
ICANN74 | Policy Forum – RSS Governance Working Group (4 of 4)
Thursday, June 16, 2022 – 15:00 to 16:00 AMS

OZAN SAHIN: Hello and welcome to Root Server System Governance Working Group session 4. My name is Ozan Sahin and I'm the remote participation manager for this session. Please note that this session is being recorded and is governed by the ICANN Expected Standards of Behavior. This session is intended for a discussion among the Root Server System Governance Working Group members. Other participants will be silent observers.

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BRAD VERD: All right. Thank you. So really quickly, I just want to recap a couple of things that occurred over the last couple of meetings just to let people know how we're addressing them. First, obviously, these are not official GWG meetings, so no decisions were made here.

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We're just exploring the boundaries. I thought it was very beneficial, very helpful for everybody. I really enjoyed personally being face-to-face. I think we got a lot done, so thank you.

Really quickly, going back to an early meeting, there came up—it was an action that we needed to go document the consensus decision-making process, so that down the road there's no question of how we got to any decisions. That was brought up by Kaveh and pretty much everybody that was—a kind of unanimous consent on that. Is that correct? So we'll just work on that documentation. Kaveh, brought up the idea of reevaluating the decision-making process and we all agreed that that is a much bigger discussion and we will move that to the formal agenda of the GWG. Just don't want that to fall through the cracks.

So I guess, what we need to talk about—oh, I want to plant a seed which is workshops. Again, I feel like we got more done today than we've gotten done in a while online just because we're face-to-face and we're able to kind of see people's reaction and have a hallway conversation. I think it's very beneficial.

So I'm talking to staff and we're going to be floating the idea of doing in-person workshops obviously between the ICANN meetings. I think that would really help in getting progress in a deliverable. So I guess, I want to plant that seed and ask for any input, thoughts, good idea, bad idea. I see thumb's up around the room. Okay. So we'll continue to explore that, and staff and

myself will work that out. Expect to see something in email and look for further engagement there.

All right. So now the question to the group is, what's next? What do we want to do next? So I talked to a couple of people after this last meeting. I've taken notes obviously. I think Tripti pointed out there at the very end that maybe we end up using both models or different pieces from each of the models.

I think in the conversations I had just in the last few minutes, one idea or one thing going forward that would be beneficial for a number of people would be to document the SO model more formally rather than just a couple of diagrams. Maybe we pull it together as a document, create a small work party, so we've got something meaty to look at when we look at the two different models. So that is an option that was just thrown out and put on the table. Are there other thoughts that would be—Kaveh, go ahead.

KAVEH RANJBAR: Question for clarification. So all you said, these documents, it will be basically work products of RSS GWG, correct?

BRAD VERD: Correct.

KAVEH RANJBAR: Yes. And then the idea is, my understanding is, the output of GWG at the end, the end goal is to produce them as reports for the ICANN Board.

BRAD VERD: So no, so I mean, we clearly have a document right now on the PRS model.

KAVEH RANJBAR: Yes.

BRAD VERD: Right? And we don't have a document on the SO model. So the feedback that I got was to create necessarily a document that is more formal than just a couple of diagrams on the SO model, so that there's something to use to compare and contrast. Neither of those would be a deliverable to the board.

KAVEH RANJBAR: Yeah, exactly.

BRAD VERD: They're for use for us.

KAVEH RANJBAR: Yes.

BRAD VERD: Internally.

KAVEH RANJBAR: No, exactly. I just wanted to make sure that it's clear for all of us who would be the end-user, the consumer of those documents. So they're internal products of RSS GWG at this point which is—

BRAD VERD: That's the thought process.

KAVEH RANJBAR: Yes.

BRAD VERD: If the group wants to do something different with it, then we can have that.

KAVEH RANJBAR: And then one more point of clarification. I assume because we have all RSOs now at TWG, we don't expect to collaborate much— I mean, of course, we are collaborating with RSSAC but I don't think in the loop of making sure the documents are within RSOs approval limits basically or acceptance. We don't need to communicate them with RSSAC or Root-Ops or something back

and forth because we are present here. I just wanted to share this understanding if that's correct.

BRAD VERD: I don't see a need for that right now.

KAVEH RANJBAR: Yes, same here.

BRAD VERD: That was never the intent in the past either, I guess.

KAVEH RANJBAR: No, I understand. I just want to make sure we don't deviate at some point that then RSOs who are all present here, so I don't think it will happen, then have a big differentiation of what's being built here. Which I think they're covered. I just wanted to make sure we are clear on that.

BRAD VERD: Okay. So what works for people moving forward? Are there ideas or things that people want to share with the group, discuss? I do? I'm sorry. I'm not looking at the hands. Ash, go ahead.

ASHWIN RANGAN: Thank you, Brad. I think first of all about the models, even with having these two models, we have struggled to come up with a definition. I think having a mixed model would lead to a lot more confusion than clarity. So I'd like us to get to a point where there is a singular model with a precedent where we can dive deeper and more substantially and flush it out completely. Otherwise, we're heading down an uncharted path and trying to get a goal step that is undefined. That would be my observation and contribution. Thank you.

BRAD VERD: I'm sorry, Ken was next.

KEN RENARD: Thanks. Just along those lines of documenting the RSSO model. If there is even shorter description of what the combination of the two models might look like. Which pieces go on which side. Even if we're just a few charts, I think that could be helpful as well.

BRAD VERD: Can you explain on that thought, so I can kind of visualize it better.

KEN RENARD: When you're saying we could end up with a combination of the PRS model and the RSSO model.

BRAD VERD: Yeah, that was said here in the room.

KEN RENARD: Right. Is it worth documenting at a very high-level what that would look like? Are there specific pieces? The policy would be over here. The operations will be here. I think specifically in memberships where, if the PRS model went ahead and there's a board of a legal entity that specifically my organization could not be a part of that board. What am I missing out on? Is it important to me or not?

BRAD VERD: So if I'm hearing you correctly, I'm hearing you say membership documentation, model versus model specifically.

KEN RENARD: Model versus model or really a combination of the two models.

BRAD VERD: Or the combination, okay.

KEN RENARD: Thanks.

BRAD VERD: But specifically around the membership of—

KEN RENARD: Yeah, membership and basically what do they do.

BRAD VERD: Okay.

ASHWIN RANGAN: Brad, can I come in with two [inaudible] on that, please.

BRAD VERD: Sure.

ASHWIN RANGAN: Thank you. Look, I think let's go down the full SO flush out model perspective first than going down a path of let's try to create a third one. We don't know enough about what this doesn't accomplish to say that that will accomplish. I'm just trying to get to some concrete state here.

BRAD VERD: Yeah. No, I think, Ash, I think you're right. I think we're all thinking the same thing and maybe you're verbalizing it better than others. I think in order to have a discussion about anything that's

combined, you first have to define them each individually which I think is what you just said, correct?

ASHWIN RANGAN: That’s correct. I mean, we have a certain set of goals and we’ve defined success criteria. We’ve mapped things out to the success criteria. Let’s have a substantive discussion about what in the success criteria are not met with either one or two as the first two options before we jump to the third option saying, we think that this is going to do that.

BRAD VERD: Right. And I guess, what I’m hearing in order for that—and again, this is what I’m hearing from different people is that, in order to have that discussion, they first would like to see a formal document on the SO that is a little bit more meaty than the diagrams presented today. Is that fair?

ASHWIN RANGAN: I think that’s fair.

BRAD VERD: Okay, great. I just want to make sure I interpreted that correctly. All right, Robert.

ROBERT CAROLINA: Yes, thanks. A couple of observations and a recommendation. The observation is that I think everyone can see that the PRS proposal has been done at a much higher degree of granularity. I mean, in terms of the level of abstraction, let's say we're cruising at about 2,000 feet above the ground or something like that. Whereas the SO is currently still a relatively high-level abstraction or cruising around 40,000 feet.

The recommendation would be, if you're going to flush out a little bit more on the SO, I think you might only want to bring the level of granularity down to about let's say 30 or 25,000 feet because in some ways one of the challenges with the PRS model is I think, as someone who's looked at it, who was involved in the process, it seems to have widely varying levels of granularity and other important things are missed.

So I would urge you to invest let's say a reasonable but not overly right amount of time on that development thing. But the thing that came out today that I thought was really super interesting and I think would be really good to invest time in was that list of documents that Ken's team produced which basically talked about, we've got to come up with policies on this big long list of things. It went for two slides. And from my perspective, that's I think one of the best statements so far, I've seen of what I describe as the hard questions that need to be grappled with.

And I would urge you to consider the possibility of focusing very heavily on producing those—I'm trying to reach a resolution on those issues because I think the resolution on those issues is the hard crunchy bit. And the idea of which one of these or both elements of models you want to choose from will actually be much easier to do once you have more clear ideals about how those are supposed to play out. I think that's my way of saying, a long-winded way of saying, I think some parts of this process you have the cart in front of the horse.

And I think that list of documents, Ken, that your team produced about these are the things that need to be worked out in detail are not just things that need to be – first of all, they need to be, in my opinion, worked up before the new system comes to into effect and I think that that might really well be the spotlight of the hard discussions that need to happen.

KEN RENARD: Just for clarification, this is Ken. You're talking about completing the list or completing each one of the items at say 30,000 feet.

ROBERT CAROLINA: I mean, actually going through and having substantive discussions about those, about the content of those documents that you described such as what's the minimum criteria? What are the assessment criteria for a new RSO? What are the criteria for

removal? What are the criteria for—there’s a long list of them. You had two slides. And I think that not just—I mean, not just developing that list. That list is good. And if there’s others then fine, but I think having substantive discussions on what do you think the answers to those questions are, at outline level of detailed level, I think that will give everybody much more to hang on to.

BRAD VERD: Okay, thank you. Tripti?

TRIPTI SINHA: Thanks, Brad. Just two points. The first one, I don’t mean to be persnickety, but there’s something that’s been gnawing at me and gives me some agita from something that was said in the morning meeting. And Kaveh, you mentioned that we should document how we made our decisions and I completely agree, good documentation. But you said to avoid any questions about the legitimacy of our decision. That I think it was the use of the word legitimacy that gives me pause and agita because the legitimacy of this group is derived from the fact that we were constituted by the board via a board resolution. The legitimacy of ICANN is derived from the fact that it is the stewardship body for the ICANN institution, right?

And ICANN derives its legitimacy from the mandate and mission to manage the unique identifier systems and the securities, stability and resilience. So why would that be under question and we don't have to answer that today but maybe—I don't know if you meant to use the word or if you just loosely used the word. And we can either make this an agenda item for the next meeting.

BRAD VERD: This is already an agenda item for the next meeting.

TRIPTI SINHA: No, but it was the use of the word legitimacy.

BRAD VERD: Okay. Which is just giving me some agita.

KAVEH RANJBAR: May I, Brad. So if I can, I think it was a conscious choice of the word because I'm trying to imagine scenario let's say in a year, correct? And let's imagine a big country, a superpower. Within our system where we stand, I have no problem with legitimacy. Not only within ICANN but I think even a bit larger if you go to IETF and other bodies. How identified it as a stakeholder or affected by our stakeholder. So I think we are covered there.

But when we—and I had a nice chat with Peter offline about that as well. When we go a bit larger than that, it's not about—especially this group. It's not about legitimacy of ICANN then because we are aiming and we want something that ICANN with facilitate but we start at the ground—this is larger than ICANN, so kind of different, correct? So let's say we have a process. Again, this is not about the interpretation. The process, this allows – says that this country cannot—we cannot give to this person, for this entity who is representing your country. They don't meet the bar to become an artist. So we basically deny—I just used the word, Russia. To become artist.

They might be represented at GAC and our model we also support that. Their voice is heard there but still is rejected. In that area, they're not even going. They are not going to even question or they have the option not to even question the ICANN of GAC because they say, yeah, we need to be—we've fully subscribed to ICANN model. We have a rep at GAC but this group is not ICANN. They are larger. They have other people and they order other people who made this decision, not really in the multistakeholder model but there were people from [inaudible], people from other groups outside of this model.

Then they can question how this decision to stand. That's my worry. If it was only ICANN, then our problem was yes, but do you accept the ICANN legitimacy or not. And if not, that's a different problem. So we don't have to deal with it. But what we are

building at least based on the models that we have and the stakeholders we have identified is not a one-on-one match, matching with ICANN. ICANN is one of the players and one of the biggest ones if we look at the presentation, but it's not all.

So we are building a new body which consists of good part of ICANN plus some other parts. And we need to also make that legitimate. And I think it's only for the start. It's [inaudible]. And then we have a bit of traction. A few years after, I think it will find its place but we are creating a new governance organization basically body in this whole arena and that will need some strong foundation, so it can stand and grow, become its own body.

TRIPTI SINHA:

So my takeaway is basically two things for the next workshop is one, let's revisit our decision-making process. And also, let's hone in on the legitimacy aspect, so we sharpen that so that we're crystal clear on that.

The second agenda item for future workshop is, what Kurt said about capture. We tease it out during the RSSAC workshops but capture is more than just a root server being captured. True vulnerability comes from IANA. I think that's a little bit scarier. We should probably just tease that out a little bit.

BRAD VERD:

Got it, thanks. All right, Liman.

LARS-JOHAN LIMAN: Thank you. I see two things that I would like to see discussed in the future environments. One is Jeff's what are we yielding? What are we gaining and how? How do we want that balance to strike in the future? What are we aiming for there? And the second one which stuck me earlier, we have in RSSAC 37 the number of scenarios but they are all operational if I remember correctly. How do we retire a root server operator? How do we add a root server operator? What we don't have in those scenarios is, how is the policy set for the bar for a root server operator.

So we probably should create scenarios for other types of decisions in this structure and how they are made and how that ties into existing structures in ICANN and how we want to interface with ICANN and those things. And that will also lead to who do we envisage have a say in the various types of decisions. So we need to look for new types of decision that we can imagine will have to happen. Thanks.

BRAD VERD: Yeah. No, I think just to add on to what you're saying there. I think based upon the success we had with the scenarios in 37, and I recall doing those scenarios and we found gaps in the document that we then had to go back and fill based upon going through the scenarios. And we've talked about it here with a number of different people is that I think we're going to have to do—I think

it would be prudent of us to do the same thing here. So yeah, I echo your thoughts there. Wes?

WES HARDAKER: I forgot I was in the queue because the topic is old but I was thinking, legitimacy is an interesting word. You're right, Tripi. And maybe the right way to think about it is we're looking for a pedigree of how we got all the way through this whole process from start to finish. It was properly documented in such a way that people understood it and trusted the results of that decision-making process.

BRAD VERD: Thank you, Wes. Sam?

SAM EISNER: Thanks. So following on from what Kaveh said, another thing that occurs to me that probably make sense for this group to discuss, and this is what it really hits me as the lawyer is, who's accountable ultimately for the outcomes of the decision-making because that's one of the hearts of what Kaveh was saying. I agree with Wes that—

BRAD VERD: Can you rephrase that quick?

SAM EISNER:

Sure. So we know that at the end of this, ultimately—so we’re going to have a recommendation. We’re going to have a model whatever it looks like. And the model is going to wind up with work and ultimately someday there will be a decision about who can become an [inaudible]. So there might be someone who has—there will be winner or a loser. So we know within the ICANN model, the next question is, who is accountable for that decision? Who will be challenged? Who will be the one to have to answer for that in case someone is not comfortable with that?

Part of that accountability challenge inevitably takes in the legitimacy question. And so, one of the things as I reflect at looking at both of the models, there’s not necessarily the answer of, who is going to be held accountable for the outcomes of this. Part of how we demonstrate the legitimacy is making sure we have a good documentation, Wes that you were talking about. So we can say, here’s how we reach the beginning part.

So the process is then legitimate from the start but then there’s a question of who will be accountable for the decisions in the end. And if you have a separate entity versus policy recommendations that come through an SO to the ICANN Board, those accountability [inaudible] are much different. And so, I think that it’s probably something worth discussing in the future as well at one of the workshops.

BRAD VERD: Yeah, a really a good point. Queuing up questions in my head right now after listening to that. Okay, Wes your hand back up.

WES HARDAKER: Yeah. So two things, one, it was really Kaveh's request for documentation. I was just trying to put wordsmithing around it. You bring up a really good point, so I will reiterate again giving credit where credit is due. Suzanne who unfortunately had to leave the call has reminded repeatedly that the one thing that this group and 37 never discussed is, where do appeals go? Almost every decision-making body has some sort of appeals process and I think within the SO model, the ICANN Board is sort of where the buck stops. Within the independent model, there is a question of—affiliate model, excuse me. The PRS Board would make a decision and in theory appeals might go to the ICANN board or something like that but that's something that I think also needs to be addressed at some point. We don't have that anywhere in any document right now.

BRAD VERD: All right, a whole lot there that staff and myself will pull together and throw out some suggestions to the group. And that is all I have today or we have unless somebody else wants to bring something up. I'm happy to give you guys some time back. No?

Nobody online? All right. Well, thank you, guys. Thank you for a very productive day again. Thank you for coming here and I look forward to seeing you guys in the near future.

UNIDENTIFIED MALE: At the ICANN.

UNIDENTIFIED MALE: Thank you.

OZAN SAHIN: Please stop the recording.

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