies. All applies
    Special policy that applies. There is a gap. But easy to fix

   b. Case 6. We cannot force ccTLDs that are not member to comply with our policies

c. Case 7. Currently impossible: the list requires 50 years. End of story. The policy should apply. Second condition: ISO does not reserve codes as specific ccTLDs. If the code is removed from the list, the policy applies.

Eberhard: if the ICANN board would decide to make an exception, continue. Since there is a board resolution.

   • Next steps

We will capture the comments and share them on the list, for discussion during the next meeting.

6. Presentation to the community

Slide deck to bring ccNSO members and general community up to date
Finalised policy, with some small exceptions
We went to the next phase: stress-testing.

Bart: go back to previous presentation, where you discussed oversight and review and how it applies in the retirement process. Check whether ccTLDs are comfortable in moving forward in that direction?

7. AOB

8. Next meetings

   • 21 November 2019 – 23:00 UTC
   • 5 December 2019 – 05:00 UTC
   • 9 January 2020 – 11:00 UTC
   • 23 January 2020 – 17:00 UTC
   • 6 February 2020 – 23:00 UTC
   • 20 February 2020 – 05:00 UTC
   • 8 March 2020 @ICANN67