

ICANN – CCNSO - FOIWG

Report (draft V1) for 21 July 2011 – 05:00 UTC

1. Present / apologies

Ugo Akiri, .ng

Martin Boyle, .uk

Becky Burr, NomCom (Vice Chair)

Keith Davidson, .nz (Chair)

Chris Disspain, .au

Stephen Deerhake, .as

Daniel Kalchev, .bg

Eberhard Lisse, .na

Other Liaisons:

Cheryl Langdon Orr, ALAC Liaison

Staff Support and Special Advisors:

Jaap Akkerhuis, ICANN / ISO

Kim Davies IANA

Gabriella Schitteck, ICANN

Bernard Turcotte, ICANN

Apologies:

Bart Boswinkel, ICANN

Kristina Nordström, ICANN

2. Meeting report for 7 July 2011

2.1. Final version of the report was presented. No further changes were required.

3. Meeting report for 14 July 2011

3.1. MB noted that the versions of the documents should be included in the meeting reports. Generally agreed.

3.2. Report accepted by those present. Given low attendance it will be presented for final approval at the next meeting of the wg.

4. Terminology Paper (FOIWG-terminology-V3.5BT)

4.1. Agreement-Consent – Not covered at this meeting.

4.2. AC and TC – Not covered at this meeting.

4.3. Delegation – Not covered at this meeting.

4.4. Interested Parties – Not covered at this meeting.

4.5. Manager – Not covered at this meeting.

4.6. Operator

4.6.1. Mailing list discussion

4.6.1.1. 15 July UA (Ugo) - Proposed definition of Operator - I agree with this submission. "Operator" should not be used as a synonym for "Manager" as the Manager of the ccTLD may appoint an operator or outsource certain aspects of its operations while maintaining its role as the manager.

4.6.1.2. 18 July JA (Jaap) - Proposed definition of operator - I fully agree with Ugo on this. Especially since operator is often used for functions inside a registry or registrar such as "name server operator" and "database operator". And if there is a need to use the term, it is probably better to qualify what is being operated on.

4.6.1.3. 18 July DK (Daniel) - Proposed definition - I have the following problem with this definition: DNS delegation is a technical operation. As such, it is expected that the 'designated manager' (per RFC1591) will be the sole operator of the TLD. How they split the work internally, should not be subject to any 'regulation' or interpretation. I believe the term 'operator' as used in this case is to hide a violation of RFC1591 which states that the manager needs to be within the country related to the ccTLD.

Probably in the case of the .KN re-delegation it is safe to assume that the intention was that the 'manager' would be the policy setting body, while the 'operator' would be the party actually operating the TLD. I do not believe we should make distinction between these roles, because there are significant differences amongst different ccTLDs.

In my opinion therefore, as far as DNS delegations are concerned, we should consider TLD Operator to be a synonym for TLD Manager, with the clear preference to TLD Manager as the term used.

4.6.2. CD – Should not be defined given it is not used in either RFC1591 or the GAC Principles 2005 – general agreement.

4.6.3. Simply note that it has been used as a synonym for manager in IANA documentation in the past but that this should not be the case going forward given the only accepted term is manager. Additionally IANA should avoid using the term operator in delegation and re-delegation documentation but rather clearly describe or

define the party referred to. Generally agreed.

4.7. Organization (as Manager)

4.7.1. No comments.

4.8. Re-delegation

4.8.1. Mailing list discussion – none

4.8.2. General discussion surrounding re-delegation being a revocation followed by a delegation. Generally agreed that this is not about re-delegation which should be a consensual process. Un consented re-delegations will be considered under the topic dedicated to this.

4.8.3. There was general support for the term re-delegation and the proposed definition.

4.8.4. Note: The qualifiers were not considered given they are only meant to add colour and depth to the formal term and in no way change the definition of the term itself. These can be referred as un-approved terms.

4.9. Revocation

4.9.1. Mailing list discussion

4.9.1.1. 15 July UA (Ugo) - General comment

Please, may I ask if there are set benchmarks for a properly operated domain?
Put differently, I think there might be need to clarify who or what constitutes

impropriety in the management of a domain prior to the wielding of a revocation axe.

This is presupposing that the subject of revocation is not only linked to un-consented re-delegation. Historically, re-delegations could be, or have been revoked and delegated to another designated manager even when the erstwhile manager had the consent to manage the ccTLD, but the internet community or government (for ccTLD managers who sign MOU with their governments) of the territory become dissatisfied with the managers or management of the ccTLD.

4.9.1.2. 18 July MB (Martin) - General comments

So if I understand it correctly, a delegation may be revoked because "there are persistent problems with the proper operation of a domain" (whatever that may mean: thanks Ugo!), or because it has been retired (.um, for example).

As for a redelegation (whether it is un-consented or otherwise, as Ugo notes?) isn't this one of two simultaneous acts, the other being the new delegation? Otherwise a chunk of the DNS will disappear temporarily, won't it? (As presumably will revocation because of "persistent problems with the proper operation of a domain".)

4.9.1.3. 18 July DK (Daniel) - General comment

As far as this term is used only once in RFC1591 and as far as it is closely linked with delegation to a new manager this use of 'revocation' should really be considered and border case of forced un-consented re-delegation.

Both acts, detaching the delegation from the current manager and attaching the delegation to the new manager are connected. There is nothing to suggest it is possible to revoke the domain and for the domain to stay not delegated for some period of time. The domain is likely not removed from the IANA database or the

DNS as well.

Removing the TLD from DNS is not likely a proper action, because that would make all sub-domains unreachable. It is very unlikely, that a revocation will take place unless there is a new manager to take over. It seems that this is not only un-contested re-delegation, but also assignment of a new manager without due process.

Probably it is better to avoid using this term in the future, related to domain name management

4.9.1.4. 19 July KD (Keith) - General comment

You raise a great point here Daniel. Bill Semich has been very consistent (both in FOIWG and DRDWG) in advocating the idea that "relegation" is not strictly correct and "revocation" and subsequent "delegation" are encapsulated in RFC1591. I am not exactly sure what Bill's reasons are, so will leave that to Bill to explain.

Notwithstanding the above, I guess the issue that arises is that if the ccTLD has very few or no names included, or that all registrants agree, the idea of "revocation" is reasonably appropriate. For example, rather than the "retirement" of .um, the idea that it was "revoked" and then placed back being available for a new delegation seems to me to be quite reasonable.

On the other hand, a ccTLD with registrants who want their names to continue to be served, it would be fair to say that a "revocation" must be concomitant with a new delegation.

So perhaps when we get to the redelegation topic in depth, we might consider some further development of these tenets?

4.9.1.5. 19 July KD (Keith) - General comment

Interesting question Ugo. With regard to the "proper operation" of a TLD, RFC1591's requirements are cut and paste below. Note that only in an instance where a Manager has "substantially mis-behaved" would the IANA step in.

Some of the requirements of RFC1591 are possibly redundant, and there are many additional aspects existing today that would constitute a benchmark of best practice for a ccTLD - but of course these would be out of scope for this WG to consider.

4.9.1.6. 20 July PP (Patricio) - Discussion of 'revocation followed by delegation'

I am in favor of using the "revocation+new delegation" terminology.

I think that a process where first it must be shown that there is cause to remove the current ccTLD manager and then a new one is selected is much cleaner than one where every redelegation request comes from the a ccTLD manager wannabe.

Separating both parts of the process would allow, for instance, for the community to file a "revocation request" about a ccTLD manager that substantially misbehaves, without necessarily having a new manager ready to handle the job. The outcome could well be that the current manager changes its ways for the better and the revocation request is rejected or withdrawn. Or, if the revocation is approved, then a process to select a new manager would start.

Another way to look at it is that when party B files a redelegation request about current manager A, there is the assumption that, if approved, the new manager would indeed be party B, while, in practice, it may well be the case that A deserves to be removed from the job, but B is not at all competent to handle it.

About what happens in the interregnum, either the current manager continues until the handover is performed or, if necessary, an interim manager could be appointed just to keep the zone alive while a new one is selected and begins operating.

4.9.1.7. 20 July EL (Eberhard) - Discussion of 'revocation followed by delegation'

I also agree with the separation of the two issues, as I have in the past.

The removal, revocation or unseating (or whatever you may call it) of the incumbent is one issue (in which I do not agree anyone other than the incumbent ccTLD Manager having input, but this does not need to be debated under terminology) and the selection of a (new) ccTLD Manager, where I have no firm opinion as to what constitutes an "interested party", in entirely another.

If we could separate those two issues, we don't have to tackle the delegation part of re-delegation separately from delegation, nor the consented one separately from the un-consented one, because it's just a delegation.

And, an incumbent, once finally unseated, could also not use the delegation part as leverage.

4.9.2. CD – Revocation is defined in RFC1591 and the requirements for it are identified.

It would seem beyond the remit of this wg to redefine this as it would be creating new policy as opposed to interpreting what is documented. General agreement except for KDavies which noted that IANA uses the term revocation for any action which

causes a ccTLD to be removed from the root. It should be noted that the Retirement of ccTLDs will be the subject of a PDP and as such should not be covered by the FOIWG. BT will adjust the text in the next version to reflect the consensus.

5. General notes

- 5.1. In an effort to make better use of the wg time on calls could all comments on meeting reports be posted on line at least 24 hours prior to the next meeting. We will skip reading the entire report and only consider specific comments posted or brought during the meeting.
- 5.2. A new version of the Terminology paper will be produced to reflect the consensus decisions of this meeting (including a red-lined version).
- 5.3. Where there are significant changes the email consultations will be redone.
- 5.4. Email discussion of terminology should continue until the next meeting using the current format.
- 5.5. Email discussion of the Consent document should also be launched.

6. Report on the ad-hoc working group on property

- 6.1. BB has not yet provided a formal document summarizing the results.

7. Any other business

- 7.1. No participants had any other business

8. Future Meetings (all meetings are 2 hours unless previously specified otherwise)

- 8.1. 4 Aug at 13:00UTC (Terminology for consultation, finalise Consent)
- 8.2. 11 Aug at 21:00UTC (Spare meeting in case we need it)
- 8.3. 1 Sep at 21:00UTC (Initial review of consultation on Terminology, start Valid Admin Contact)
- 8.4. 8 Sep at 05:00UTC (Final review of consultation on Terminology, continue Valid Admin Contact)
- 8.5. 22 Sep at 13:00UTC (Finalise Valid Admin Contact)
- 8.6. 6 Oct at 21:00UTC (Finalise everything for Senegal)
- 8.7. 13 Oct at 05:00UTC (Spare just in case)

9. Conclusion of the meetings

- 9.1. The meeting was concluded at about 06:30 UTC.