

ICANN – CCNSO - FOIWG

Report (draft V1) for 1 September 2011 – 21:00 UTC

1. Present / apologies

ccNSO:

Ugo Akiri, .ng

Martin Boyle, .uk

Becky Burr, NomCom (Vice Chair)

Keith Davidson, .nz (Chair)

Chris Disspain, .au

Dejan Djukic, .rs

Stephen Deerhake, .as

Eberhard Lisse, .na

Patricio Poblete, .cl

Kathryn Reynolds, .ca

Nigel Roberts, .gg

Bill Semich, .nu

GAC:

Frank March

Suzanne Radell

Other Liaisons:

Cheryl Langdon Orr, ALAC

Staff Support and Special Advisors:

Jaap Akkerhuis, ICANN / ISO

Bart Boswinkel, ICANN

Kim Davies IANA

Kristina Nordström, ICANN

Gabriella Schitteck, ICANN

Bernard Turcotte, ICANN

Apologies:

Desiree Miloshevic, .gi

Paulos Nyirenda, .mw

2. Meeting report for 11 August 2011

2.1. MB noted the date was incorrect

2.2. Accepted with corrections.

3. Work plan update

3.1. Updated work plan was accepted as presented.

3.2. Work plan document for the GAC was accepted as presented and should be communicated to the GAC by the Chair.

4. Consent Paper (FOIWG-Consent-V3.0BT)

4.1. Section 5.2 *“There appears to be no requirement that a contact (manager, AC or TC) be valid to give consent to a re-delegation request. There are a number of IANA reports on re-delegation which document the re-delegation of a ccTLD where the incumbent manager is Derelict, has abandoned its ccTLD or, by its own admission, is no longer involved in the management and operation of the ccTLD. Should such managers, or their AC or TC, be eligible to consent to a re-delegation?”*

4.1.1. CD proposed to remove 5.2 given it now only applies to managers (given recommendation 6.1) and that there is no policy or statement in RFC1591 requiring a manager to be `valid` to approve a re-delegation.

4.1.2. EL noted that if a manager formally advised IANA that it was no longer managing its ccTLD then it would seem reasonable to not allow it any special consideration in the selection of a new manager as per Section 3.5 of RFC1591. This was supported by UA with a similar type comment.

4.1.3. NR supported the position of CD and that the section should be struck.

4.1.4. The Chair advised the group that this would be put up for email discussion and settled at the next meeting of the FOIWG.

4.1.5. Note: removing section 5.2 would have a knock-on effect in several other sections of the document including 6.1.2 which was the recommendation for the issue of 5.2.

4.2. Section 6.1.3.1 *“For further clarity of what a party is being asked to agree to in a re-delegation IANA should clearly indicate that – IANA will undertake all procedures required to have the transfer of trusteeship of the ccTLD, from the incumbent manager to the proposed manager, officially recognized and, if required, recorded in the root database.”*

4.2.1. NR made the point that the term ‘trustee’ has a specific meaning in common law and should not be used in this case.

4.2.2. CD pointed out that 1 - this is the term used in RFC1591 and that 2 – this working group is not required to produce documents which are legally correct especially given most participants are not lawyers and that doing so may make any such documents less accessible for the average reader.

4.2.3. BBurr noted that a note could be added which simply stated that the term ‘trustee’ in this context is not meant to have any specific legal meaning but is simply the term used in RFC1591.

4.2.4. The BBurr position seemed acceptable to most and it was agreed that BBurr and NR would agree on the final wording of the note.

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

5.1. BBurr and NR presented the report. There was no follow on required by the FOIWG at this time.

6. Any other business

6.1. No participants had any other business

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

- 7.1. 18 Sep at 05:00UTC (Final review of consultation on Terminology, continue Valid Admin Contact)
- 7.2. 22 Sep at 13:00UTC (Finalise Valid Admin Contact)
- 7.3. 6 Oct at 21:00UTC (Finalise everything for Senegal)
- 7.4. 13 Oct at 05:00UTC (Spare just in case)

8. Conclusion of the meetings

- 8.1. The meeting was concluded at about 23:00 UTC.