

ICANN – CCNSO – FOIWG

Meeting Notes (draft) for 20 June 2013, 13:00 UTC

1. Present / apologies (final attendees to be confirmed)

ccNSO:

Martin Boyle, .uk

Becky Burr, .us (Vice Chair)

Keith Davidson, .nz (Chair)

Chris Disspain, .au

Stephen Deerhake, .as

Daniel Kalchev, .bg

Eberhard Lisse, .na

Patricio Poblete, .cl

Nigel Roberts, .gg

Bill Semich, .nu

Other Liaisons:

Maureen Hilyard, ALAC

Cheryl Langdon Orr, ALAC

Staff Support and Special Advisors:

Jaap Akkerhuis, ICANN / ISO

Bart Boswinkel, ICANN

Kristina Nordström, ICANN

Bernard Turcotte, ICANN

Apologies:

Kim Davies, ICANN

Desiree Miloshevic, .gi

Paulos Nyirenda, .mw

Carlos Aguirre, GNSO

2. **BBurr acting as Chair (KDavidson can only participate by cell phone given power outage in New Zealand).**
3. **Agenda – Approved**
4. **Meetings notes for 6 June 2013 – approved.**
5. **Analysis V7 (of misbehaviour and revocation)**

5.1. Section 5.3.2.2 – New text proposed in V7

5.1.1. New text V7 - 5.3.2.2. The FOIWG believes that it is inappropriate for the [IANA Contractor] to step in unless substantial misbehavior by the ccTLD Manager (a) poses a risk to the security and stability of the DNS or (b) involves the Manager's failure, after notice and an opportunity to cure, to perform the objective requirements (i.e., to be on the Internet, maintain IP and email connectivity, identify a technical contact and, subject to previously discussed exceptions, identify an in-country administrative contact).

5.1.2. EL – Strong argument around the IANA contractor being able to act without have provided proper notice to the manager. Much discussion around this point by many participants. General support for the intent behind EL's argument. General agreement this could be handled in a sub-paragraph.

5.1.3. NR – “previously discussed objections” are not defined in the document. This cannot be left as is. General agreement.

5.1.4. BBurr and BT to draft new text to address points raised.

5.2. Section 5.3.4.1.3 – Minor edit – text should be considered final.

5.2.1. V7 Proposed text for 5.3.4.1.3 - The FOIWG notes, however, that the [IANA Contractor] will rarely be in a good position to evaluate the extent to which a designated manager is carrying out the necessary responsibilities of a ccTLD operator in a manner that is equitable, just, honest, or – except insofar as it compromises the stability and security of the DNS - a competent manner. Accordingly, the FOIWG interprets RFC 1591 to mean that revocation would not be an appropriate exercise of its right to “step in” unless the designated manager has substantially misbehaved in a manner that poses a risk to the stability or security of the DNS and/or the designated manager has refused to correct repeated problems with email connectivity, presence on the Internet, and/or maintenance. The FOIWG believes that it is not appropriate for the [IANA Contractor] to step in on issues where the actions of the delegated manager does not pose a threat to

the stability or the security of the DNS and that such issues should be resolved locally.

5.2.2. BS objected to the use of “should be” in the last sentence. General agreement to substitute “would be better”

5.3. Section 5.3.6.3 and 5.4.3

5.3.1. V7 text 5.3.6.3 and 5.4.3 - The FOIWG believes it is consistent with RFC1591 and the duty to act fairly to recognize the manager has the right to appeal a notice of revocation by the [IANA Contractor] to an independent body.

5.3.2. General agreement.

6. **Other Business - none**

7. **Conclusion of the meetings – 14:00 UTC**

8. **Next meetings**

8.1.1. 4 July 05:00 UTC * (out of sequence on purpose)