ICANN – CCNSO – FOIWG

Meeting Notes (draft) for 11 April 2013, 09:00 (Beijing local time)

1. **Present / apologies <u>(final attendees to be confirmed)</u>**

ccNSO:

Martin Boyle, .uk
Becky Burr, .us (Vice Chair)
Keith Davidson, .nz (Chair)
Chris Disspain, .au
Stephen Deerhake, .as
Daniel Kalchev, .bg
Desiree Miloshevic, .gi
Eberhard Lisse, .na
Patricio Poblete, .cl
Nigel Roberts, .gg
Dotty

Liaisons:

Maureen Hilyard, ALAC
Cheryl Langdon Orr, ALAC

Staff Support and Special Advisors:

Jaap Akkerhuis, ICANN / ISO
Bart Boswinkel, ICANN
Bernard Turcotte, ICANN

Apologies:

2. Becky Burr Charied the meeting given KDavidson was absent at the start of the meeting.

3. **Agenda – Approved as amended**

   3.1.1. EL requested that the topic of the meeting room be added to the agenda and that this be the first topic of discussion (seconded by SD).

4. **Meeting room and ability to hold the meeting**

   4.1.1. After discussion it was agreed that the working would take a 30 min break while staff rearranged the meeting room to meet the requirements.

   4.1.2. General agreement that the Chair should clarify with ICANN staff responsible for room assignment at meetings that the FOIWG requires its requested room setup to carry out its work properly and will not accept to be moved to inappropriate rooms at future meetings.

5. 3**0 minute break.**

6. **Schedule of meetings to Durban**

   6.1.1. 25 April   21:00 UTC

   6.1.2. 9 May   05:00 UTC

   6.1.3. 23 May   13:00 UTC

   6.1.4. 6 June   21:00 UTC

   6.1.5. 20 June   13:00 UTC * (out of sequence on purpose)

   6.1.6. 4 July   05:00 UTC * (out of sequence on purpose)

   6.1.7. Approved.

7. **Meeting notes for 21 March 2013 – Approved.**

8. **Analysis (of misbehaviour and revocation)**

   8.1. Section 5.1. - Formal Actions by [IANA Contractor] . RFC 1591 identifies three formal mechanisms available to the[IANA Contractor]: Delegation, Transfer and Revocation. Other "formal" mechanisms may be available to the stakeholder community under applicable domestic law; however, those mechanisms might not be available to the [IANA Contractor] as a practical matter.

      8.1.1. The above text was approved by consensus.

8.2.   Section 5.1.4 - Unless a ccTLD Manager engaged in "substantial misbehaviour" or "persistent problems in the operation of a ccTLD" consents to a Transfer, in the event informal efforts to address problems are unavailing, the only formal mechanism available to the [IANA Contractor]to deal with intractable problems is Revocation.

    8.2.1.   The above text was approved by consensus.

8.3.   Section 5.1.5 - We shall look first at paragraph 6, Section 3 of RFC 1591 dealing with revocation for persistent problems, then we shall deal with paragraph 4.."

    8.3.1.   The above text was approved by consensus.

8.4.   Section 5.2.1.1 - Keeping the central IR (in the case of top-level domains) or other higher-level domain manager advised of the status of the domain;

    8.4.1.   Suggestion by NR – There should be a note somewhere in our document regarding the Central IR - Generally Agreed – BT to amend.

8.5.   Section 5.2.2.2 - The FOIWG interprets RFC1591 to require the [IANA Contractor] to avoid actions that undermine the stability and security of the DNS and/or the continuing operation of the domain.

    8.5.1.   The above text was approved by consensus.

8.6.   Section 5.2.2.3 - The FOIWG notes that technical operation of TLDs has greatly evolved from the time of publication of RFC1591, along with the use of the Internet, and although still a specialized field, this is standard knowledge for networking specialists and is supported by a large volume of easily accessible documentation and applications.

    8.6.1.   The above text was approved by consensus without amendments.

8.7.   Section 5.3.1.1 - *The requirement that there be a manager that supervises the domain names and operates the domain name system in that country*;

    8.7.1.   The above text was approved by consensus but should be amended to reflect that this only applies to ccTLDs – BT to amend.

8.8.   Section 5.3.2.2 - The FOIWG notes, however, that the concept of being "equitable to all groups" varies depending upon context, choices made by the local Internet community such as whether or not the domain is open or closed, applicable national law, etc. In addition, questions regarding justice, honesty, competence and serving the local community are highly contextual. As a result, the [IANA Contractor] may refrain from acting and look to the local Internet community where it lacks the information and context needed to evaluate the more subjective aspects of these requirements.

        8.8.1.   No agreement.

9. **Other Business - none**

10. **Conclusion of the meetings – 12:00 (noon) local time**

11. **Next meetings**

    11.1.1.   25 April   21:00 UTC

    11.1.2.   9 May   05:00 UTC

    11.1.3.   23 May   13:00 UTC

    11.1.4.   6 June   21:00 UTC

    11.1.5.   20 June   13:00 UTC * (out of sequence on purpose)

    11.1.6.   4 July   05:00 UTC * (out of sequence on purpose)