

CRISP 6th Teleconference held on Monday, December 29th 2014 (13:00 UTC)

CRISP members present:

AFRINIC

Alan P. Barrett, AB
Ernest Byaruhanga, EB

APNIC

Izumi Okutani, IO
Craig Ng, CN

ARIN

Michael Abejuela, MA
John Sweeting, JS

LACNIC

Esteban Lescano, EL

RIPE NCC

Nurani Nimpuno, NN
Andrei Robachevsky, AR

Draft Agenda

1. Agenda Review
2. Actions Review
 - a. Minutes
 - b. Publication of the edited version
 - c. Version control
 - d. List issues on NRO-IANAXFER
 - e. User friendly recordings
3. Review Feedback and actions needed
 - a. Regional lists
 - b. Publishing of issues list
 - c. Addressing each issue
 - IPR issues (domain & database)
 - Review Committee
 - Other issues
4. Preparation for the 2nd draft

- a. Volunteers: drafting text and communications
- b. Any Coordination? IETF, ICANN CWG

5. AOB

1. Agenda review

IO reviewed the proposed agenda. No agenda items were added.

2. Actions review

a. Minutes

- Uploaded on the NRO website

b. Publication of the edited version

- Done

c. Version control

IO: GV has helped in keeping version control, but there's more work to be done once GV has the MS Word version of each document.

GV: Just a few minutes ago MA sent an email saying he'll provide the word version of those documents. That will allow me to include version control information on the documents themselves.

d. List issues on NRO-IANAXFER

IO: JS has created a spreadsheet listing all the issues discussed on the mailing list and I've included some updates about the latest statuses. Later I'd like to go into more detail under agenda item 3 and confirm these statuses.

JS: Perhaps we should see how to maintain the spreadsheet going forward in order to keep it updated.

IO: Thank you John, we'll discuss the best way to keep it updated while sharing the workload.

e. User friendly recordings

IO: A brief recap: We already have the recordings available on the NRO website, but a member of the community mentioned that current files (.arf or Webex file format) are not friendly for Linux users. GV is working with the LACNIC team to see how we can address this.

GV: We have found a solution based on windows so we can now convert .arf files (Webex) to mp4 format. Right now the CRISP team's support staff are using Apple platform but we have asked the LACNIC office to convert the files and hope to come back soon with a solution to this. It is now simply a matter of time.

IO: Thank you so much to GV and the LACNIC team for working on this.

3. Review Feedback and actions needed

a. Regional lists

IO: First, I'd like to hear from CRISP members whether you've seen other discussions in your regions other than the ones on the IANAXFER list.

JS: The ARIN list has been quiet.

AB: There were no recent discussions on the AFRINIC list either.

IO: The APNIC list was also quiet, but at CN's suggestion, we're planning to have a Webex session so we might have additional feedback later.

EL: There were no discussions on the LACNIC list.

NN: The RIPE region has been very quiet.

IO: The general observation is that people are mainly commenting on the main IANA list, not on their own regional lists.

b. Publishing of issues list

IO asked GV to share the list of issues that had been compiled, to which GV replied that it was already available on the NRO website and provided the corresponding link in the chat window (https://www.nro.net/wp-content/uploads/NRODiscussionList-4_20141226_izumi-3.xlsx).

IO: Would we like to share this list with the community as well so that they can keep track of the status of our work? Are you comfortable with the fields we've posted or do you have anything else to add? Are some fields better shared with the CRISP team only, not with the community? If you have access to the NRO website, you may be able to see the excel file we've compiled on major issues discussed or posted to the mailing list (IANAxfer summary discussion).

IO: I hope people CRISP members and observers can see the file now. Fields include thread title, a categorization of the issues, summary of the issues, summary of discussions on the IANAXFER mailing list, and finally CRISP team status. I've added one more field – Action(s) suggested in CRISP Team discussions. This is where I'd particularly like to hear your feedback. I'd like to know whether you'd like to share this list with the community on the NRO website or simply use this file as an internal reference for the CRISP team's work. The reason is that this is perhaps more of a brainstorming for the team rather than official actions that we've decided to take, so I'm not sure whether it would be helpful for the community to have this field or create confusion among the community as regards the

action we're planning to take.

JS: I agree. If it's not an official action we've agreed to take, then we probably shouldn't put this out there where somebody might think it is.

IO: Then this field could be used for internal reference for us within the CRISP team.

NN: I also think it's important that when people raise things on the global list there is some sort of response or action. I presume that if someone raises something on the list that we think is substantial enough, then that at least should be brought to the CRISP team at a teleconference or something like that. So, we might not want to put down any official actions, but we might want to note that it will be discussed at a teleconference or something like that so that people feel that we're responding to their concerns.

IO: Thank you, NN. I agree with your comment. We could perhaps update the field CRISP Team Status field which is mostly "under review" at this stage but, if it's something that was actually discussed at a teleconference, we can update the field to say this was discussed at the 6th or 7th teleconference or something like that. In addition, I would like to consult you this. I personally feel that, for these individual issues being raised, rather than just passively discussing among ourselves, it might be useful to share proactively something on the IANAXFER mailing and our own CRISP Team's issues list saying "this is something we've agreed and this is the direction we're considering."

AR: First of all, I would like to commend you for the excel sheet, I think a lot of work has been put into producing the list of issues. Yours is an excellent suggestion, but I would like to remind us that the 5th of January is the deadline for submissions. So, if we feel capable of summarizing those issues and sending this to the lists within this time frame, then it makes sense. Otherwise we should focus on consolidating a position on each of the issues within the CRISP team and then release them after we close this deadline for feedback. For instance, unfortunately, I myself can dedicate very little resources this week, I don't know about other CRISP members.

IO: Just to clarify: you're saying that we should more focus on consolidating a position on each of the issues and then maybe it's not so much of a priority to share the outcome of our discussions, Then people can actually see what we reflect on what's actually published on the 5th of January. Is that correct?

AR: If feedback is still coming in, based on this assumption, maybe a better approach is to keep discussions internally on the crisp mailing list and then see whether new issues are added or whether new positions on existing issues are coming from the community and then, as soon as possible after the deadline for comments release the CRISP team's position on those issues and incorporate them in the second version of the CRISP draft response.

IO: So, rather than just starting discussions before the actual deadline it's better to have a more integrated consideration, including all the additional comments we may be expecting and then share our position on each of the issues. That makes sense to me.

NN (via chat): I'm comfortable with this approach.

IO: If there happens to be some issue that we believe has already been fixed and we are comfortable with a certain approach, I think it's also OK to update the CRISP team status and explain why this approach is necessary. But it's important that we all agree as CRISP team that we are comfortable with this, and the basis is that we'll wait until the 5th of January for a more comprehensive consideration.

c. Addressing each issue

- IPR issues (domain & database)

IO: First, the IPR related issues. To summarize: there are two points being raised –the use of iana.org, the other related to the use of the database. So far I've received feedback from CN saying that, rather than going into the details of each of the IPR related issues, it might be better to consider this as related to the operation of the IANA function as a whole and then maybe address it in a way that's similar to the way that it's addressed today under the NTIA-IANA contract where there's a clause related to IPR.

AR: I think it might be better to separate this into two issues as they might call for different approaches for solution. One thing is the database rights. The direction I've seen in the community and also the direction the IETF has taken is declaring it's in the public domain. The issue of iana.org and the IANA trademark are quite different. Right now they're registered to ICANN and might require different solutions. So we could keep them under the same umbrella –IPR issues– but have two distinct issues under CRISP team's consideration.

To clarify a little bit more, for instance, database rights are now held by the NTIA and that might require a multistep approach which might need to be done in concert with other communities, while the iana.org and IANA trademark issue is different.

AB (via chat): Agrees that IPR can be divided into two issues

IO: OK, let's separate these IPR related issues into two issues.

As regards the iana.org issue, Andrei has already shared the IETF draft so one possible way to move forward would be to build on that draft that already exists and just make a couple of edits or consider additional some factors which might be necessary in terms of number resources. Does this make sense to the team?

CN: One of the points I made on the mailing is that perhaps we're diving too much into the detail of the contract. What we have right now is the big picture that we are proposing. I think IPR is part of the transition. If there is to be a successor operator in the future, then a lot of things will need to be dealt with, not only IPR. I think we should focus on the big things of the transition. In part III we should say that we expect the contract to adequately cover all the services that are necessary to transition out from ICANN to a successor un the future if that becomes necessary and that ICANN agrees to provide those services. This is very, very common in contracts like these.

AR: First of all, I agree with CN, we should avoid including too much detail. We are talking about boundary conditions. Identifying these issues in this response is very important, if we're missing something we should add to this response, not as "legalese" requirements but instead as expectations of the community. One thing I think is important to leave clear in this response is that resolution of those issues might require collaboration with other communities. It's a point whether we want to instigate this within the CRISP team or delegate these discussions to some other party drafting the contract. In my view, identifying boundary conditions and general outline of the solution are more important than detailed language.

IO: We don't necessarily need to nail down each part if the details in the proposal document but be able to clarify what would be the community's general expectations depending on different aspects of the IPR. Is that what you were saying?

AR: That's right.

MA (via chat): +1 to Craig, too much detail in the proposal about the specific contract provisions may not be best dealt with at this stage and could become problematic if in negotiating and drafting the agreement the intent is accomplished but not in line with a specific provision directed in the proposal. I believe proposal should be more general and specifics handled in the particular contract.

JS (via chat): +1 to Craig.

AR (via chat): Yes.

MA (via chat): Agree with Andrei as well. General issues should be addressed and resolved but not by specific contract language.

NN (via chat): +1 We need to identify the issues, but not write detailed language here.

IO: I believe we have an agreement on the general approach, not to go into detailed language listing all the conditions but guide the general direction about the expectations of the community on the different IPR issues. For these issue I would like to ask for volunteers for working on the language of describing this issue in the proposal and also how we would actually clarify our rationale for each of the issues identified (to explain to the community).

AR volunteered.

Action Item: AR to work on the language describing IPR issues in the proposal and the rationale to present to the community (iana.org and other IPR related issue).

- Review Committee

IO: The basic comment raised on the list is that the representatives of the review team should be chosen from the community. We can explain that we do plan to have representatives from each RIR region. The

second point is that there's a suggestion to make use of the existing mechanism, to have the NRO NC themselves provide advice to NRO EC on the review of the IANA service level. That's a suggestion being proposed. How does the CRISP team feel about this suggestion?

AB: I think there should be a separate team because THE ASO AC/NRO NC is involved in policy development and we should keep that separate from service level review, as I already said on the IANA ASO mailing list.

AR (via chat): I support this.

IO: It does seem consistent with the point that we agreed that the IANA operation and the gPDP are separate issues, so having separate teams seems appropriate. I will confirm on the mailing list, but we can consider the current position as "yes, we'll have community representatives but they will be separate from the NRO NC because the role they're expected to take is different." If there are no further comments on the CRISP mailing list, this will be the CRISP position.

NN (via chat): +1 to Alan (and the separation).

- Other issues

IO: If you look at the chart, please look at issue that says "Should not be termed based indicated in section III but should have termination conditions." It seems to me that this proposal says we should clearly state what would be the termination conditions and also make it automatic renewal unless there are clear reasons for termination of the contract. CN, perhaps you explain this point better than me.

CN: The point I made you've captured very well. The option, as MA put out, is that the contract could have a certain number of years after which it expires, then it could be automatically renewed or retendered (a fixed term contract). From what I read on the mailing list, Seun is questioning whether the contract should go on forever but with termination provisions (if there is a breach, then those conditions can trigger a termination). The difference is that one is a contract that we assume will continue to run until certain termination conditions occur and one will run for a fixed term after which it will be renewed or retendered.

IO: First, I'd like to discuss whether this level of detail is required at this time in our proposal to the ICG.

MA: I don't think we need to have this defined at this stage. I'm not sure we'd reach consensus at this stage. We already agree on including a clear termination clause. I don't think we need to say a lot beyond that at this point

AR (via chat): NTIA contract has termination conditions.

AB (via chat): No need to include so much detail.

JS (via chat): Agree with Craig and Alan.

NN (via chat): +1 to Craig and Alan. I don't think it needs to be defined at this stage.

MA (via chat): Agree. No need for this level of detail at this time.

IO: We could say that we are all in agreement that this is an issue to be further discussed at the time of developing the contract. That could be our reply to the person who raised this issue.

IO: A small point. There was a suggestion to change the gPDP. I think it's just a matter of saying that this is outside the scope of the CRISP team and that if anyone feels that a change to the gPDP is required, this person should go through the proper channels.

No comments were heard.

IO: Who will reply to the last two issues we discussed? As to our reply about the review commission, should we respond at this time or wait until January 5th?

AR: What do you mean by responding exactly?

IO: First, confirm on the CRISP mailing list with those who are not on the call, then, as this seems to be an issue with no controversies, whether this is something we could share on the IANA XFER mailing list before the 5th of January or do we want to wait until we receive all comments

AR: If the team has a position, we should certainly share it as soon as possible.

AB: I think it's useful for us to respond on the IANA XFER list even if we don't have an agreed position. We can give feedback that we've received and are considering the comments.

IO: I suggest that for the issues on which we have no objections today we can double check on the CRISP mailing list for 24 hours and, if there are no further comments, then we can share on the IANA XFER list. Does this sound reasonable?

AB: Review for 24 hours is fine with me.

AR: Yes.

IO: For any issues that have no controversies on this call, we will confirm for 24 hours on the CRISP mailing list and then share on the IANA XFER list. We can take this approach with the review committee issue and the contract as well. any volunteers for these two issues?

AB volunteered to work on communicating on both issues. Communication regarding the review committee: that we feel it's separate from the NRO NC. Communications regarding the contract: that we don't want to get into too much detail at this time. Both first on the CRISP list, then on the IANA XFER list.

4. Preparation for the 2nd draft

a. Volunteers: drafting text and communications

IO: We've already worked on this.

b. Any Coordination? IETF, ICANN CWG

IO: We haven't shared our work with IETF and the ICANN working groups yet. Do we feel that we should forward our work to these communities as a reference or it doesn't matter either way? I personally feel that at least for the IETF there's some overlap and we mentioned about the reverse DNS so it might be helpful to share on the IETF related WG and have them see if our language makes sense. How do you feel about this?

AR (via chat): This makes sense.

NN: I think that makes sense, to communicate that with both other groups and to give them a pointer to our global list. I think it's good to coordinate and also to invite comments on our list.

AR (via chat): Yes, but comments should be directed to IANAXFER.

NN (via chat): Exactly, that was my point.

IO: I'll do that.

AOB:

IO: The next call is scheduled for January 2nd. I don't see that many comments posted on the mailing list, so I'm comfortable with having the call on the 2nd. Unless anyone objects, let's plan to meet on the second.

CN (via chat): If we do not receive any further comments, do we need to have a meeting on 2nd January?

IO: Let's plan the meeting. If there are no issues to discuss we can cancel it.

NN (via chat): Agreed.

Actions before next meeting:

For each of the issues listed (IPR, review committee, contract), to summarize the positions we discussed

at the call today, communicate to the CRISP mailing list and, if no issues are raised, communicate them on the IANA XFER list (AB and AR volunteered).

As there were no other items to discuss, IO adjourned the meeting at 1400 UTC