

**RFP 4****Stress Test Scenarios**

Some scenarios as visualized by the Business Constituency, SSAC and Mathieu Weill are captioned and listed in the table. Please feel free to add more scenarios as also mark for removal the scenarios that are irrelevant. The “strategy” column is for comments on how the scenario could be prevented or faced and dealt with if and when occurs and also to comment if it is a scenario that requires the strategy to be kept undisclosed, for any valid reasons.

The NTIA has indicated that the stress test is a requirement. However, if RFP4 or the wider group feels that one or two of the following scenarios require the strategy to be undisclosed, those scenarios could be discussed without much publicity and shared privately with the NTIA. This would be a safeguard that may be required to prevent the strategy from being rendered ineffective, so it would not amount to a compromise on ICANN’s Transparency standards.

link to editable document :

[https://docs.google.com/document/d/1QVC12Q-NuB35pyaBirUDF85DBR\\_oFHkEYC5vbWu04go/edit?usp=sharing](https://docs.google.com/document/d/1QVC12Q-NuB35pyaBirUDF85DBR_oFHkEYC5vbWu04go/edit?usp=sharing)

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S No.	Author	Stress Scenario	Probability	Relevant to IANA Requires discussion	of Indirect relevance to IANA May be discussed	Not Relevant	Strategy
1	BC	Cancellation of the AoC.					?
2	BC	Flight to avoid jurisdiction.					
3	BC	Insolvency.					
4	BC	Applicant Support Revisited.					
5	BC	Ignoring SSAC					
6	BC	GAC Votes					
7	BC	.xxx redux					
8	BC	Contested gTLD Redelelegation					Would this be stress that would break ICANN ?
9	BC	Enjoined Delegation					
10	BC	Contested ccTLF Redelelegation					
11	SSAC	possibility of governmental					

		sanctions and restrictions (e.g., for obtaining OFAC2 licenses where U.S. sanctions might interfere with the execute proper instructions to IANA) following the stewardship transition.					
12	Weill	domain industry financial crisis, leading to sudden drop in revenues for Iann					
13	Weill	conflict with a significant financial contributor leading to this stakeholder refusing to pay fees					
14	Weill	new technology competing with DNS leading to sudden drop in domain name numbers					
15	Weill	Governance crisis within Iann leading to inability to reach decisions for a long period of time (6 months to 18 months)					
16	Weill	Major corruption or fraud within Iann					

17	Weill	AntiTrust action (or class action) against Icann				x	Example Entry: Consult legal experts and select community leaders for preparedness, arrive at a strategy, and then share the strategy with NTIA in-camera, to convince them for the purpose of transition of ICANN's preparedness. Might be unnecessary to publish strategies for such preparedness. Legal experts might agree that it is unwise to disclose legal strategy in advance.
18	Weill	Chairman, CEO or major officer acting in a manner inconsistent with the organisation's mission					
19	Weill	Major personal data leak due to failure of Icann's security					
20	Weill	Financial crisis affecting Icann's reserves in a manner that threatens its continuity				x	Example Entry: It is important both to arrive at a strategy to confront such a scenario if and when it occurs, as also to closely examine the existing financial structure for such gaps as might lead to such a threat. Solutions could be outlined to PREVENT the

							<p>occurrence of such a scenario, for example, by recommending contingency reserves for essential operation for a period of 3 years or more, isolated and insulated from legal claims (if this is not legally possible, a large Insurance company might be able to offer a creative solution). Alternately there could be a separation of allocation streams for Global Public Interest DNS tasks from Commercial aspects. For example, ICANN could explore ways by which a structural separation could be created for policy and community work from that of commercial operations governed by California Law. Policy and essential DNS tasks could be on a stream of “unreachable” funding, possibly from a miniscule share of revenues from Registrants as also from irreversible allocations from new gTLD surplus or auction surplus.</p>
21	Olivier	IANA Customer Standing Committee (CSC) <i>Not flagging non compliance by shared</i>					

		<p>default: A fault caused by non-observance of internal policy and process; Customer Standing Committee being composed only of directly affected parties becomes complacent and intent in not flagging minor compliance problems. The situation exacerbates over a time to end up being flagged by the IANA Periodic Review Team; Trust is eroded to the point of asking for a replacement of both the IANA functions operator and the CSC with alternative Roots. This becomes a public relations problem.</p>					
22	Olivier	<p>IANA Periodic Review Team (PRT) controls considerable power yet it does not have power to defend itself; A company or government threatens litigation of both the PRT and its members wholly and individually for its decision to allocate the contract to another entity. This blocks the process</p>					

23	Olivier	The current IANA functions operator threatens litigation if contract is not renewed and allocated to another entity.					
24	Olivier	A stakeholder permeates several levels of the multi-stakeholder committee to capture its processes.					
25	Olivier	A stakeholder ensures overwhelming control of processes as other stakeholders cannot keep up with the work.					
26	Olivier	A country captures the process of the PRT, bypassing it through legal means.					
27	Olivier	Members of the PRT have their lives threatened when deciding on re-allocation of IANA contracts.					

28	Olivier	<p>The PRT is overwhelmed with complaints from stakeholders to the point that its Committee is overwhelmed with work. Committee members have a choice: either get paid for this function or pull back thus slowing the functioning of the PRT. A third option would be to engage more staff and contractors to do the legwork. However, budgets are tight. Corners are cut in order to keep within timings. Quality of reviews suffer.</p>					
29	Olivier	<p>Terrible appeals judgments by Independent Appeals Panel for Policy Implementation (IAP) (for example, check determinations which were made for by the independent string confusion determination process)</p>					<p>Mitigation Options: Frequent review process of IAP determinations. Include a system of checks and balances to direct appeals.</p>



30	Olivier	<p>The current IANA functions operator threatens litigation if contract is not renewed and allocated to another entity. Third Parties sue to destroy entity, thus without an IANA Contracting Entity, the whole system of contracts which form the basis of the IANA functions coordination breaks down. Legal and technical chaos follows. Vexatious Litigation causes contracting entity budgets to spiral out of hand, beyond budget allocation and the IANA contracting entity (ICE) fails financially. Legal and technical chaos follows. External Country/Entity sues to press for non-signing of contract.</p>					<p>Mitigation Options Immunity from Prosecution afforded by jurisdiction where the entity is located. Protect Entity by giving it large resources to defend itself. Protect Entity under ICANN umbrella (not independent entity).</p>
31	Olivier	<p>Rogue Board in the Iana Contracting Entity (ICE)</p>					<p>Mitigation Options No Board or Directors. Clauses in Bylaws prevent the Bylaws from being changed and restrict the power of the Board. Procedural Checks and balances to counteract / take action.</p>
32	Olivier	<p>Rogue Employees in the IANA</p>					<p>Mitigation Options: No employees. Use contractors only whose job</p>

		Contracting Entity						description is very narrow. All contracts include acting only on instruction of "PRT"?
33	Olivier	As an independent entity, the Iana Contracting Entity refuses to follow policy or instructions from PRT and end up being sued by PRT? What power does PRT have over this independent entity?						
34	Olivier	The independent IANA operator opens itself to a variety of threats also faced by the PRT and ICE. It goes rogue.						