
STEPHEN DEERHAKE:

Good morning, good afternoon, and good evening and thank you, everybody, for joining today's teleconference. For the record, this is the 5th of March, 2020 edition of the ccNSO PDP Working Group, tasked with developing ICANN policy with respect to the retirement of ccTLDs from the root zone. And we have convened this meeting today at 11:00 UTC.

I want to thank those of you who have either stayed up really late or gotten up really early for your participation on today's call. And I really wish to thank Kimberly, who's gotten up really early on our behalf. It's 4:00 AM where she is. So, that's outstanding devotion to the cause, in my book.

I'm assuming staff will be taking attendance in the usual manner, so if there's anyone on audio only—and I don't see anybody but that doesn't mean I'm looking at it correctly—please identify yourself so you can be properly recorded.

With regards to administrative announcements, the only one I have is the kickoff meeting of the Review Mechanism Working Group, our now sister working group. I thank those of you who've stepped up to join that as well. That's going to be figured out via Doodle poll soon, so stay tuned for that.

And as I noted in our last call, we had a nice overlap between this group and that group. And I want to clarify my last remarks on the last call with regards to this group. I attribute them to a wee bit of jet lag over 11 time zones. So, this group is not winding down or going away

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anytime soon. I just want to caution those of you who are planning long holidays away from ICANN teleconferences, check with me first with regards to this.

And as I noted, the first meeting date and time of the Review Mechanism Group is going to be sorted out via Doodle poll. And it looks like we're going to try to do that group meetings on a different day than our days so that there's not overlap. That's it with regards to administrative items. Stay tuned for the email on the Doodle poll.

With regard to action items, I do not have any. Bart, do you or Kimberly have any?

BART BOSWINKEL: I want to chime in a little bit on the Review Mechanism update.

STEPHEN DEERHAKE: Feel free.

BART BOSWINKEL: To date, we've received ... Two GAC members want to participate in the Retirement Mechanism Working Group—maybe more to come. I don't know.

STEPHEN DEERHAKE: Okay. Hold on. I've got to pick myself up off the floor.

BART BOSWINKEL: Yeah. So, that's a good thing. And we have one ALAC member and we are waiting, maybe, for GNSO. So, we'll send out an email again after they've sent in their consent form and introduce them to the whole group, including the new list and the names of people. So, that's with respect to the—a little bit more background to the Review Mechanism. So, it paid off, the webinar.

STEPHEN DEERHAKE: Yes. Thank you, Bart. Thank you for doing both of them. Wow.

NICK WENBAN-SMITH: Can you give us the names of volunteers, or victims, as we should call them?

BART BOSWINKEL: They're not well known. Put it that way. I don't know. Kim, do you know them or Joke? But they're not your ... Their names doesn't ring a bell with me. But we can share them. We'll share them, say, once we've got their consent form, anyway.

STEPHEN DEERHAKE: Okay. That's good. They can remain anonymous until then. But thank you, Nick, for raising that question.

NICK WENBAN-SMITH: Intriguing that it's not any of the usual suspects.

STEPHEN DEERHAKE: Who's willing to walk the plank? That's what I want to know. And not the usual suspects. True enough.

BART BOSWINKEL: Maybe the ALAC person is Vanda so you know her. So, that is a usual suspect. But the GAC members, nope. It's not secret but we'll get that to you.

STEPHEN DEERHAKE: Okay. Given that I've got to run to the airport after this call and I've got nothing further, I think we need to just dive right into the policy document.

BART BOSWINKEL: Yes, please. Can you put ...? Yeah.

STEPHEN DEERHAKE: I give the floor to you, sir.

BART BOSWINKEL: Yeah. Thank you. Can you go to the ... So, there were two action items regarding the open one. So, as you can see, and just for the record, I've marked the closed sections gray. And there is one open item that was with respect to ... And that was an action for PTI to respond and check whether the proposed language was okay. So, that was stress test eight.

Kim, can you put on the summary of the comments? There were some email exchanges on the email list. I captured them. And this is in chronological order. So, first was the ... We're focusing on the top paragraph. We understand, then, that as I educate the retirement—much like with the transfer request, the procedure for validating it with a lawful representative of the ccTLD manager used, as opposed to the admin contact. And there as a comment from Eberhard around “lawful representative,” and then the comment itself as well.

That was my notes at the end. I'll update the language accordingly, if you agree. I recall there was a discussion between the FOI Implementation Team—that was Becky and Keith at the time, together with IANA staff, now PTI staff—around the procedure, etc. And it's very clear from the language what is referred to is not so much a definitional or legal representative but more validating that the contact person is able to act on behalf of the ccTLD manager.

The procedure has been developed. So, my suggestion would be to go to the comments from Kim—so, starting with the ... We probably use the wrong terminology, while there is probably—etc. And that we also take into account, or the working group takes into account that, effectively, procedures are part of the implementation and that as a policy work, the group should not be too much involved in procedures. Eberhard, I see your hand is up.

EBERHARD LISSE:

My point was not that I wanted to go on names or procedures. I like the concept that if the [IFO] has a way of establishing who the contact is,

they should let us know what their process is. For example, NA-NIC, my company, would engage with them and say, “Okay. This is our contact.” And maybe that’s a way forward, that all our ccTLD managers who are willing or who are cooperating also should be offered an opportunity to engage with [IFO] and say, “This is the contact that you can deal with for this issue.”

BART BOSWINKEL: So, do you want to include it in the policy document or as a separate note and say—

EBERHARD LISSE: No. It has nothing to do with the policy document. That’s a separate issue that came up, which I wanted to point out and which I like on a general basis, not just for this.

BART BOSWINKEL: Thanks, Eberhard. My suggestion would be that the working group has noted that PTI has proceedings in place and urges—or similar wording—PTI to publish them so ccTLDs can use them. Not part of the policy itself, but just as an advice coming out of the work of this group. But at least this way it’s captured and the PTI is informed about the sense of the working group. Would that work?

EBERHARD LISSE: For me, it works.

BART BOSWINKEL: And I don't see any other hands up around this topic. Questions? So, I'll adjust the language a little bit in stress test eighteen, taking into account this discussion.

STEPHEN DEERHAKE: Thank you, Bart.

BART BOSWINKEL: Can you go back, Kim, to the stress tests? Now, can you scroll down to stress test 15, please, because that was the other open item. We need to go to page two in a minute but we won't yet.

First point is that PTI had some comments on the general language that was in the results. And again, that was shared on the list. I didn't see any comments. And can you go back the document, please, that you just shared, Kim, so we can look at the language as proposed? Because that's the second paragraph.

So, the language proposed by PTI was, "The working group believes the applicability of the policy for existing situations is out of scope for its mandate. For situations prior to this policy coming into force, responsibility lies with the IFO to create a suitable procedure. Such a procedure could be based on this policy."

So, that was the proposal for PTI with respect to stress test 15. Are there any comments, questions around this so we can include it and

revisit it? So, first, are there any questions for clarifications around this proposed text? It's been circulated on the list a few days ago. If none ...

EBERHARD LISSE: No. I have my hand up.

BART BOSWINKEL: Sorry. Go ahead.

EBERHARD LISSE: I wanted to change "could" into "should."

BART BOSWINKEL: Okay. We will. Yeah. Depends on ... There is a bit. If you think it through, Eberhard, maybe that's something for ... I'll include it. But if you should then you preempt the outcome of this discussion. I think that's a bit of ... It's a dog chasing its own tail. The policy is not in place but at the same time, the procedure to deal with it should be based on what is happening right now or the discussions you are having. So, from a timing perspective, if you extend the policy itself and the scope of the policy again, if you change it to "should ..." I can imagine that you say "strongly advise to." But you can't use a term like "should" or "shall."

STEPHEN DEERHAKE: Eberhard, you want to weigh in on that?

EBERHARD LISSE: If you use “could,” you can use “should.” It’s not something I’m going to die in a ditch on. But since the idea is that it doesn’t apply ... It can be retracted, but inasmuch as can be done, it should be used. Otherwise, if you write “could,” then we don’t have to write it at all because then that’s just a general statement.

BART BOSWINKEL: Yep. Okay. Anybody else wants to chime in on this?

STEPHEN DEERHAKE: I’m not seeing any other hands so I would suggest you carry on, Bart. Thank you.

BART BOSWINKEL: Okay. So, I’ll include should. And with respect to these two changes, that’s up for the next call for a second read. And then, I hope we can close this.

STEPHEN DEERHAKE: Right. Thank you. I do too.

BART BOSWINKEL: Yeah. Can you go back to the document itself, Kim? So, what you also see ... And that’s to the text itself. In the previous version there was text in “adjustment, if any,” and that was around the description of the exceptionally reserved codes and the ccTLDs. It’s now included and

bracketed as a footnote on page two. Can you go to page two, please, Kim?

There we are. So, it's the same language and it's clearly marked. This refers to the two-letter Latin ccTLD not corresponding to an alpha-2 code. And now it's in the footnote and it needs to be ... It's a complete note from the previous discussions. So, I've included it here.

And it states, because I recall there were one or two people only on the call ... So, the members of the working group on 6th February call proposed to include a clarification around the exceptionally reserved codes in either a footnote or the text. So, it's now in the footnote and the text reads, "The ccTLDs .uk and .ac, which refer to exceptionally reserved codes .uk and .ac, are grandfathered at ccTLDs. And .eu, which corresponds with the exceptionally reserved code eu, was delegated under relevant ICANN Board resolution from September 2000."

And then [inaudible] open and a quote from the Board resolution. "It is therefore resolved, 00.74, that the IANA staff is advised that alpha-2 codes not on the ISO 3166-1 list are delegable as ccTLDs only in cases where the ISO 3166 Maintenance Agency, on its exceptional reservation list, has issued a reservation of the code that covers any application of ISO 3166-1 that needs a coded representation in the name of the country, territory, or area involved."

So, that was included ... That was language directly quoted from the Board resolutions. So, that's clarified. And it was included at the suggestion of the working group, to clarify the .uk and .ac on the one hand side and .eu on the other hand side. That's in addition to the

proposed policy text, at the suggestion of the working group. Any questions, comments on this one?

NICK WENBAN-SMITH: I think it's a good addition, by the way. That's all. I haven't really got a specific comment but it looks sensible to me.

BART BOSWINKEL: Okay. Thank you, Nick. So, I'll put it more as taking the temperature of the people on the call. If you agree, please check the green mark, or if you disagree, then no. And then, we'll see. I don't see ... I see green marks. Yeah. Anybody opposed—so, the noes? I don't see any noes yet. And then there is ... So, we'll leave it as this. We'll clear it as a footnote going forward. Thank you. And again, this will be up for a second reading but then it's going to be very quickly. Thanks.

STEPHEN DEERHAKE: Thank you, Bart. I think this is good progress here, as all the Europeans were shouting out.

BART BOSWINKEL: Yeah. Okay. Thanks. Can we go back now to section seven? As indicated on the email, I want to run through the text of the background and process to date. I want to do it fairly quickly, if reasonable. So, I want to do it almost on paragraph level. So, bear with me. I will not read it out, I hope. If you have any comments, please raise your hand or scream and shout and then we'll adjust it.

So, starting with line 288 to 291. That's the first paragraph of the background. So, is there any comments, questions around this section? Any changes suggested? I don't see any hands up nor anybody screaming. Then, we'll keep it as is.

Line 293 to 296, before we go to ... Can you scroll down a little bit, Kim, so we can see the full paragraph? Oh, no. You can't. So, 293 to 298. Any comments, questions around this part of the text? I don't see any hands up question marks. None?

Then we go to 300 to 302. Any questions around this one, comments? I don't see any comments. No screams. Thank you. This goes. Then 304 to 313. No comments? Questions? Okay. Thank you. 315 to 319. Any comments, questions? None? 321 to—can you scroll down, please, Kim?

NICK WENBAN-SMITH: I can't believe that Copenhagen was three years ago.

BART BOSWINKEL: Yeah. I know. Oh, this is a longer one. So, 323 to 335.

STEPHEN DEERHAKE: Time flies, Nick.

BART BOSWINKEL: No comments. 337 to 339. No comments. Good. 341 to 349. No comments. Next page, please. So, that was 7.1. So, we'll include that for

a second read next time. But then, it will be around are there any comments, questions on the whole paragraph?

7.2, process to date. 353 until 359. That's two paragraphs. Apologies. I don't see any comments, questions. Okay. 361 to 367.

STEPHEN DEERHAKE: Looking good, Bart.

BART BOSWINKEL: None? 369 through 371. None? 373 to 374. None? Okay. Thank you. Then, next page, please. References. Okay. Thank you very much. So, I'll assume 7.1 and 7.2 are ready to go. So, we'll revisit it at the next meeting.

Can you go, now, to the next version of the document? Patricio has a comment. This goes back ... We'll take it into account. It's noted, Patricio.

So, let me explain, again, what I've done. Based on the text to date—and it's a similar text as the version you just saw—I reshuffled the document a little bit. And so, from a text perspective, there should be no surprises.

Allan, were you trying to say anything? I saw your ... If so, you're on mute. If none, then okay. Okay. Thank you. So, this is what ... Stephen, go ahead.

STEPHEN DEERHAKE: Thank you, Bart. With regards to Patricio's comment, this is, in my view, a significant comment. And we need to keep this in mind and plan to discuss it, probably, on the next call.

BART BOSWINKEL: Patricio, please comment if ... This refers back to the discussion we just had around—

STEPHEN DEERHAKE: Exactly, with Eberhard.

BART BOSWINKEL: So, we'll revisit it the next call, anyway, and we'll take it into account. But at least we insert the text as proposed and we can have a discussion around it. And use the comments as well.

STEPHEN DEERHAKE: Yeah. I just wanted to highlight the fact that he's brought this up. And I know Eberhard said he wouldn't die in a ditch over it. But the language there needs to be tightened. So, let's have that discussion. I just wanted to make a note of that. Thank.

BART BOSWINKEL: Yep. Okay. Let's go back to this version. It's more a question ... What I've done and explained—again, I did on the previous call—is I've reshuffled the elements a little bit and inserted the paragraphs or the sections. So, what we just discussed was the background of the whole process. I've

now moved it up to the background and introduction of the whole text. The introduction is similar as it is. And the background was more explaining how this working group, or this part of the PDP, was established and was created.

So, in my view, if you think about an external reader, it takes some people by the hand, and introduces the topics, and introduces the scope of this working group and the results of the work of this working group. That's why I've included it at the starting point, together with the introduction as it is right now, with the general statement around, I believe, it was [ROC 5091]. So, it provides the context for the introduction that you agreed upon.

So then, the policy objective is what it is already. Applicability of the policy, that was, again, one of the sections already. So, the numbering that section did not change. Then, the retirement process is the same. Oversight and review mechanism is the same. Then, stress testing, I've separated the two.

And can you go to page 41, please, Kim? Okay. Scroll up a little bit. So, this is ... Yeah. Here we are. Page 41 of the document. So, what I've done is, as we discussed on previous calls, the table that we've discussing around stress testing is now included as Annex A. And I've listed the stress tests to date, so that's what you can see, starting a little bit on the previous page, on 318 until 366.

So, this is starting with section 6.2, so 306 to—next page please—to 267. And what you see is that captures the stress test. What I've done as well is I've tried to summarize the results of the stress testing in

section 368 until 372 and basically saying that only the result of a special transfer is needed. The other stress tests has not resulted in any need to adjust or refine the policy itself. There is some clarification, as we say, like the footnote, but that's about it.

So, in this way, I tried to capture the results of the stress testing process. And if people want to read more details around it then they can revert back to the Annex.

My question is, first of all, broader. Are there any issues, comments around the basic structure of the document as proposed and in front of you?

STEPHEN DEERHAKE:

I don't see any, Bart.

BART BOSWINKEL:

That's good. So, moving forward, I propose that we start working on version three and that will be, I would say, almost the basic ... It's refining the interim paper of the working group—so, making it almost ready after we've done the second reading of the table and its results—that we start working on almost the publication of the interim report because this is, in my view, almost ... It needs some iterations to be ready for publication but then you've got the paper in front of you that will be published. So, that's with respect to the outline and questions or the structure itself.

Then, with respect to 368 and 372 as a summary ... So, we'll revisit this next time. But do you agree with structuring it this way—that this type

of summary should suffice to explain the results of this stress testing and that we refer the reader to Annex A if they want to have more details? I don't see any comments or questions. And if none, then ...

Okay. Then, the next point is ... Yeah. I don't want to push this now. But for the next call, the next meeting, that we revisit the text of line 368 to 372—so, the summary—and check whether you're comfortable with it. I don't want to push too much on this call yet. So, that's with respect to this part of the structure.

Then, can you scroll down please, Kim, to the Annex B, I would say? Annex B. Yes. This is the one. Just to say, if you recall this overview, and I've called it deliberately "overview" of terminology, it's not intended, at this stage, as a glossary. It is the terminology taken directly from the ISO 3166 standard and explained. And it is taken from some of the IANA reports regarding retirement, where it is unclear. This was the basic starting point of the work of this discussion. I think especially the bit about specific terminology derived of the ISO 3166 standard is probably something that we need to include. Peter, I see your hand's up.

PETER KOCH:

Yeah. Thanks, Bart. And hello. So, I might be confused but I feel I've lost a bit track of the type of the changes. It's partly restructuring the document. But then, there is also new content. And I have the feeling that we're doing two things at the same time. Am I going to be off track here?

BART BOSWINKEL: You are. The overview of terminology has been around since December 2017 and has not changed.

PETER KOCH: I just tried to find that in version two of the document. Are we merging—

BART BOSWINKEL: It is not included. I have added this. All the material in this version has not changed, with respect to the glossary, nor the overview of terminology, nor with respect to the text itself of the policy document, with one exception, which I just explained—was the summary of the results of the stress testing. That's the only exception.

PETER KOCH: Okay. So then, excuse my confusion, please. Thank you.

BART BOSWINKEL: Yeah. So, this is going back ... Just for everybody ... Maybe we should stop here. Have a look at the structure again. Have a closer look at section 7.2, whether the summary captures the discussions on the stress testing. And then, if you have any comments on this version, please use the list. And that's about the structure, etc. And what we still need to do—and that's the next phase of this working group, as well—is derive a glossary of the terms, for example, you want defined and that have been introduced by you. I think that's different from the overview of terminology that's used in this context because this is from external

sources. One is the IANA reporting and the other one is the terminology from the ISO 3166 standard that we've been using.

So, you've got homework. And we'll circulate this version again, both in Word and PDF. And then, the next version, we'll kern it for discussion, Eberhard. I think then, we're reasonably on track. Back to you, Stephen. I don't have more. That's all I had for today.

STEPHEN DEERHAKE:

I guess, Kim, can you put up the agenda because I think we're done with the meat of this meeting. Get things out of the middle of the screen. I just went offline and came back. I guess we're at AOB at this point. I think we know where we're going with next steps. We need to do another run through of this in a different time zone.

I'm sorry we're not going to be getting together in Cancun. Those of us who will be getting together in Cancun will wave and say hello at some point, I suppose. Any other business at this point from anyone? And I do thank everyone for turning out. We had a good turnout tonight—well, this morning my time. And I don't see any hands but that feature's gone away for me so I'm not able to ... Bart, can you see any hands because I cannot see any hands.

BART BOSWINKEL:

I don't see them, either.

STEPHEN DEERHAKE:

Yeah. I had a power outage a couple minutes ago.

BART BOSWINKEL: No. There are none.

STEPHEN DEERHAKE: It's partially back. All right, given that, proposed next meetings are on the 19th of March at 17:00 UTC, which is again another convenient time for those near the Meridian and a less convenient time for those of our colleagues in Asia. And then, on the 2nd of April at 23:00 UTC, where we should be to get the antemeridian people engaged. And hopefully we'll get—should have, I would hope, a complete wrap on the proposal and have it kernal for review, etc. so we can get this out to the community.

That being the case, no other business. You know the next meetings. I think we can bring this one to a halt. I want to thank everyone for participating today. I especially want to thank ICANN staff for their help and participation, particularly Kim, of course, who get up so early. And with that, I think I will close this meeting. And I look forward to conversing with you guys again in two weeks on the 19th. So, thank you very much. Kim, you can kill the recording.

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