MONTREAL – ccNSO: Retirement of ccTLDs PDP Working Group
Saturday, November 2, 2019 – 15:15 to 18:30 EDT
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STEPHEN DEERHAKE: We're getting started in about two minutes. We're waiting for a member of Staff to show up. If everyone would take their seat, I think we'll get started and Bernard will drop in when he gets back. He's not needed for the beginning. Kim, if you can, you can start the recording. Are we recording?

RECORDED VOICE: This meeting is being recorded.

STEPHEN DEERHAKE: Alright, thank you. Good afternoon and welcome to the ICANN66 face-to-face Meeting of the PDP Working Group on Retirement of ccTLDs. For the transcript record, my name is Stephen Deerhake and I am the Chair of the Working Group. I want to thank you all for coming. Working Group Members and Observers, as well as those of you who are in the room with no formal affiliation with the Working Group. Kim, do we have any remote participants? We have one, Brock is a remote participant. Can you keep tabs on if he starts waving his hand? Thank you. Appreciate that.

Turning to administrative matters, I want to let you know we have a pretty packed Agenda today that is likely to run us pretty much up to

our scheduled stop time of 18:30. As I discussed on our last call, the primary focus of this Session is to start into our deep dive into stress testing the policy that's been developed to date and so well scribed by Bernard. I will say, I have to be honest with you that I'm somewhat disappointed in the lack of interaction on the list between teleconference when it has been requested. I also recognize that we all have day jobs and resulting time limitations, but earlier responses would be helpful for this effort going forward. I'd also like to say that going forward, silence on the list in response to a request for comment will be interpreted as consensus on that issue.

With regards to our timeline, our revised timeline which we discussed some meetings back, is that we need to have the stress testing and any Policy Development revisions that we agree are needed as a result of the stress testing completed by ICANN67 in Cancun, which is scheduled for early March, thus we have a considerable amount of work to accomplish between now and then, but I think we can do it. Meeting this goal will in fact conclude the first part of this PDP. The second part will kick off upon publication of our work product from this Part 1 for public review.

Given all that, I do wish to say that overall I think we have made good progress since our last face-to-face meeting in Marrakech. With respect to the Policy Document, as a follow on to this meeting and prior to our next teleconference, I really encourage everyone to have a very careful read of the document that will be presented today by Bernard with a highlighter in hand and highlight any term or acronym you encounter that you think ought to be in the Glossary or that you didn't see… If you

think it should be in the Glossary, period. And please share that on the list so that we can begin construction of the Glossary.

I'd also like to bring the group's attention to the fact that the Policy Development Process for IDN ccTLDs is launching this week. I believe that group's meeting is Thursday the 7th of November beginning at 10:30, and I'm going to assume that's correct but I'll need Kimberly to correct me if not. So, the plan of the day is as follows. We'll begin with a presentation by Eberhard Lisse of his slide deck that he will be presenting to the GAC which will happen, if I'm not mistaken, on Tuesday the 5th of November from 1:30 to 2:15 in the afternoon. Is that your understanding? Okay, good. Following Eberhard's presentation, Bernard will lead us through a final reading of the written policy developed to date. I believe the only changes that Bernard has for us for today are formatting and some typographical related cleanups. It's really critical that we put this document to bed prior to subjecting it to stress testing.

Following Bernard's final walkthrough, we will turn our attention to stress testing and get onto the next phase of this effort. Similar to our past practice at our face-to-face meetings, we'll be heading to flipcharts in groups. We will have two flipchart sessions for this meeting. We will be distributing a document with situations that have been identified to date, and Bart will be doing a walkthrough on this. And the fundamental question that stress testing is about is looking at how the corner cases play out under the policy and to see if the results in these corner cases produce unwanted outcomes or side effects. And if they do, then whether or not we need to adjust or refine the proposed policy

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to ensure more rational outcomes should that corner case actually occur.

So, our focus today is identifying corner cases. And as per usual after groups have met at the flipcharts, we'll meet in Plenary Session to discuss the efforts of the groups and review that work. Since, we have two Sessions, it's very likely we'll have a bio break between the two flipchart Sessions. And hopefully we'll come away with enough material to propel us successfully forward to Cancun. Our last non-housekeeping session will be a short discussion on what we should present to the ccTLD Community at the ccNSO Members Meeting. And as I noted previously, we made, I think, a significant amount of progress since Marrakech.

We'll have an AOB, as you can see, and can I scroll this down if I whack this? Yes. Amazing technology. Next meetings, we'll discuss that and as you can see we have a TBD besides the December 19th meeting so that's really what I want to discuss about with that. And that's the plan of the day. So, with that, I'm going to turn our attention to Eberhard who will do a concise walkthrough of his presentation for the GAC. So, Eberhard, the floor is yours, sir.

EBERHARD W. LISSE: Okay, Eberhard Lisse for the record. We have had two presentations to the GAC about this. We had one at the last ICANN Meeting and sometimes you see them staring at you and they have no idea what you're talking about. Also, they have a high turnover, so it was

suggested since they have an onboarding process that we talk about this from the beginning. I am personally a little bit trying to be systematic, probably a characteristic of one of my previous nationalities, but I hate when you start doing things from the middle of the thing and then not everybody knows what terminology uses. On the other hand, we have 45 minutes and we want to give our esteemed colleagues from Göran and others enough time to ask meaningful questions.

So, I have to put this into 30 minutes. Also then starts with the question that you don't want to push it too fast for the translation and the transcript. It's a lot of terminology. This presentation has been vetted, has been reviewed extensively inside and outside the Working Group. I had some friendly GAC Members that speak my own language read it. I had Paul Mockapetris, who we reference quite a bit in this, read it, and some comments were received from people on the list and have usually been in good use.

In the beginning, as we all know, there were two computers and they crashed after half a sentence, and it started to take on proportions. Mockapetris told me that it was not that the size of the file that was handled was too big, but it was probably the bandwidth taken to have to update. In other words, they were too lazy. And good programmers that they were, they decided if they have to repeat something more than twice, they'll write us a program for it, and so they looked at a system that was extensible and was distributed.

Some other things that are not really relevant, but the important things is that it can be distributed, the workloads, the management can be distributed, and it is extensible. We come to that in the course. The slide I have seen, I have shown you before, it's just the Name Space, point here being is that the Domain Name System is usually equated to this. But it's not. The Domain Name System consists out of the Name Space, and Name Servers and Resolvers. Fortunately, we don't have to deal with any of this. We use a mail program that has a library that connects to what's called a snap resolver and then it furthers down.

And what we often don't realize is that resolvers like the public resolvers from Google and from Cloudflare and others tend to not only give out information data, they also tend to keep the information, where is the query coming from, and if you combine that and with the other information they have about you, which is a lot, it takes on a life of their own.

Here, this point is the figures, Patricio gracefully and thankfully corrected me on that, I took the whole numbers but it's only 150 million roughly, 143 is .com and 150 something, or it's about 200 million is the gTLD space, and 150 is the ccTLD space. In the ccTLD space, there is this atrocious .uk which has got 20 million, but we can't really look at it like this. This is a marketing tool. If you get a Domain Name for free, as soon as you get traffic, you'll find that the traffic is being marketed to somebody. So, one should look at it as one. The point however is that if you take 10 million .org Domain Names, if each .org, ICANN for example has 100, you already have got a billion names. If they have a thousand, you've got 10 billion names. If you look at it by the gTLD, if there is a

thousand, if each .com domain has a thousand names in the zone, it's 143 billion.

Fortunately, the look up of the 143 million is as fast or faster than the look up at the 3500. Where's the pointer here? Which button must I put? This one? No, I wanted the laser pointer to show something. Anyway, if you look at .ss, the youngest ccTLD, they have got 50 names, looking them up is slower than looking up the 143 million, because the connectivity bandwidth. That means in each zone, icann.org would be its own zone, you manage this on your own, so each level has only to look at the next level, not at further level so it doesn't explode like it could've been if this was all in one big file.

I mentioned the Resource Records here to show that it is extensible. Green means new, AAAA is obviously the IPv6. RRSIG is one the DNS entries. These things can be implemented or tacked on to the DNS by inventing new record types. This often, to stay in my profession, a difficult burst to get this organized and to debate it and to finalize this, but once it works it usually gets tacked on and it starts to work. We often speak about primary and secondary Name Servers, it's not really the Name Servers, it's the zone, and there is no difference between primaries and secondaries. Traditionally, in smaller zones, you have one that you generate the text file and you've got others that pull it off.

But if you've got 150 million, you can't do it like this, and if you've got 15 million or 18 million, like the [inaudible]. I remember a very nice presentation from [inaudible] in Sao Paulo where she showed how much effort they have, outside connectivity that has nothing to do with

the DNS that is privately leased land, so to say, just to be able to upload it. And when you change a Domain Name in .com, you expect for whatever reason that it will, within seconds, be on all Name Servers. And if you have counted 114 a day or they change often, it becomes an immense project just to do this. It becomes quite resource intensive and that is something that is often not really considered, that smaller ccTLDs or TLDs work easily, but when you start scaling it, it takes on a life on their own. Big Name Servers are provisioned roughly the same way whether it's a primary or a secondary because of the volume.

Then Mockapetris told me he wanted some mention that data distribution is preplanned and random. This is for me not really a big point, but he felt it was important, so he's the boss so I put it in, and I will think about it some more until Tuesday what I say about it when I do that at GAC. We all know Wikipedia is not the authority but sometimes, and often it's wrong and off, and especially when it's wrong the hours tend to persist or to linger. But in our case, the technical definitions of Domain Names in the RFC is not really helpful. The RFC 1591, as you can see, was not written for the thing we are using it now for. It's even not well written. There is grammatical errors in this, two of them there. There is more if you look for it. And it required eventually framework of interpretation. It doesn't really matter. The Wikipedia definition of a Domain Name, I find very helpful because that actually gives something to think about. I will finish this, and you can note questions for later.

Then we have, of course, the gTLD space which is not regulated but it's a contractual relationship establishment and so called Retirement. It's

not a Retirement, establishment and last cycle beginning and end. It's quite clear how that works. There is a contractual relationship, there is a Compliance Department, which is quite insistent. And there is the recourse, the contract that they has withstood legal tests in the .africa case fairly well and the Independent Review Process is their recourse.

Okay. We see that on the left side we have got about 12 hundred gTLD names with IDN. I am very thankful for Naela to give me the right figures on that. With us, it's totally different. Every ccTLD has its own. It used to be, was supposed to be, geography based. The line is not as easy as one thinks. It's not only with regards to what's the country name, or what's the country, but also that it's being .me, .cd, .io, are all used for other purposes and that creates consequences and complications that are not really, we are not really aware of, and that may impact our Policy Group though we won't put it in our scope.

Whatever we do here, as we said, is only binding on ICANN and the IFO. In any case, any policies and rules that ICANN and ccTLDs make is only binding, only on ccNSO members during their tenure, that's clearly stated in the Bylaws. Okay, on the right side you see, unfortunately I couldn't find a better color, you see the ccTLDs. We have got 63 current IDNs and three are that eligible that have counseled some form of process and I don't know whether they're waiting for delegation or whether they have been abandoned but there is further three that are ready for delegation if the procedure is being done first.

Okay, some terminology. The term redelegation is bended about quite a lot and we should really even, whether we have been a member of this

group, of the Framework of Interpretation Group, or not, we should use the terminology that has been agreed upon by the Framework of Interpretation, and not only because the term redelegation has never been mentioned in the IFCs, but also because it may be two different processes. An agreed transfer is totally different from a revocation and delegation. Even if the delegation would also be a transfer, it's two different process and they should be mentioned as such. That has never happened so far. We don't know what process IFO would use if there was a revocation and delegation. We consider this such a rare occurrence that we would probably wait and see what happens because I can't imagine it happening.

Then about, technically it would be better if the ccTLD Manager was the entity that could be addressed, but historically it has been the admin contact and the technical contact is always good for the four eye principle that every change they must do, two of the contacts must sign off on this and not one can just do it. But the main point is for subsidiarity reasons, is that the local country, the country in which it operates should be able to issue the subject to the jurisdictions if things happen like fraud or whatever, there must be recourse and it should be in the country where this operates.

Interesting, the ISO abbreviation is not the iteration. Not IOS or ONI or whatever in the different languages, it comes from the Greek 'iso' like isotherm, isobar, probably in 1949 when they made the organization, they made a mistake and then they rationalized it after, but it's a good thing to do. And this is important, the IFO is not in the business of deciding for the countries, neither is the ISO. Not even the United

Nations. They give a list to the ISO and the ISO then puts codes, decides on codes and code elements for this particular country names.

And the question has been asked last time by the Representative of Malaysia, why are we not dealing about countries, why are we also dealing with others? This is the way this has been organized. We have lived with this now for almost 40 years, and it seems to work more or less with a few edge cases. So, it's one of these things that we have to live with.

The explanation, what a country is is taken from the standard. The country code, if you look at it like a spreadsheet, you have your country names on the left side, and you have short names, long names, French names, and then you have got the 3, Alpha-3, Alpha-2, numeric, as columns. And so, you find that there is out of the 560 or something possible, not all of them are used and only half of them are currently used. Out of these 245, there's 205 ISO codes for which have corresponding ccTLDs. So, four Alpha codes which do not have or the four ccTLDs which are not delegated where they actually could be, are two French Overseas Municipalities, the BL and MF. Then it's BQ, .bq stands for the Dutch Overseas Municipalities. Then there is based in Sahara and then there is the outlying United States Minor Islands where there is only radioactive penguins and a few biologists counting them, which had been delegated and then was retired in a way that went against the wishes of the ccTLD Manager. Not an issue but there is basically once there is an ISO code element for a country assigned, the ccTLD becomes, in almost all instances becomes delegetable.

Then we have got the exceptionally reserved ISO codes. There is 12 and we have got four ccTLDs which are delegated. I call two of them legacies, AC and UK, or .ac and .uk. One was delegated on a Board Resolution, which was .eu, and .su which I would call it a legacy case. It has lots of other complications which don't come into this scope. Okay.

External Event examples is clear. When a name changes then it can lead to a code change, that means a code element is removed and a new code element is inserted. Country seizes to exist, unification. East Germany become part of West Germany and just dropped everything. They did not in any way separate it. And there was no ccTLD delegated because it happened during the Cold War so that was not an issue. Countries can split up. Last one to do this was the Dutch Antilles split into three countries, Curaçao, Sint Maarten, and the Overseas Special Municipalities. BQ, interesting here is BQ had been allocated to the British and active territory until '79, so it was roughly 30 years, 2010 when it was reused.

In the past, it happened that CS was reused after five years, which created some problems. Nowadays, they say up to 50 years it will not be reused. It can be reused earlier if it is small and that content certainly makes sense. Danko told me that we must also remember that in some countries, like in former Yugoslavia, there is still many buildings or cars that have .yu addresses listed on the wall and so on, which are not useful but it's still somewhere, it has not be [inaudible]. So, some people may still be thinking about that Domain Name and if it was reused too early it could lead to complications.

Okay, then a country can cease to exist, and the name can be exceptionally reserved. And then a country can split off, which did not affect the older countries. Sudan was not affected in any way, neither by ISO nor by ccTLD, it just carried on and whoever wanted to register in .ss can do so now, as you can see here. The interesting case, the only interesting fact here is that .bq was not added to the root. I have seen some correspondence. It's probably so small that they decided to stay within .nl. It probably was not worth the financial effort to run a register even though they could've probably run it with .nl on the same ion. It's too few people doing it, so they decided not to do it. Should the local internet community and the government as significantly interested party apply for delegation, it's delagatable, it's just no demand for it as far as I am aware of.

So, we have two trigger events. In almost all cases, a ccTLD becomes eligible when the Alpha-2 code element is assigned, and it needs to be retired when the code element is removed. In rare cases there are exceptions and we come to those. Then the steps that are important to do during a Retirement is the trigger event must occur, the decision must be taken, the question mark means we are not finalized on this. We sort of agree that the final approval is done by the ICANN Board. I personally think it may happen that when this event starts, ICANN Board will also sign off and that can start it. We haven't finalized this yet so it's a question mark I just put in for completeness. The ccTLD Manager gets informed that Retirement Plan that we have spoken about gets drafted, agreed, and implemented or not. And eventually the ccTLD gets removed from the root and the removal is fixed and then

the Board will approve it and then it gets removed. The Retirement Plan, we have spoken about.

BART BOSWINKEL: Eberhard, just, although very late, can you go back one slide? I don't know if it's feasible but make very clear that the final approval is on the removal is outside the scope of the policy.

EBERHARD W. LISSE: Comes next slide.

BART BOSWINKEL: Okay.

EBERHARD W. LISSE: This is just, the ICANN Board has in the past expressed itself that they basically crossing their t's and dotting their i's to make sure that the process has been followed but the decision is almost never challenged. It happened maybe once. It has happened once that they took it from the consent agent and put it on a debatable agenda, but in the end they look at what has been done and see whether the process has been followed and they don't really make the decision. We come to that in another slide.

Retirement Plan, we haven't really spoken too much about the Communication Plan. I mention this because the Indian Presenter on Tech Day is going to present about the change from one provider to the

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other, and they have a Communication Plan so I'm very interested in how they reach in many languages, many people, because it might inform our work so that's why I'm mentioning it here.

Then, the important milestones are that at some stage, even though it's not really within scope, but as some stage the ccTLD Manager will have to stop accepting registration that exceeds the date because there is some aspect about, I don't want to call it fraud, but you cannot really accept money or funds for a registration for five years when you know you can only do it for three years. In our policy, it will be that all attempts must be made… We have written that a commitment must be negotiated for the ccTLD Manager to basically commit to not doing this as soon as possible. Eventually, the register will be turned off, that means the DNS will run for a while, but nothing can be deleted, nothing can be changed, and eventually the DNS gets updated and eventually when this is all said and done, [inaudible].

Out of scope are the decisions to retire, the removal from the root, that is what Bart eluded to. Out of scope is also the membership because it doesn't really center on whether you're a member or not, it centers on what IFO is going to do. The Registrants, there are ccTLDs that are being managed like gTLDs. TK, IO, CK, a little bit, ME, and if you have got 10 million commercial Registrants, that may be so but that doesn't inform our decision, it doesn't impact the decision to retire. It can only impact the Retirement Plan in how long it takes. The same for Registrants. If ten Registrants come crying about we are registering here and now we go out of business, if the country changes the name, that's what's going to happen, so we are not really going to deal with this in our group.

Then, what will happen if a ccTLD Manager changes doing this when a country has been dissolved? Which of the 12 former Soviet Countries have the local internet communities now? Which is the significantly interested party? One government, which one, all of them? We don't know. If a ccTLD Manager goes bankrupt or gets taken over by a court proceeding due to financial reasons, what impact does this have on our thing because he's not the Manager of the ccTLD anymore in du jour, but for our purposes, that's something that we haven't really debated that will go into our stress testing.

What happens if the ccTLD Manager becomes non-functional? We have no ccEBERO system where we have a formal way of… One other way, I'm taking this over, but somehow the names must resolve. We cannot get access to the data. The mandatory zone transfers that I have all requested years ago is not happening. So, if he just voluntarily or involuntarily closes shop, what happens there? We know that the Nominet, CNNIC, and CIRA are doing the emergency backup register operating for the gTLDs. If something like this were to happen, and it's an extremely rare situation, I would probably think that we could find a way out on this one occasion where it can happen and find a way of helping them.

If the ccTLD Manager continues to operate but tells ICANN off, we'll take our chances in court or whatever, the policy will be applied, and he must take his chances, but we don't really consider this inside the group. The exceptionally reserved is a big complication because as an exception, we have this one Board Guideline, we have this AC and UK which are legacies. The AC is essential and informed part of a group of

islands which have their own ISO code. The only one that one could envision is that they get their own ISO code and then they would probably, like GG and JE and IM, the corresponding ccTLDs could be running by the same management, but we haven't really discussed this.

The other way around is much more likely, that for example one of those four goes away. Brexit has been postponed yet for another three months, so we don't know what's going to happen, whether it's going to happen or not, but we don't really foresee another code element to be exceptionally reserved. We probably will see that the exceptionally reserved will go away in one. And what we do then is also not very clear because it's so rare. It's probably a case by case where we apply the spirit of this policy.

And my last part, one slide is the IDN ccTLDs, that's a bigger problem. Let me go to the last one so that it's a little bit more enjoyable. What happens if there is a country name change, and here is the example, Republic of Xubuntu changes to the Federal Republic of Xubuntu. And XR is Republic and the other one is Federal, so they change it from XR to XF, .xr would be retired, .xf would be added to the root, becomes eligible. It would be what process, another question. But, what would happen to .xubuntu in this obvious font. Nope, can anybody read that font? Because if somebody is there it will be tested because there is a spelling error. The point I'm trying to make, only somebody who can actually read this and understand culturally what does this name stand for, does it have a separate meaning that is not obvious to us non-speakers, can make this decision. And therefore, this decision, this trigger decision has been handed down to the IDN Working Group. Once

the trigger has been identified and the trigger has been decided there is a trigger event, then it will happen according to our policy, and that's it.

STEPHEN DEERHAKE: Thank you, Eberhard. Are there any questions or comments on this forthcoming presentation?

EBERHARD W. LISSE: Peter had a question that I sort of shut down.

PETER KOCH: Quite frankly, I don't know where to start and where to stop. The remark I was going to make is that I would respectfully suggest that the Wikipedia definition of a Domain Name is crap. It is beyond the point. It is not helpful in the context, and so on and so forth. With the remainder of the presentation, I don't think that it's the biggest problem that we have with this. I am trying to make an experiment here, if I may, with the permission of the Chair. Maybe extending this to the audience in the back of the room, yes, that's you guys. If anybody could summarize in two sentences why do we have to deal with Retirement and what is the thing that we are actually trying to protect by Retirement? If anybody can summarize that in two sentences, I would be very glad. Thank you.

EBERHARD W. LISSE: I cannot tell you even in ten sentences what we are trying to protect.

STEPHEN DEERHAKE: Alright, Peter. Thank you for that. Any other comments or questions?

NICK WENBAN-SMITH: In answer to Peter's question, I think it's fairly clear that there are established procedures for the creation of ccTLDs and the two as the current ccTLDs, but there's not a consequent process for the end of a ccTLD, and that's what this is for, in a nutshell. So, I think that's to give clarity around the process which there is currently unclarity, as we've seen from the example of Yugoslavia. That's basically the problem which this PDP is to solve.

EBERHARD W. LISSE: Thank you. I will make sure that I start with a two sentence introduction to that. I taught the GAC people that way. If you have seen the article, it includes the slides, it includes some narrative, and it includes references in the back. So, for each level if somebody wants to delve deeper into this, they can do so. But it's maybe a good thing to try to do it in two sentences.

NICK WENBAN-SMITH: And I do commend you for trying to bring the GAC along because they're very important Stakeholders in there and ccTLD creation and Retirement processes and we know that they have turnover in staff, and they have a lot of other things to think about, and if they could have this on the record and then be referred back to it, then I think that would be a very useful step.

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STEPHEN DEERHAKE: Thank you, Nick.

UNKNOWN SPEAKER: I'm not sure how many Klingon Representatives will be there in the GAC to noticed you missed the 'c'. But I'm sure that one part is missing and that is that you didn't explain well that the internet, if you are explaining to the people who don't know how it works on the internet protocol, that works on the IP addresses, and that's basically numbers, and that the DNS is in fact the system that translates numbers to words so the ordinary users could use it. I think that you should just somewhere put in that part because they can't plainly see that from your presentation. And for a purpose of this group and its work, well, is to put some, it's work on the stability or to try to put out [inaudible] stability for the many users, like some country names have 10 million, 20 domains, to put some kind of certainty to them when this thing, name country change, happens, so for them to know what's going to happen and when. That's for me an answer to his question.

EBERHARD W. LISSE: Actually, it's not the 'c' that is missing. Klingon language doesn't have an 'x', so I had to take the 'ch'.

STEPHEN DEERHAKE: Alright, thank you everyone. We are arguing. One last. You're the last one, Al.

ALLAN MACGILLIVRAY: Thank you for telling me. Allen for the record. Eberhard, it's a very comprehensive presentation. I really fear that you might not get through all of it in 30 minutes. So, just think through what the key slides are, like if you have to start dumping them, just think about that ahead of time. The other comment I would make is I think you should be prepared for the question or maybe even make the statement, what is the role of governments in the Retirement of a ccTLD. There is a role for government in the delegation, but what's the role of government in the Retirement. I think we know the answer, but I think that's a question that you can anticipate.

STEPHEN DEERHAKE: Alright, thank you for that, Allan. Do feel free to attend the actual presentation. I expect the good doctor and myself will be getting some interesting and possibly odd questions from the GAC Members in the Q&A. Presence is not required, of course. Okay, thank you Eberhard for that. So, now let's turn our attention to the final walkthrough of Bernard's Policy Document, and so without further ado, Bernard, I'm going to turn the floor over to you, sir.

BERNARD TURCOTTE: Thank you, sir. It's not my Policy Document, it's our Policy Document. Alright.

STEPHEN DEERHAKE: You're the able scribe, however.

BERNARD TURCOTTE: I'm just the pen. Alright, let's have a look at this. Okay, by this point this should be like a pair of old comfortable shoes for us, right, and we're just putting in a bit of polish on it, or at least I'm hoping that's where we're at. I can drive this by just pushing the right arrow. Alright, we've got control back. Okay, thank you, Eberhard. Okay. What we've done here is, and you'll notice in Line 17, when a new ISO 3166-1 Alpha-2 code element, we've defined it once here and we will refer to it as Alpha-2 code everywhere else, is added. That's the only change. So, element. On Line 23, it's important to note that ccTLDs identified as such in the Root Zone database, and the reason I put that in is that later on in our definitions, we use that definition, so I'm just making it consistent with the changes we ask for a little later. You'll also note that we started taking out footnotes, as was requested, that we just keep the definitions in the main text. Any questions on those? Going once, going twice, sold.

Alright. Our next change, here just normalizing, again, Line 34, the policy applies to all entries in the Root Zone database, just to be consistent. And we've removed the footnote that was superfluous at that point. Line 40, we had forgotten, or it got deleted somewhere in the edits. Originally I think it was two letter Latin ccTLDs, reinserted the Latin point on that one. Alright. Yes, sir?

NICK WENBAN-SMITH: Just when, obviously, I've looked at this section and I have forwarded it on to my friends in EURid, but I wondered whether we had any direct contact with the AC and SU codes who would be subject to that in terms of specific outreach. Maybe it's not the right point but just if it's not, hold that for the thought. And are we sure that there will never be any other non-Alpha-2 Latin two letter codes?

EBERHARD W. LISSE: They're members. You isn't?

STEPHEN DEERHAKE: Peter?

PETER KOCH: Thank you, Peter Koch for the record. I understand that this is not a recent change, but my recollection of the discussion was, my recollection might be wrong, that the explicit enumeration of a set of TLDs is not the final way to address this in a Policy Document. I think that might hopefully be in line with what Nick was attempting to suggest. So, I consider this enumeration a problem as long as we don't have a buy in there and as long as we hold… And also, I don't think it's necessary. And we had a description of these cases that did a, not refer to exceptionally reserved, and b, did not refer to an explicit enumeration, and I think that for the flight level of the Policy Document would be favorable.

BERNARD TURCOTTE:	Yes, we had those descriptions and we had discussions and we did not have agreement on those, and the way we ended up is instead of trying to tie ourselves in knots for four cases, we said we would listen. Now, more than willing to take another shot at trying to come up with a generic description, but let's be clear, if we remember very well what was going on, that we did not want to use exceptionally reserved, and if we don't want to use exceptionally reserved, then we're getting into a lot of text explaining these because there a little different in each case. So, be glad to take direction but I'll send this back to the Co-Chair and the Chair.
EBERHARD W. LISSE:	I was thinking for two letter Latin ccTLDs which do not correspond to an alpha code currently .ac, .eu, .su, and .uk, that would cover this I think.
STEPHEN DEERHAKE:	Bernard, can we make a note that we have a little question regarding 40 and 41 and that we will put this on our to-do list because there's no doubt going to be some further tweaking of this as a result of the stress testing that's coming up, and we can come back and address that when we address some other changes that will no doubt be made apparent to us as a result of the stress test. Does that work for everyone? Yeah, Nick, go ahead.

NICK WENBAN-SMITH: So, that was loud. From my perspective as the UK, there's a choice between including something for the non-ISO Alpha code or not including something, and personally, on behalf of my ccTLD, I prefer to have clarity in terms of a Policy Document as opposed to the existing lack of clarity in terms of what happens. So, personally, I'm in support of, if not the exact language I think, we can talk about the exact language, it's difficult with these sort of alpha cases already, but I just know that that might not be universally shared. And so, I think let's not spend a huge amount of time on it. This is a sort of an exception to the general policy or it's adjugated to the general policy, but obviously it's super important and we need to be thinking about this quite carefully. And I'm also aware that UK is not in the room, and I'm not sure, while I have pointed it out to them, but I'm not sure if they totally… They have other things that are going on at the moment. So, I think we just need to bring everybody along, because I think I can rationalize it and I can explain it to people, but they might not agree with my perspective.

STEPHEN DEERHAKE: Thank you for that. Bernard, continue.

BERNARD TURCOTTE: Thank you. And Bart was whispering there that maybe one of the issues for stress testing. Yeah, pending stress testing. That's right. Okay, now that the Latin has caused trouble, moving on. 59, such a transfer should follow the standard IFO transfer process where possible. We were just

referring to the IFO, the standard IFO process, we were just making it a little bit more specific here. Any issues around that? No, okay.

Alright. 75, some editing. I don't think it changes anything. It just clears up the wording. Once the IFO confirms that a ccTLD should be retired, and has a Functional Manager, I think that's what we were trying to say, and we were wrapping ourselves into a bit of a knot there. For Line 85, timespan for Retirement. We're really talking about setting a date for Retirement, that's what we're talking about. That's the aim of the policy, really, and we're not talking about a span of time, we're talking about setting a date and things that happen before and after.

EBERHARD W. LISSE: Is it setting a date for Retirement or setting a date for removal from?

BERNARD TURCOTTE: Good point.

EBERHARD W. LISSE: I would say removal because that's, if you look at the rest of the… Say, the final decision is on the removal and the removal date.

BERNARD TURCOTTE: I'll have a look because right below that, we're talking about the Notice of Retirement and we use the Retirement everywhere and we don't use removal, so I'll just take a note of that, and we'll see. Any other points on that? Not seeing any. Alright. A few footnotes have disappeared.

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Minor editing again from time to date and just minor editing really. Any issues there? No heartburn? Okay. Just some clarification there. Nothing really significant. Alright, 104, date the ccTLD is expected to stop taking registrations, renewals, and transfers that exceed the date of removal from the Root Zone.

It's important to note, this is the new text, it's important to note that there is a reasonable expectation, that takes us back to the document they get when we send a Notice of Retirement, is the Reasonable Requirements Document. There is a reasonable expectation that the date provided is the earliest practical date for implementing this. So, this was trying to address Patricio's comment that we're not looking at just setting the maximum date and not saying anything else about it, but that we're saying that there is a maximum date, but there is an expectation that you're going to try and provide the best time available that is not necessarily that date. Bart?

BART BOSWINKEL: Not on this one, but just going back to what we just had. You got date of removal from the Root Zone here, and if you go back a page, you will see, again, you got the Retirement Date. And so, there is a bit of confusion. So, we need to define both of them or just one.

BERNARD TURCOTTE: Yeah, we'll have to align those. Good catch, thank you. Alright. So, 105, 106, any issues? Patricio, did that capture what you were looking for? Okay, excellent. Thank you. 114, granting an extension to the default

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Retirement Date is at the discretion of the IFO. Such an extension, and I think that should be removed, such an extension, and shall not be unreasonably withheld, so that text got removed. So, granting an extension shall not be unreasonably removed, just simplifying the text there. 136, we wanted to remove the Working Group, this is a Policy Document, at some point it was fun, but if the request for an extension is rejected, and the ccTLD Manager believes that the rejection is unreasonable, or is inconsistent with the reasonable requirements document, it may appeal the decision by the IFO. See Article 5.2 on page 12 of this policy. So, we've just cleaned that up a bit. Is that okay for everyone? Alright.

Some minor changes on date and such up on the 140 to 145. And pardon me? No, okay. 4.5, exception conditions, we've rewritten 151 to 154. If the Manager breaches the Retirement Plan, the IFO should work with the Manager to reinstate the Retirement Plan. If this is not possible, the IFO can advise the Manager that it will maintain the default Retirement Date from the Notice of Retirement. We're getting a bit of chatter on the speakers here. Okay, that was interesting.

STEPHEN DEERHAKE: Continue.

BERNARD TURCOTTE: Okay. So, I think this is just cleaning up the language again. Are there any issues with this? Not seeing any. Alright. We're almost there, folks. Oversight did not change. Review mechanisms, minor change. In this

policy or on Retirement decisions have been identified, which shall be subject to such a review mechanism. Minor, I don't think is going to cause any heartburn. In references, we're done. So, what I'm taking away is Lines 40, 41, we have this issue of currently, which Nick has pointed out is causing some heartburn for some people, we'll look at. And there is a question of the date of Retirement versus the date of removal and standardize that through the document. Patricio?

PATRICIO POBLETE: The previous page, suppose an extension has been requested and granted from five to, say now it's ten years, and in year seven, so to say, there is this breach that cannot be fixed, so what we're saying is then we would revert to the original five years, but we're in year seven now. What happened?

BERNARD TURCOTTE: Yeah, that was a good point and that was exactly one of the stress tests that we're going to be looking at earlier today, and you'll note that, I think if you remember the flow chart that was produced on the process, we had a question mark around the fact that if the original date that was in the Notice of Retirement was passed, that there was a requirement for the IFO to give at least a 12 month notice. So, we may address, we're going to look at that again in a stress test but that's a good point.

PATRICIO POBLETE: I'm not trying to say it's something here to address that.

BERNARD TURCOTTE: No, we agreed we'd look at it as a stress test and then we'll bring in all the elements that come out of the stress test and adjust this accordingly. Back to you, sir.

STEPHEN DEERHAKE: Thank you. With my note taking, assuming I'm on course, it looks like we've got three little things to work on involving Lines 41, 42, Line 85, and Line 105. And we've made note of that and we will put that in as part of the changes that will inevitably coming as a result of stress testing. With that, I want to thank Bernard and we're going to move on to our next phase of this, which is stress testing, which Bart will lead but before we do that, I'm going to call a five minute recess so that everybody can have a quick break and walk around a little bit and get themselves reset for the next phase of what we're doing here. Thank you. So, it's 4:20 now, we'll see you at 4:25 and I plan to start on time. Thank you.

BART BOSWINKEL: Before we start drawing all kinds of graphs to one [inaudible] on the paper you just received, these are the scenarios identified up until now, and the first action for you is to think through which one you need to add or want to add, and everything every wild scenario or situation is

welcome. So, that will be the first start of it, that's why we wanted to break the energy of the group a little bit.

STEPHEN DEERHAKE: We're starting up in 30 seconds, so… If Working Group Members could make their way to their seat, that would be appreciated. Watch out, you've got Bart coming your way.

RECORDED VOICE: This meeting is being recorded.

STEPHEN DEERHAKE: Alright, welcome back. We are now going to venture into Phase 2 of our work. And that means we're turning our attention to stress testing, and for that I'm going to turn the floor over to Bart, who will walk us through the stress testing methodology and run us up to the first flipchart exercise of the day. So, Bart, the floor is yours, sir.

BART BOSWINKEL: Thank you. So, we had a five minute break and if you want to take the conversations outside, please, that will be very welcome. Or sit at the table, one of the two. Some people do want to continue the discussions. Thank you.

So, stress testing. I've introduced stress testing at the previous meeting and just to recap, it is a way to look at the used corner cases to test the process that you have developed over time and check whether there is

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a need for an update of that process and the Policy Document or not. I just handed out some scenario situation corner cases that have been developed over time. There is seven of them, that was the latest iteration, and probably during the discussions today, so on the presentation and on the document, you came across some other and thought of other corner cases which we'll include.

The drift or the goal of today is twofold. First of all is check whether we captured, or you've captured most of the corner cases, situations, scenarios, for the stress testing. So, that's the document in front of you. The way we'll do it is we'll just, you have five or ten minutes, let's start with five minutes, to add one or two or check this and if you think of one, add it to the list and I'll record it and include it. So, that's individually. The second thing, and that's the start of the first Breakout Session, is to once you've got these corner cases, we need to understand how the policy applies to them. So, what is, say, if you run this through the policy, for example I think that's a very nice one, is the Retirement has been launched, the Retirement process, there was a Notice of Retirement, but at the end you have a, for whatever reason, there is still about 100 thousand Domain Names under management by the former ccTLD Manager. What should IFO do? What should the policy describe? Just continue to remove the ccTLD or should they take another action, should that be reviewed?

So, it's more whether, say, what is the implication of the policy, how does the policy work out in these different scenarios, so that's looking into, say, defining the results of applying the policy to the scenarios.

And without taking any assessment of it. That's the first exercise, and we'll do it and we'll build it up. I'll explain it once we've got there.

The second exercise is to have a brief discussion to start off over the next month, whether such a consequence of the policy on these corner cases is acceptable to the Working Group or whether that's a reason to look more into the policy itself to adjust it. But that's an initial assessment of the implications, and that's more a Plenary discussion than anything else. Maybe if we have time we can do it in the smaller groups, but at least that will be initial because we already are at 4:30 and then we want to close at 6. So, the first, going back, the start of this today's exercise is please run through the list of scenarios, issues, identified to date, and check whether you want to add any, and you've got five minutes from now and I'll take stock afterwards, and then we'll list them on one of the flipcharts. So, that's the starting exercise for today. Just individually look at them and check whether you have additional ones. Thanks.

STEPHEN DEERHAKE: Thank you, Bart. So, ponder the document. You've got five minutes from now. Thank you.

BART BOSWINKEL: Two more minutes to come up with… Or three more minutes. I think time is up. Yeah, time is up, and this was just a starter of the discussion, so we do it in silence. It's always a nice way. I want to start on that side and just collect additions to the scenarios. We're not going to discuss

them. I just want to collect your thoughts and we'll list them as well, because then we'll go into other exercises. So, Peter or the person next to you, I don't know his name. You have anything to add to that list? No? Peter. You want to add a scenario, issue, corner case?

PETER KOCH: Yes, thank you. Peter Koch for the record. So, this may or may not be a subclause of Item Number 3, breach of Retirement agreement, or maybe dealt with separately, which is been the ccTLD Manager receives an injunction against removing second level Domain Names or something, so the distinction between this and what is already there is the Manager is not acting in bad faith but is forced externally. And the other one may or may not be in line with Number 7, that is the country disappears. Currently, Number 7 is constrained to a particular scenario, but there are multiple others that we could thinking about, depending especially on whether there is a successor state under international law or not. That could be addressed and that would also influence the existence or not of a local community. Thank you.

EBERHARD W. LISSE: Bart?

BART BOSWINKEL: Thank you.

EBERHARD W. LISSE: Can I respond to this? One thing, there is no successor states defined by international law. This is not defined by international law.

BART BOSWINKEL: That's fine, and we captured this, but we'll keep this is as a scenario we'll discuss it, as I've said from the start, this is about finding scenarios. You have anything to add? I don't know you're name, sitting next to you. You have?

UNKNOWN SPEAKER: I don't have anything to add.

BART BOSWINKEL: Okay, that's fine. Sure.

UNKNOWN SPEAKER: Neither do I.

BART BOSWINKEL: Sean? No, no. Naela, you have anything to add?

UNKNOWN SPEAKER: One thing that's bothering me, and out of the experience that we had, is how to keep the lines of communication to know who you're talking to within the register? You send the Retirement, you send it to who? ccNSO Representative? Administrative Contact in the Root Zone? Some

other… How do you know that you're talking to the right address at the ccTLD Manager? And that the feedback you're getting is authorized?

EBERHARD W. LISSE: Can we deal with this as a separate item? We are currently dealing with…

BART BOSWINKEL: Eberhard, it's nice that you ask questions we deal with afterwards. We're just collecting, as I said, for the third time, we are collecting scenarios. There is no comments on the scenarios, thank you.

NICK WENBAN-SMITH: I was wondering whether we ought to include, sorry it's Nick Wenban-Smit, .uk for the record. Supposing the 3166 Standard disappears into a black hole and doesn't exist anymore, and then similar to that supposing the Maintenance Agency for the 3166 makes a decision which is obviously irrational or perverse, how are we going to handle that?

BART BOSWINKEL: Stephen, anything to add on the scenarios?

STEPHEN DEERHAKE: No, mine just kind of exploded from what Nick just said.

BART BOSWINKEL: Anything to add to the scenarios? Yeah?

EBERHARD W. LISSE: I think we should have this breaching of agreement after extension as a separate item. I agree with Patricio there. And the issue of court orders forced into bankruptcy, what happens if a ccTLD Manager goes bankrupt is an issue of the legal system. You have to apply for it and then you'll get a court, so if court gives orders not to abide to decisions by therefore that can go into the same thing.

BART BOSWINKEL: Bernie, you want to… No? Your Staff role.

BRENT CAREY: Brent for the record. Can we maybe just talk about what happens if a perspective TLD wants to join ICANN's gTLD program, which we've talked about but stress test that scenario? Thanks.

BART BOSWINKEL: Of course. I've included it. Joke and Alejandra, want to add anything? Kim?

KIM DAVIES:	The one I had was how to apply the policy to ccTLDs that are already pending Retirement at the implementation of the policy.
BART BOSWINKEL:	And what do you mean by policies? Policies, so it's the plural, the set of policies applicable to ccTLDs? So, like RFC, FOI, etcetera.
KIM DAVIES:	That, too. But, specifically this policy would be my primary thought.
BART BOSWINKEL:	Okay, already in the process of Retirement.
KIM DAVIES:	Yes, already pending Retirement.
BART BOSWINKEL:	Yeah, and that's starting with the current date or looking forward?
KIM DAVIES:	So, upon successful adoption of this policy, it obviously comes into force on a certain date, any ccTLDs that are already pending on that date, how does this policy apply to them.
BART BOSWINKEL:	Ok, yeah. If at all, yeah.

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EBERHARD W. LISSE: Is there any pending at the moment?

KIM DAVIES: SU.

BART BOSWINKEL: Patricio?

PATRICIO POBLETE: Eberhard already mentioned the one I was suggesting, the breach during the extended period. As a scenario for Number 7, I would say what if an island state with were to physically disappear because of rising sea level, and that particular two letter code happened to be very useful for a certain industry with many people interested in keeping it alive.

BART BOSWINKEL: Thank you. Jaap?

JAAP AKKERHUIS: Probably slightly detailed comments but, one thing is that is if a ccTLD disappears that it has overseen consequences on other TLDs. I mean, in that which I mean, which I have summarized as a technical fuck up, and so that's a, there's a problem where in which you need to deal.

Similarly, it's actually if you change point 4 to 4A, the Manager goes bankrupt and his assets goes to completely different party, I mean, but that might be more a case for what we think is Retirement than anything else.

BART BOSWINKEL: So, that's fine. Yeah, go ahead Allan.

ALLAN MACGILLIVRAY: Sorry to come back just on that point, thank you Patricio. It's just that in Number 4 the use of the term bankrupt, I think we should be a little more broad to say where the operator ceases to operate. Like, for example, you could be bankrupt and still operate but I think really the concern is ceases to operate such that there's no one you can contact.

BART BOSWINKEL: I think, yes, I agree, and I don't want to comment and say bankruptcy for sole a particular, because that was discussed in a previous, that's why it's included. Yeah, go ahead Eberhard.

EBERHARD W. LISSE: Yeah, it's even more complicated as Allan is saying. They can be under protection or they can be under receivership, then somebody else makes the decision and who is standard the decision maker that we talk to, that's the point.

BART BOSWINKEL: Yeah, thanks. So, what I'll do is try to list these and my handwriting is very bad, unfortunately. So, what I'll do is I'll include these in a list and project them. What I want you to now as we go into the second phase, this was just starting up. Before we do anything else, I had a question for you. So, by now we've got, I've got 11 additional points to include in that list, which is a good thing. So, there are two ways of moving forward. Either we could combine the different cases, corner cases, into really in scenarios and then you start really scenario building, effectively building stories around it, or we could address each of them individually and check how they will play out under the policy.

We, this morning, the Chairs and Staff had a preliminary discussion and their tendency, and the idea was to do it individually because once you start building scenarios, the stories get very, very complicated and the question is whether that really serves the purpose of the stress testing. So, this is not scenario planning on stories, but this is more checking the corner cases of the policy, so the strong advice would be to individual cases and then check the results of how the policy plays out. But it's up to the Working Group to decide this, but there is a strong advice to do it on the individual case. Any questions, comments, on that question?

STEPHEN DEERHAKE: Bart, should I poll? How do…

BART BOSWINKEL: Who wants to do the individual ones?

BRENT CAREY: So, how are you going to prioritize if we do individuals given our short space of time?

BART BOSWINKEL: This is not about prioritizing.

BRENT CAREY: Right.

BART BOSWINKEL: This is what you do when you use each and every corner case to stress test, and if we don't finish it today, we don't.

BRENT CAREY: Okay.

BART BOSWINKEL: But there is a way of doing it is by dividing these different scenarios across the group and that's in smaller groups, look at a set of, and that would be the next proposal. A smaller group would look into the individual cases and then come up with the results they came up and share them and have a discussion about them. And that would be the starting point for the next phase. By then, I can tell you, it's about 6 p.m..

BRENT CAREY:	So, that would cover all living scenarios. Yeah. Okay.
EBERHARD W. LISSE:	My view is we don't even have to cover all of them today because if we start working this, we'll figure out how the process of stress testing works and then it becomes much more easier to do the ones on the list or whatever over telephone conference or whatever.
BART BOSWINKEL:	I think, given this and you have some basic ideas and you can expand on the seven, what I'll do is I've taken note of all the scenarios, I'll while you do your work, I'll include them in the document. My suggestion is that we go ahead with the following method, is the next exercise will be around applying the policy to the situation that we've said in the scenarios and how to do it. So, you've got this corner case, and think through the steps of the process, and what are the consequences? How will the result look like, without going into whether you think it's reasonable or not, we need to think through what will be the end result of if you use a policy and apply it to that corner case. As I've said, the example of the 300 thousand Domain Names still on the management remaining at the end of the Retirement period. So, whether that could be the results of it, and you have the other scenarios, as well. So, that's the way to look at it.
	So, what I want to do is divide you into… How many people are at the table, there was 17, I believe? So, that means we've got seven different ones already documented, so that means… So, that's smaller groups,

so you have three groups, and each group will address two scenarios, and one group… Was it? Yes, two. One group will address two scenarios, or two groups will address two scenarios and one will do three of these scenarios, and then report back to the Plenary and see where it takes you with respects to the results. In order to do this, I will assign you a number. So, keep this in the back of your mind.

EBERHARD W. LISSE: Why don't we take the previous group and sort of the speakers who wrote last time, go to the single [inaudible] to our previous groups because that worked very well as far as I'm concerned.

BART BOSWINKEL: Sorry?

EBERHARD W. LISSE: We had previous groups and we had one reporter each. For example, Nick was it in my group, I don't remember who the other ones was.

BART BOSWINKEL: Yeah, but that's people who don't recall their own groups. So, it's easier.

EBERHARD W. LISSE: No, but you know who was, I think you were the reporter, you were making the presentation. Anyway, the point is if those speakers go to the flipcharts, we can all corelate there. That's my view on it.

BART BOSWINKEL: That's fine, but I would suggest I will assign a number that you have three groups and that's it.

STEPHEN DEERHAKE: Yeah, for the interest of time, I think we should just revamp this.

BART BOSWINKEL: So, we've got one, two, three, one two, three, one, two, three, one, two, Alejandra, three, one, two, three, one. [inaudible] Eberhard, your film starts in one hour. [inaudible]. So, before we do this, think about, say, the first group, the Group Number 1, takes scenarios one and two. Group Number 2 takes scenarios three and four, and the last group takes scenarios five, six, and seven. And then, so that's Group Number 1, that's Group Number 2, and that's Group Number 3. Please assign a reporter, and I think once you're there start thinking about what are the implications of applying the policy to the scenario and then list the results and what you see. Then we'll report back in 15 minutes, 20 minutes.

STEPHEN DEERHAKE: 15 from now, okay.

BART BOSWINKEL: I'll check with you if you have enough time.

STEPHEN DEERHAKE: I'd like to remind everyone that we're coming down to two minutes and I was wondering if you need a little more time, and if so, somebody raise your hand in each group. Okay. You'll get another five minutes when this timer expires. Okay, you've got five minutes of extra time.

BART BOSWINKEL: Okay, if you can take your seats. The 20 minutes are up. The rest we have to do it on the calls but that's fine. Now we've got the hang of it and we even can create…

STEPHEN DEERHAKE: Can everyone take their seats please, and I'd also like to add that before we start discussing the results of your group work, Bart has captured the additional comments regarding the scenarios that were presented here, and he would like to run through them to ensure that he has accurately captured what was discussed. So, if you could return to your seats, that would be great.

BART BOSWINKEL: Okay, I'll start off. Say, I've added, all in all I have added nine additional corner case scenarios. So, one is breach of agreement due to court injunctions, that was Peter's. Country disappears however there is a

clear successor state. Lines of communication between the ccTLD Manager and IFO. They're unclear so the authoritativeness, etcetera, of the ccTLD Manager disappeared. 3166 disappears decision of ISO 3166A is completely out of line in breach of its own rules. Breach of agreement due to applicable national law court order, so these are two similar ones. Breach of agreement during extension period. Island state disappears but commercial interest keeps ccTLD "alive".

Unforeseen technical consequences effecting other TLDs, DNS in general. I have not included it because it will be circulated but this is the technical fuck up. Assets go to other party and does the Retirement policy apply to pending Retirement cases. Did I miss any additional case? If not, then I'll circulate this list to the email list again and we'll use the same method starting with Number 8 over the next couple of calls to go through it, check the consequences, whether or not it has an implication for the policy, how the policy plays out with them, and whether it should have an implication. Thanks.

STEPHEN DEERHAKE: Thank you, Bart. I hope we have a roaming mic. Yes, perfect. Will our reporter for Group 1, thank you, Alyssa?

ALYSSA MOORE: Okay, we had… Is this working? Yes. We had Number 1 and 2. So, question on Number 1 is does replacement of the former ccTLD by the new ccTLD imply a delegation of the new ccTLD or should it be considered as an exception of a regular case of delegation. And we said

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that no, there should be no special treatment. It's not an exception and that the policy lays out the mechanisms for the transition. We think the policy covers that, so no special treatment or exception and it would be a regular case of delegation.

On Number 2, the question was does it matter if only a few or thousands or more second level domains are still active at the time of removal. And we said no, it does not matter and that introducing a threshold there would also introduce the ability to game this policy and then the answer is absolutely no on that one. And then we also covered a bonus one because we had thought that Nick's example was really fun, of the ISO ceasing to add or to function, I guess, into the future. And then we also added an additional case onto that of what if the 3166 list changes to accommodate new types of names, so either ethnic groups or indigenous nations. And we said that we would have enough lead time to try and figure that out if that were the case. Does anyone from my group have anything to add to those?

BART BOSWINKEL: Questions. I think from either Group 1 or 2, say you heard the conclusions on the two scenarios, are there any comments, additional discussion points? Eberhard go ahead.

EBERHARD W. LISSE: I do not agree with that it must be a totally new delegation if it's a one to one name change. For example, JE, GG, and IM when they came exceptionally reserved from exceptionally reserved into assigned, it

was just taken over. I don't think that there should be anything like a new delegation.

STEPHEN DEERHAKE: It's not a name change, isn't that really what we're discussing, what Group 1 is discussing.

EBERHARD W. LISSE: Significant, Group 1, significant name change of a country example, is that RTCD, and TP to TL. That was what I understood that in that case, if it happens again, it would not be a one to one change of the ccTLD Manager, it would be a new delegation. That's how I understood it. Maybe I'm wrong.

JAAP AKKERHUIS: It is not a name change. The Island of Man was called an Island of Man. The code was IM. It stayed IM. It was only if a state is an internal database of the ISO, and actually, what really happen is that by accident, a mistake made by Mister [inaudible] was called and acted in this way as a consequence, but not a name change. I don't see what it has to do with is at all.

STEPHEN DEERHAKE: Thank you, Jaap.

BART BOSWINKEL:	Going back to Eberhard, do you mean that the case of .ep is to more to [inaudible] them, is that what… Because you use the case of GG, JJ, etcetera, is this the one that you mean by this is no exception so it means the delegation process should apply?
EBERHARD W. LISSE:	When these three went from exceptionally reserved into transition into assigned, the ccTLD Managers remained unchanged, even… Yeah, so now, even if the ccTLD Manager, if the ISO changes from TP to TL, it's a one to one name change, I do not agree that TL should be formally delegated. There should be assisted to just make the switch, that's my view on this.
STEPHEN DEERHAKE:	Kim?
KIM DAVIES:	Sorry, we discussed exactly this scenario within our group. In practice, TL is operated by an entirely different entity than TP. So, in that instance, in that country they decided not to link them whatsoever. So, the operator of TP was not related to TL, and wound down their operations and TL was created. My observation operationally is that I don't actually think this is particularly important because either way whether we do a transfer, redelegation equivalent or a new delegation, they're roughly assessed in the same manner. Like, the way we would perform that process operationally is very much the same so I'm not

sure that this is an argument that would actually result in any material change.

STEPHEN DEERHAKE: Thank you, Kim. Any other comments on Group 1? Peter.

PETER KOCH: Yeah, just to add, so I think that what we arrived at is that the policy should not treat this as an exception. If there is a single operator or two co-operating operators of the previous and the to be delegated TLD, then of course, they are free to be part of each other's delegation or Retirement Plan, but that's then inspired or suggested by the operators and not implied on them by the policy. I guess that's a reflection of what we arrived at.

STEPHEN DEERHAKE: Thank you, Peter. Any other comments before we move onto Group 2? Seeing no hands. Group 2, you ready to go? Thank you, Nick.

NICK WENBAN-SMITH: Hello. So, we had two. I don't like hearing myself in stereo. So, we had two questions to look at in these scenarios. The first one was in relation to the self-described breach of the Retirement agreement, and the second one was in relation to the ccTLD Manager going bankrupt after the notification of Retirement. So, where we go to in terms of breach agreement, basically, the short answer is plan continues.

The longer reason to explain that is that there isn't really, I mean we wouldn't really characterize it as an agreement. The retiring ccTLD Manager has come up with a plan or may not have come up with a plan if they stick with the five year default. That plan may be considered or not considered and if thought appropriate, that five year period could be extended up to ten years. If after all of that, something happens that the ccTLD Manager doesn't seem to be actually in accordance with the plan they submitted, we wouldn't characterize as an agreement, like a legal contract which has been breached, and who's going to assess whether there's been a breach, who's going to do all the compliance, all that sort of machinery was not something that we thought that this policy should go into the rights and wrongs of. The time period is either five years or it's an extension of five years, and post-event failure to follow what said is going to be happening in the plan, we thought too complicated. These are quite edgy cases and at the end of the day, it will lead inexorably to the Retirement regardless. So, by the time we've gone through some sort of ICANN process and reviews and all the rest of it, then it's probably going to take up to the ten years anyway. Well, tell me I'm wrong.

Second thing is a more interesting one, which is supposing the ccTLD Manager basically goes broke or we added into that category, they conduct themselves in such a way that there would seem to be substantively breach of their obligations to be a responsible ccTLD operator. And that introduces some interesting dynamic, which in the ordinary course, as we understand it, a ccTLD can be revoked and then delegated if there's substantial misconduct, however you would define

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that, on behalf of the Manager. But in the situation where it's already in Retirement, it might not be quite so easy to see how that could happen.

And we thought, first of all, Retirement cases are going to be pretty rare, thing one. And thing two, maybe there's a risk, a higher risk of bankruptcy in a Retirement situation, or higher risk of going rogue because there's no ongoing ccTLD to incentive people to behave well, but we thought that to the extent that the point is that it raises a security and a stability issue in terms of the operation of the DNS and the internet generally, so therefore it does come within scope of ICANN's mission, and we thought that the IFO, which has got an obligation to have ongoing security and stability, it is constituently obliged to do that, that they would be able to assess those situations on a case by case basis, they're going to be very rare. It may be, in a situation where there's a very small number of Domain Names, it doesn't really matter, probably that will be the case. There may be cases where there are ongoing stability and security issues and the IFO would have some leeway on discretion to do what they thought was the right thing in that sort of situation. I think that's… Anyone who's in the group can add anything to that is very welcome and I'm happy to ask questions which the other members of my group would be very happy to answer.

STEPHEN DEERHAKE: Thank you. Any questions for Group 2 specifically at this point? Bart?

BART BOSWINKEL: Just to clarify this point because I think that it's worthwhile to note this and say that was a question I think from Peter and Allan, as well. Say we try to take your findings to date in the report because it sets the scope for the policy, and especially what is in our out scope, the different cases, the corner… Going back to your point about revocation. Revocation is clearly say it's not part of the Retirement policy, but it's part of the whole package of policies applicable to ccTLDs. More in general, you say what you say these transfer could be applicable during the Retirement process, or let me rephrase this, do you think, or do you believe that the set of policies that exist and in the case like revocation transfer, apply during the Retirement phase of a ccTLD?

STEPHEN DEERHAKE: Thank you. Eberhard?

EBERHARD W. LISSE: That depends. If there is a caretaker government, revocation is one thing. If there is substantial misbehavior, IFO already has a mechanism to deal with this. If the ccTLD Manager says, "I can't do this. Here is the key, here is the bank accounts, I'm gone.", it's another thing. If he doesn't say anything, takes the key and the bank account, it's a third thing. We have defined substantial misconduct as something that you know when you see it, and that's one thing. But what happens then with the ccTLD depends on the local internet community, usually. If there is no defined internet community, or if this is no defined government as a significantly interested party, it may be impossible to delegate account

holds. Yeah? If the Manager asks for help, it's one thing. If he just goes away, it's misconduct. But if when there is a delegation, you need the local internet communities and the government and a significantly interested party, and when they don't exist, that's a problem.

BART BOSWINKEL: Going back and then Bernie, so would that be a case where you would say the Retirement policy as such, as it is now, notes this and there may be a need for additional arrangement on the Retirement policy itself to deal with these specific cases where you can clearly see when there is no government, say how does the policy apply that is normally in place?

STEPHEN DEERHAKE: Eberhard?

BART BOSWINKEL: Like the transfer or the revocation and finding a new one?

EBERHARD W. LISSE: We discussed it and the chances of this happening are so small that we were happy with saying we will deal with it on a case to case basis.

STEPHEN DEERHAKE: Thank you, Eberhard. Bernard?

BERNARD TURCOTTE: Well, Group 3 was actually charged with looking at part of this with request to transfer post-Retirement, and we did, and we'll be glad to report on that when it's our turn.

STEPHEN DEERHAKE: Okay, any… Allan?

ALLAN MACGILLIVRAY: Yes, Allan here. So, I would just like to draw the linkage between the question we had in Group 2, which was even if there are active second level domains operating, in our view that is not material to the decision to remove it from the root. And I think that applies to some of the situations that Nick was talking about. So, I think those two are consistent so when we write it up we should put it that way. Thanks.

STEPHEN DEERHAKE: Thank you, Allan. If there are no other comments regarding Group 2, we'll go to Group 3.

BERNARD TURCOTTE: Thank you, Nick. I was volunteered. Alright, for 5, request to transfer post-Retirement notice. Retirement is the result of a significant name change. The Retirement policy applies. We just didn't see any different. It's just there, it works. It's meant to cover a certain thing. That's it.

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BART BOSWINKEL: Retirement policy or the regular policy?

BERNARD TURCOTTE: Both apply. Everything applies, right? And b, there was the Retirement result of the dissolution of the country, significant interested parties cannot be found or, as Eberhard has pointed out, there is no government to be found, okay? And what we thought is there is a gap there, but we've already indirectly addressed it because we've said that if before initiating the Retirement policy or the trigger, we've said that IFO has the special power to transfer to make sure that we can retire. We've also said that if the Retirement agreement is breached and there is a need to transfer, they can use that same special policy. And I think all we need to say is if there is a requirement by the Manager to transfer in that situation, they can use the same policy, our special policy.

And our thinking was that if you don't allow that and the Manager has a Retirement Plan and breaches it, you're going to fall to that anyways, so you might as well allow it if a Manager comes up and there's a reasonable way out of it. So, there is a gap there, but it sounds like it's easy to fix. 6, the ccTLD Manager ends membership in the ccNSO. We've said, well, that's up to ICANN to decide. We make policies for ccTLDs and if ICANN wants to apply the same policy, then that's fine, but we've always said we cannot force ccTLDs who are not members to comply with our policies. So, they take their chances as Eberhard has said. 7, a country code was removed from the list of assigned codes because the country is dissolved. Okay, what do we have?

7A, the code was reassigned shortly afterwards within ten years to another country added to the list. We were fortunate enough to have Jaap in our group and he mentioned that although this could've technically been or was a possibility a few years ago, it's now currently impossible and that the list will require 50 years and end of story. So, if our maximum is ten years and the ISO maximum is 50 years, I think we're covered on that one. So, no issues, the policy should apply properly.

The second condition was after several years during the Retirement process, a code is exceptionally reserved specifically as a ccTLD. Again, Jaap noted that the ISO doesn't reserve codes as specific ccTLDs. That's not going to happen, and we have said that going forward if a code is removed from the list, the policy applies, end of story. It doesn't matter what ISO… The only thing that's going to change that, if it brings back on the active list. The rest of it, it's retired. We don't care if the color is blue, we don't care if they color it yellow, we don't care if they put it in a special script, it's not on the list, it gets retired.

STEPHEN DEERHAKE: Thank you, Bernard. Any questions, comments?

BART BOSWINKEL: Eberhard.

STEPHEN DEERHAKE: Eberhard.

EBERHARD W. LISSE: If then ICANN Board were to say like in the UE case, that there was a case for delegation or continual delegation, then we would probably carry on as running it as an exception SU was a Board resolution. But as far as we are concerned, as long as the Board doesn't decide otherwise, they get retired.

BERNARD TURCOTTE: As long as and let's be clear here, for the Board to go against an established policy, I think right now that would be very difficult. But I think you're right, if the Board decides in its wisdom to make an exception, then so be it on their heads. But, our case in our thinking, unless there is an act of God, this thing is getting retired.

STEPHEN DEERHAKE: Thank you, Bernard. Any other comments, questions? Alright, seeing none, I want to thank everyone for this. I think it was a pretty useful exercise and from this first go, it looks like the policy is withstanding the onslaught of stress testing. Bart, do you have any further…?

BART BOSWINKEL: The conclusion is one, but I think what would be useful, I'll capture these comments, or we will capture them, share them on the list prior to the next call, and we'll discuss the results of this part of the face-to-face, and take it from there, and then run through the other situations you've identified in a similar way. Probably with Breakout Rooms on

Zoom or on say each of these individual cases by the entire group as this goes reasonably fast because you can have a focused discussion. But I think this is as far as we can take it with regard to the stress testing.

STEPHEN DEERHAKE: Thank you, I think we're going to get really creative on Zoom between now and Cancun. I think with that, if there are no further comments on this particular section of the meeting, we'll move on to the next section, thank you Kimberly, which is back up one. Which is the presentation to the Community. As I have said previously, I think we've made some good progress since Marrakech and I need to put together with Staff help a short slide deck to bring the membership and the general Community up to date. We will certainly have in that the fact that we've essentially finalized policy except for those little nibblies, and possibly a change from stress test today, and mention also that we've got into the next phase which is stress testing. What else would you like included? Bart?

BART BOSWINKEL: I think if you, what would be useful is, if you go back to the previous presentation and if you go back to in the previous workshop or Working Group Meeting, this is where you discussed oversight and review and how it would apply in the Retirement process. And the solution found by the Working Group and how it's embedded now in the process. And I think it would be useful to just as a check with the ccTLD presence, whether they are comfortable moving forward in that direction, which

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is what you've done in the past with the duration and other items, as well, and this is a major, say they were not involved in the whole discussion, you can elaborate a little bit on how you reached that conclusion and then present it and then check whether people in the room are comfortable with this, how you resolved the issue about oversight and review.

STEPHEN DEERHAKE: Thank you for that. I was going to use what the last set of slides as my starting point for this set. So, I'll work on that and I believe, I don't know…

BART BOSWINKEL: [inaudible] the other two are the exceptionally reserved and the IDNs that were an open issue in Marrakech as well.

STEPHEN DEERHAKE: Yeah, those have been resolved. Anybody have any other ideas? Not seeing any. It's obvious from the time we're not going to get to a second Breakout Session. I meant to tell you that and I think Bart mentioned it earlier on, but obviously we're not. Given that, is there any other business? Seeing no hands, nobody waving, nothing on the chat, so let us move to the next section. Thank you, Kimberly. Next meetings, you can see we have potentially up to seven meetings prior to ICANN67 in Cancun in early March. I would like to solicit membership input on whether or not to hold 9.3, which falls on the 19th of December, which a

lot of the world kind of stops working around the 15th. I'm happy to hold it, but I thought I would solicit some comments from the group as to whether or not you think you would be able to participate because there's no point in holding it and expending Staff resource if we have six people on the call. So, thoughts, comments?

EBERHARD W. LISSE: I'm against holding it.

ALLAN MACGILLIVRAY: Actually, given where I'll be at that time, I will not be able to participate just because of the hour.

STEPHEN DEERHAKE: Any other thoughts or comments on that? Okay, here's my next question for you. If we do decide to drop it, and it sounds like we might, do we shift then the 11:00 UTC to the 9.4 meeting and continue the six hour lag? Kimberly, do you have any thoughts on that? Okay. For the sake of spreading the pain around evenly from meeting to meeting, no thoughts, no comments? Yes, Eberhard.

EBERHARD W. LISSE: I'm all for sharing the pain so I propose that we shift the 11:00 to the 9th of January and carry on then with the six hours.

STEPHEN DEERHAKE:	Thank you, that's kind of my thinking, too. So, we will do that, and we will post to the mailing list the revised meeting schedule omitting the 12/29 meeting and shifting the time slots down to the other meeting, so we will now have six meetings between now and ICANN67. Is that agreeable to the group? Seeing no comments, I'm going to take silence as consensus. I think our work here has come to an end.
	I want to thank everyone for participating. I think we got some headway today. We've certainly got a taste of stress testing and have definitely moved on to the next phase, which is a good thing. I'd also like to thank always able ICANN Secretariats and I would also like to thank the ICANN Techies, who are quiet in the back of the room and make it all happen. And so, with that, I'm going to adjourn this meeting. Thank you very much. Have a great rest of the ICANN experience, and we will see on the call on the 21st of November. Alright, this meeting's adjourned. Kim, you can stop the recording. Thank you very much.

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