IANA CWG Meeting #10 (11 December)

Attendees:

Members: Avri Doria, Donna Austin, Eduardo Diaz, Elise Lindeberg, Erick Iriarte, Fatima Cambronero, Graeme Bunton, Greg Shatan, Jaap Akkerhuis, Jonathan Robinson, Lise Fuhr, Olivier Crepin-Leblond, Robert Guerra, Wanawit Ahkuputra

Participants: Alan Greenberg, Allan MacGillivray, Amr Elsadr, Brenden Kuerbis, Carolina Aguerre, Cheryl Langdon-Orr, Chuck Gomes, Gary Campbell, Guru Acharya, Keith Davidson, Lars Erik Forsberg, Maarten Simon, Manal Ismail, Mark Carvell, Martin Boyle, Matthew Shears, Peter Van Roste, Plamena Popova, Sivasubramanian Muthusamy, Tomohiro Fujisaki, Yasuichi Kitamura, Wale Bakare

Staff: Grace Abuhamad, Berry Cobb, Bernard Turcotte, Theresa Swinehart

Apologies:

Please let Grace know if your name has been left off the list (attendees or apologies).

Proposed Agenda:

1. Welcome & Roll Call

2. Status Update

3. Outreach & Engagement Reporting from Members

4. Key Questions & Issues (identified during Webinars)

5. Processing of Public Comments

6. Work Plan Going Forward

7. Principles

8. Review of Action Items

9. AOB

Notes and Action Items:

1. Welcome & Roll Call

Staffan Jonson on audio only

Avri Doria on audio only

(all others in AC room)

2. Status Update

- Document publish for comment 1 - 22 Dec (23:59 UTC)

- 3 identical Webinars on 3 & 4 December

- Published a document covering the questions annd issues that arose during the Webinars

- Met with Drafting Team co-Chairs for CCWG-Accountability to start coordinating efforts

3. Outreach & Engagement Reporting from Members

- Ensure that groups are adequtely involvolved and ready to produce comment during Public Comment period

- **NCSG**(presented by Avri) has specific list for discussion of issues. NCSG is prepauring a document for Public Comment

- **ALAC**(presented by Olivier and Alan) had a webinar last week about the basics of the IANA Functions, and this week there was a follow-up webinar for explanation of CWG proposal. There will be a comment from ALAC. There is also a large Ad-Hoc WG.

- **RySG**(presented by Donna Austin) held two webinars in the past week to receive input in the drafting process for the RySG comment

- **ccTLDs**(presented by Lise) have a special world list, have had survey and webinars. Meeting next Tuesday to discuss issues related to the proposal

- **SSAC**(presented by Robert)

- **GAC**(presented by Elise) will have a conference call on 15 Dec summing up all the comments from GAC and will try to reach concenusus on 21 December. This is a very tough timeline for GAC. The GAC will at least have comment on Principles. GAC has already assembled some substantial comments on the draft proposal.

- **RrSG**(presented by Graeme) has reached out to all Registrars and is preparing a comment and joined RySG webinars

- **CSG**(presented by Greg Shatan) is regularly updated and the constitutencies may be preparing comments as well as individual organizations/individuals within

- **Peter Van Roste - CENTR - ccTLDs**: Regular updates on process and issues to the CENTR community and non-members from EU region. (no feedback from that group which includes for instance Monaco and San Marino)Started visual overview of process with links to all docs, updated at every step of the processDrafting CENTR commentsPlanning CENTR webinar

- **Mark Carvell GAC - UK Govt**: UK government has held consultations at the national level by circulating key CWG documents to the UK government's Multi-stakeholder Advisory Group on Internet Governance (MAGIG) including the draft proposal and the latest, very helpful, compilation of key questions. A face to face meeting with MAGIG members last month discussed the strawmen proposals. A follow up MAGIG meeting is being scheduled for mid-January

- **Carolina Aguerre:** In terms of outreach in LACTLD we have held in house webinars, as well as disseminating all the relevant information from the CWG and the process in general. We have also addressed non-LACTLD members in the Caribbean with individual invitations to attend our meeting last month in Aruba, as well as to communicate the importance of the issue in late June. We did get acknowledgement of receipt of a couple ccTLDs in the Caribbean to these personal emails/invitations. We will be submitting a report to Bart today on our actions regarding outreach and capacity building since the IST was announced in March. We will be also submitting comments before Dec 22.

Spanish is used to share information in the LAC region.

4. Key Questions & Issues (identified during Webinars)

- The target is to clarify the position of the Draft Proposal at this point.

- The goal is to publish this document widely by Friday end of day UTC, but first give CWG opportuity to comment

5. Processing of Public Comments

- Staff will capture and summarize comments

- As soon as possible afterward, a summary will be provided

- Drafting Group will analyze the comments.

ACTION: If you feel like you would like to be actively involved in Drafting Group for analysis of comments, please make yourself known.

6. Work Plan Going Forward

- There is a requirement to work through holiday

- Meetings on Thursday 18 Dec 11:00 UTC, Tuesday 23 Dec 14:00 UTC, and 30 Dec 14:00 UTC

ACTION: Staff to send calendar invitations for upcoming meetings

- Meetings in New Year: 8 Jan, 15 Jan and "high intensity work weekend" on 10/11 Jan with at least 4 calls that weekend

- For "High intensity work weekend" the coordinators will be co-located

- Important to work on CCWG-Accountability to track interdepencies. Co-Chairs are Mathieu Weill and Thomas Rickert. There will be additional co-chair from ALAC but this has not been determined yet. Alan Greenberg will represent ALAC in the interim.

7. Principles

presented by Martin

- new version circulated yesterday

Grace to do live edits in the document

- 3/iv -- delete the highlighted text

- define "capture" (in a footnote perhaps)

- Concensus that domination by a signle stakeholder group is clearly capture. there is also the concern that voices could be prevented from being heard (excluded from discussion).

ACTION: Alan to propose on mailing list what the definition of capture

- remove the part about 3rd party intervention

- Kurt Pritz proposed text for g/iii:

> iii. For gTLDs: the IANA function should continue to provide service notwithstanding any on-going, previous or anticipated contractual disputes between ICANN and the gTLD operator. No additional requirements for prompt delivery of IANA services should be imposed unless they are directly and demonstrably linked to global security, stability and resilience of the DNS.

ACTION: staff to review actions with Martin as Martin will propose new edits to CWG list

8. Review of Action Items

Need for Summary Work Plan

ACTION: make sure there is work on execution plan.

9. AOB

Transcript

The transcript is available here: Meeting10_11Dec.doc

Recording

The Adobe Connect recording is available here: https://icann.adobeconnect.com/p5mt4wrwq87/

The audio recording is available here: https://icann.box.com/shared/static/28vnjs1mg7gsbs9rgysp.mp3

Documents Presented

KEY QUESTIONS and ISSUES.doc

KEY QUESTIONS and ISSUES.pdf

Draft of Principles_10 December_clean.docx

Draft of Principles_10 December_clean.pdf

Gantt Chart 9 Dec.pdf

Chat Transcript

Grace Abuhamad:Welcome to the 10th CWG-Stewardship meeting on Thursday 11 December (11:00 UTC)

Yasuichi Kitamura (At-Large):hi, all

Robert Guerra:Good day all

Robert Guerra:am connecting via adobe. Will call in via audio bridge if have audio issues.

Bernard Turcotte - staff support:hello - not getting any sound from the adobe room?

Bernard Turcotte - staff support:yes

Bernard Turcotte - staff support:quiet before the storm ;-)

Donna Austin, RySG:Grace, can you post the dial in info please?

Grace Abuhamad:I'll send it to you Donna

Donna Austin, RySG:thank you

Wale Bakare:Good day everyone

Allan MacGillivray:Hello everyone

Graeme Bunton - RrSG:Good morning all

Greg Shatan (GNSO/CSG/IPC):Good pre-dawn, morning, afternoon, evening and night

Keith Davidson ccTLD:Hi all

Grace Abuhamad:You can scroll through this document. It's a "print version from the Wiki tracking page

Donna Austin, RySG:is the audio 'crackling' to anyone else?

Bernard Turcotte - staff support:was, ok now

Donna Austin, RySG:hmm, still pretty bad for me.

Bernard Turcotte - staff support:@Donna - I am on Adobe only

Donna Austin, RySG:ok,

Elise Lindeberg GAC:sorry - i have to fix the sound - move on and i will get back in a second

Chuck Gomes:Have you had your coffee?

Jonathan Robinson:Focus of the report is on the work of your group relative to the work of this (CWG) group not necessarily on the transition as a whole

Donna Austin, RySG:@Chuck, if that question is for me the answer is 'no'.

Grace Abuhamad:Elise do you want a dial out?

Elise Lindeberg GAC:yes - dial out would be ok I think ...;)

Grace Abuhamad:dialing :)

Eduardo Diaz - (ALAC):There is noise inthe line

Greg Shatan (GNSO/CSG/IPC):Please go on mute if you are not speaking.

Bernard Turcotte - staff support:Donna - hand?

erick iriarte:sorry for delay :)

Mark Carvell GAC - UK Govt:UK government has held consultations at the national level by circulating key CWG documents to the UK government's Multi-stakeholder Advisory Group on Internet Governance (MAGIG) including the draft proposal and the latest, very helpful, compilation of key questions. A face to face meeting with MAGIG members last month discussed the strawmen proposals. A follow up MAGIG meeting is being scheduled for mid-January .

Graeme Bunton - RrSG:I should perhaps note that interest from registrars not a part of the RrSG was rather limited

Grace Abuhamad:haha nice to be honest Graeme :)

Jonathan Robinson:@Mark Carvell - thank you for that update.

Jonathan Robinson:@Graeme - Acknowledged and participation is desirable but at least you have done the outreach

Bernard Turcotte - staff support:Graeme - hand

Graeme Bunton - RrSG:Thanks Bernie

Bernard Turcotte - staff support:No sound Peter

Peter Van Roste - CENTR - ccTLDs:Apologies headset issues.

Peter Van Roste - CENTR - ccTLDs:Will do.

Elise Lindeberg GAC:The GAC has alredy assembled some substatianl comments on the draft proposal

Peter Van Roste - CENTR - ccTLDs:Regular updates on process and issues to the CENTR community and non-members from EU region. (no feedback from that group which includes for instance Monaco and San Marino)Started visual overview of process with links to all docs, updated at every step of the processDrafting CENTR commentsPlanning CENTR webinar

Martin Boyle, Nominet, ICG:It is a goood and helpful document

Grace Abuhamad:Thank you @Mark and @ Peter

Avri Doria:it is a good indicator of areas we need more work in.

Elise Lindeberg GAC:Yes, thank`s for providing this document - very usefull !

Fatima Cambronero:+1

Carolina Aguerre:In terms of outreach in LACTLD we have held in house webinars, as well as disseminating all the relevant information from the CWG and the process in general. We have also addressed non-LACTLD members in the Caribbean with individual invitations to attend our meeting last month in Aruba, as well as to communicate the importance of the issue in late June. We did get acknowledgement of receipt of a couple ccTLDs in the Caribbean to these personal emails/invitations. We will be submitting a report to Bart today on our actions regarding outreach and capacity building since the IST was announced in March. We will be also submitting comments before Dec 22.

Grace Abuhamad:Thank you @Carolina

erick iriarte:only to add to @carolina words. We share information in spanish (large language in our region).

Robert Guerra:have calendar invites been sent for the 23th & 30th?

Grace Abuhamad:not yet

Robert Guerra:ok. thanks

Avri Doria:holiday meetings are fine for me. schedule is emptier, easier to fit them in.

Greg Shatan (GNSO/CSG/IPC):@Avri -- that is the multistakeholder version of the holiday spirit!

Donna Austin, RySG:I'll just note that 3am is not conducive to best work.

Robert Guerra:for RFP 4 - sent Grace possible time(s) for call(s) next wk

Robert Guerra:was a bit quiet this week as have been hit by a terrible flu/fever

Donna Austin, RySG:can the agenda be put back on the screen please?

Grace Abuhamad:It's in the notes Donna

Donna Austin, RySG:thanks Grace

Chuck Gomes:Scroll to top for agenda

Lise Fuhr:Co-chairs are Matheiu Weill and Thomas Rickert

Grace Abuhamad:@Donna -- do you have scroll ability with the Notes? Just want to be sure

Donna Austin, RySG:yes i do

Lise Fuhr:Sorry I mean Mathieu

Grace Abuhamad:Ok Noted @Alan!

Alan Greenberg (ALAC):Thanks.

Jonathan Robinson:If you need to provide input or comment to Martin Boyle on these principles, please raise your hand.

Sivasubramanian M 2:On What Chuck suggested, if anyone deputes someone already familiar with the work of the CWG and has been following the CWG closely, it would be easy on the CWG, but otherwise, in the interest of consistency, it may be easier for the member himself to follow the recordings of the meetings missed and make comments by email. Just a general thought, any member could make his own decision depending on situations unique to him or her

Keith Davidson ccTLD:Thanks chairs, all, I have to sign off now for ccNSO Council call

Jonathan Robinson:Thank-you Keith

Matthew Shears CDT: we probably need to check that the current proposal meets/is consistent with the principles... for example the issue of capture

Sivasubramanian M 2:Good idea to delete that portion

Fatima Cambronero:agree @Matt

Bernard Turcotte - staff support:We seem to have lost Martin

Avri Doria:it is a threshold decsion on capture. the wisder version is tough to judge.

Chuck Gomes:I am fine with Alan's broader definition

Greg Shatan (GNSO/CSG/IPC):I am concerned by how far Alan's definition could go if unchecked.

Mark Carvell GAC - UK Govt:Capture: a dysfunctional situation in an oversight or regulatory structure that advances the commercial or special concerns of a specific interest group or groups which dominate the industry , sector or sphere of activity - often against the interests of others.

Chuck Gomes:It sounds to me like some of what we may be talking about limitation of mission rather than capture.

Alan Greenberg (ALAC):I was not suggesting that we try to decide on a definition here. It is a relatively complex issue. I was just suggesting that we work towards adding a definition.

Greg Shatan (GNSO/CSG/IPC):My last point was that "capture" should be defined/limited by deviation from the intended set-up/mission.

Chuck Gomes:Agree with Greg

Greg Shatan (GNSO/CSG/IPC):@Mark Carvell: Is there a source for that definition, or is that your contemporaneous creation?

Sivasubramanian M 2:In ICANN or IANA it might not be a Corporate Hostile Takeover kind of scenario, but a slow, calculated processs of the capturing entity / entities taking Community and/or staff positions one by one, often in a manner that is not easily visible or even in a manner that is invisible. This is how Capture by one stakeholder group or capture by a rival organization could happen

Avri Doria:but that is not capture, but is being insufficinetly inclusive which is another principle.

Greg Shatan (GNSO/CSG/IPC):@Avri: agree.

Avri Doria:thia (in the above) == a voice not being heard

Sivasubramanian M 2:Could work by the hostile entity placing people as well as by blocking pro-interner people

Greg Shatan (GNSO/CSG/IPC):@Siva: that seems rather sinister. Also rather far-fetched. Do you have real life examples in the multistakeholder context?

jaap akkerhuis SSAC:Apologies, I had anemergency visit to the dentist

Matthew Shears CDT:capture is not just about a single stakeholder but also organisations that may have sway over or influence over the function through management Board etc.

Sivasubramanian M 2:@ Greg   It is not sinister, it is not far-fetched either, happens everyday, the degree to which the other forces implement it or the degree to which they succed is limited. I have actually talked about it as a milder form of capture, which happens everyday

erick iriarte:could be better delete "third-party intervention in these decisions should not be possible except in the agreed use of trusted/impartial third party assessors"

Sivasubramanian M 2:@ Greg I was sying it generally, there are no names, no specific stakeholder at the back of my mind, when I said this

Bernard Turcotte - staff support:yes

Mark Carvell GAC - UK Govt:@ Greg: no source for that definition - adapted from regulatory capture risk.

Greg Shatan (GNSO/CSG/IPC):@Mark -- Nicely done, then.

Matthew Shears CDT:I don't see the harm in reinforcing the key principles of bottom-up processes in the principles

Matthew Shears CDT:they are rather key to the ways in which we are and should be working

Sivasubramanian M:8 ii   ccTLDs are provided IANA services, and the contract-free arragnement could continue, but can't we atleast have the lightest form of some documentation even in non-legal terms as a formality ? Or is there such a documentation modality already in place?

Matthew Shears CDT:works for me

Martin Boyle, Nominet, ICG:iii. For gTLDs: the IANA function should continue to provide service notwithstanding any on-going, previous or anticipated contractual disputes between ICANN and the gTLD operator. No additional requirements for prompt delivery of IANA services should be imposed unless they are directly and demonstrably linked to global security, stability and resilience of the DNS.

Greg Shatan (GNSO/CSG/IPC):Fine with me, with removal of previous.

Sivasubramanian M:+1 Martin Boyle

Amr Elsadr:@Martin: Could you repeat the question again?

Grace Abuhamad:This is how the principle reads with proposed deletions: h. Separability: any proposal must ensure the ability:i. To separate the IANA Functions from the current operator if warranted and in line with agreed processes; andii. To convene a process for selecting a new Operator.

Matthew Shears CDT:thanks Grace - difficult to see on the screen

Sivasubramanian M:Discontinuation or suspnsion of services to gTLDs should be a process that can only follow an elaborate multilevel decision, even in time sensitive security sitatuions. i.e It shoudl be a most unusual situtaion, with a lot of attention to such a decision by responsible people within ICANN.

Sivasubramanian M:Where there is an emergency need to suspend a gTLD, even in such time senistive situation, the most responsible people should be involved, even if by a conference call

Gary Campbell 2:Who determines the full range of stakeholders?

Alan Greenberg (ALAC):Extraneous word BE in i.

Alan Greenberg (ALAC):And IT should be ITS

Grace Abuhamad:thanks Alan will fix

Matthew Shears CDT:in terms of oversight we should retain the multistakeholder principle

Matthew Shears CDT:+ 1 chuck

Jonathan Robinson:Please note: 15 minutes remaining. We need 10 minutes to wrap-up.

Matthew Shears CDT:also believe that separabilty should persist - does not mean that it should occur but that it exists as an option - the MRT or whoever would decide

Elise Lindeberg GAC:This is principles for this groups work - not for all future

Brenden Kuerbis:Agree with Matt

Lise Fuhr:@Elise I agree

Amr Elsadr:Also agree with Matt.

Amr Elsadr:@Elise: +1

Greg Shatan (GNSO/CSG/IPC):There's also a drafting mismatch between the Separability chapeau text and the text of iii -- it doesn't "flow."

Grace Abuhamad:I can fix that Greg

Greg Shatan (GNSO/CSG/IPC):I disagree with "then-current"

Elise Lindeberg GAC:in this round/these principles - separability should persist

Greg Shatan (GNSO/CSG/IPC):That has the same future effect I am objecting to.

Alan Greenberg (ALAC):Greg if the current operator is ICANN, does iii mean that any future transfer must keep it separate from ICANN?

Alan Greenberg (ALAC):Why pick out ICANN as opposed to some other entity?

Greg Shatan (GNSO/CSG/IPC):No, I don't see it meaning tat.

Chuck Gomes:Agree with Avri on persistance

Greg Shatan (GNSO/CSG/IPC):that.

Greg Shatan (GNSO/CSG/IPC):Okay with a "should" but not with a "to".

Alan Greenberg (ALAC):@Greg, then it is unclear gramatically what the "To persis{ is referring to in iii.

Lise Fuhr:Thank you for the good work Martin

Grace Abuhamad:Can you suggest an alternative @Alan

Alan Greenberg (ALAC):All I am asking for is clarity

Chuck Gomes:Time was well spent on the principles.

Greg Shatan (GNSO/CSG/IPC):I object to iii in any version that is prescriptive rather than hortatory.

Alan Greenberg (ALAC):I did suggest. reference to THEN CURRENT. It was not accepted

Greg Shatan (GNSO/CSG/IPC):hortatory = words of encouragement but not an absolute.

Chuck Gomes:How would you word iii Greg?

Matthew Shears CDT:"to consider separability in any ..." ?

Greg Shatan (GNSO/CSG/IPC):I have asked Grace to schedule a meeting of RFP3 for early next week.

Martin Boyle, Nominet, ICG:@alan: I have noted

Greg Shatan (GNSO/CSG/IPC):@Matthew -- sounds good to me.

Amr Elsadr:Going back to an earlier point made by Greg, I would also like a multistakeholder composition of the MRP in the CWG's proposal, but not sure it belongs in the principles.

Greg Shatan (GNSO/CSG/IPC):Maybe i should just say "(i.e., ICANN)" after "current operator".

Greg Shatan (GNSO/CSG/IPC):Got kicked off phone.

Greg Shatan (GNSO/CSG/IPC):But I think the next level of detail falls into RFP3 and to an extent RFP4.

Chuck Gomes:I need to exit Adobe but will stay on the audio.

Lise Fuhr:Thank you Jonathan

Greg Shatan (GNSO/CSG/IPC):I certainly expect that RFP3 will be dealing with a lot of details in the coming days (some much more critical than the term details implies).

Bernard Turcotte - staff support:bye

Greg Shatan (GNSO/CSG/IPC):Bye all!

Fatima Cambronero:thanks all. Bye

Tomohiro Fujisaki:Bye.

Cheryl Langdon-Orr:bye

Martin Boyle, Nominet, ICG:Thanks and bye

erick iriarte:bye

Graeme Bunton - RrSG:thanks all

Matthew Shears CDT:bye

Sivasubramanian M:bye

Amr Elsadr:Thanks all. Bye.

jaap akkerhuis SSAC:OK, bye

Robert Guerra:bye all

Allan MacGillivray:G

Gary Campbell 2:bye