

Heather Dryden: The other topics on the agenda, first of all regarding the Working Group within the ccNSO, looking at retirement - no, wrong order. I'll have to do it in order. Delegation, Redelelegation and Retirement, and then we're going to talk a bit about geographic names, and then a bit of an update regarding the ccIDN policy development process. And then we'll go from there. So I think Keith, it's over to you to talk about the Working Group. Thank you.

Keith Davidson: Thank you, Heather. For those who don't know my name is Keith Davidson and I'm Chairing the ccNSO Delegation, Redelegations Working Group. And to my left is Benny Terkot who has been contracted by ICANN to provide support to the Working Group, and has done the substantial research and recording of the Working Group's progress.

We've got a presentation that we made to the ccNSO yesterday, so at the risk of boring the ccTLD people in the room, we'll go through that presentation again. But just prior to starting the presentation, I wondered if we could perhaps have a show of hands in the room as to who has read the Delegation, Redelelegation Working Group Reports. There are four reports on the website at the moment. Can we have a - so we can assume that there's a reasonable knowledge about the - the subject, both within the GAC and within the ccNSO. Okay, thanks.

Bernie, can we have the next slide? Just - what we'll do is run through what the Working Group was mandated to do, the

summary of the progress report, and then I'll hand over to Bernie to cover off on the final reports, and the final draft reports on Retirement, Delegation and Redelegation, where the incumbent operator consented, and then just a quick roadmap for the Working Group's work ahead.

Next slide please. Of course the Working Group was established by ccNSO Council to look into whether or not there should be a policy development process relating to Delegations, Redelegations and Retirements of ccTLDs. We undertook a substantial amount of research initially looking at the policies that currently apply, so we looked at our RSC 5091, ICANN's ICP 1, and News Memo 1, and the GAC Principles 2000 and the GAC Principles 2005.

We analyzed those policies and guidelines to measure whether there were any gaps in those policies, and really found nothing of major concern. We then measured all Delegation, Redelegation and Retirement decisions by ICANN that were publicly available, and measured those against a matrix of whether they complied with policy and guidelines, or were outside of those policies and guidelines. And then measured those issues as to how significant they were to warrant further investigation.

Of course, the IANA functions that relate to the US Government and ICANN Agreement where - are have been beyond the scope of this Working Group so that's not been an issue that we've investigated.

Next slide please? And the issues paper that - or we released in Brussels for public comment a substantial document that listed all of the Delegations, Redelegations and Retirements and included the note of what we found significantly interesting, of interest and not really of any significant concern.

And we then divided our work into the four separate categories of Retirement, Delegation, Redelegation with consent, and Redelegation without consent. It's our intention to bring those four subtopics back into common single report as our final report. And we plan to complete the Working Group work around the San Francisco ICANN meeting time.

Next slide please? And I'll hand over to Bernie to talk about the individual reports. Thanks, Bernie.

Bernie Turcotte:

Thank you, sir. These are a listing from the main reports. Each of those reports are available online individually, and if you do have interest, they - the links will be listed at the end of this presentation, and this presentation will be on the ccNSO website. Right now we will only deal with the issues for the three reports that have been posted.

The first report is on the Retirement of ccTLDs. The main issues are: there is no policy regarding the Retirement of ccTLDs, and that's just the basic reality of the situation. There is significant divergence between the approach to the Retirement of dot TP and dot YU. There is a statement by Peter Dengate Thrush regarding

the 2007 YU decisions. The September 2009 board minutes relating to extending the period for retiring dot YU contains some text of interest from the RNIDS, that asked ICANN for better guidance for future on how to process a retiring county code top level domains should be conducted in the form of clear and transparent rules. So you don't have to read a lot between those lines.

The issue of what happens if the manager is not in agreement with retiring a ccTLD that is no longer listed as an active ISO 3166 code is not addressed. Application of the practices appeared inconsistent when considering the dot SU dot TP cases which have been removed from active ISO 3166 lists for years.

The recommendation is rather simple and did not take much debate from our Working Group, and it is that the DRD Working Group recommends that the ccNSO undertake a PDP on the Retirement of ccTLDs. And yes my daughter has just logged onto skype.

The final report on Delegations, the issues failure to consistently follow establish policies, processes and procedures, lack of predictability in the application of current rules and procedures to the delegation of ccTLDs, the applicability of ICP 1. This one is a subset of a longer issue, but no publicly documented process or procedure for updating IANA processes and procedures that apply to ccTLDs.

IANA reports need to be clear on what has been provided for community support, how it has been evaluated and if it meets the requirements or not. And there are several inconsistencies in terminology. It was rather universal that ccTLD operators despised being referred to as the organization - sponsoring organization, yes. So I think that just appeared and we were told that we were a sponsoring organization and people sort of resent that.

The recommendation is a little long, it is the same for the two last reports and I will go through it in detail, because we believe - all right, maybe I won't go through it - okay, I guess it's momentous.

The DRD Working Group have conducted research on the ICANN decisions relating to the delegations and redelegations of the ccTLDs and believe the research highlights decisions made that contain elements of inconsistent application of policies, guidelines and procedures. And on occasions that ICANN decisions have been based on criteria not included in the relevant policies, guidelines and procedures. The decisions of the ICANN board should be logical and predictable.

Although elements of this report, support a recommendation for the ccNSO to undertake a PDP, this Working Group notes the considerable time requirement to develop a PDP, along with the urgent need to provide clarification of various issues and procedures within ICANN, and therefore, for reasons of

expediency, efficiency, effectiveness and flexibility recommends the two-step process to the ccNSO Council.

The RD Working Group recommends that as a first step, the ccNSO Council undertake the development of a framework of interpretation for the delegation of ccTLDs. This framework should provide a clear guide to IANA and the ICANN Board on interpretations of the current policies, guidelines and procedures relating to the delegations of ccTLDs. The results of the use of such a framework and interpretation should be formally monitored and evaluated by the ccNSO Council after a predetermined period.

If the results of this evaluation indicate that the framework of interpretation failed to provide logical and predictable outcomes in ICANN decision making, the ccNSO Council should then launch a PDP on the delegation of ccTLDs. So this is our approach for Delegations.

On the Redelegation of ccTLDs with the consent of the incumbent operator. This introduces the fact that the fourth and final report will be on the Redelegation of ccTLDs without the consent of the incumbent operator, and is probably one of the most complex ones, I would say, and has the most number of issues, and we are doing very well on that, and hope to have it out early in the new year at the latest.

The issues on Redelegations of ccTLDs with the consent of the incumbent operator lack a fair and consistent application of

ICANN bylaws applying to minutes of Board Meetings, failure to consistently follow established policies, processes and procedures, the lack of predictability and the application of current rules and procedures to the Redefinition of ccTLDs, the applicability of ICP 1 -

Male: Actually it would be fair to say lack of applicability of ICP 1 in a way.

Bernie Turcotte: The documents themselves describe these issues in great detail if you have interest in this. Issues continued. There is no publicly documented process or procedure for updating IANA processes and procedures that apply to ccTLDs. And what we've seen in the past is brand new rules and procedures just simply showing up on the website without even notifying people that they have changed significantly, so that is of slight concern.

Interpretation of consent by IANA's own admission is highly variable, depending on a number of factors including culture and immediate physical security of the ccTLD manager. So we are talking about Redefinitions of ccTLDs with consent, but exactly what consent means is a highly variable thing. Definition is required for what constitutes significantly interested party and community support, that's a recurring theme, certainly an issue in the Redefinition of ccTLDs with the consent of the incumbent operator; and relates to the request from April 2010 by the ICANN Board to the ccNSO to require the ccNSO to clarify what

community sport really means, and how that should be interpreted. And we had come to that same conclusion.

The recommendation is basically a carbon copy of the one we had before. It's a two-step process where we recommend the establishment of a framework of interpretation, with the redelegation of ccTLDs where there is consent of the incumbent operator monitoring after the fact for a set period, and if it does not meet the requirements then the recommendation is that the ccNSO Council should recommend the launch of a policy development process on this particular set of policies. That concludes the reports and over to you, Mr. Chair.

Christian Singer:

Thank you, Bernie. And as I stated earlier and as Bernie just mentioned, the report on the fourth of the four reports on Redelegations without consent of the incumbent operator, work has progressed on that very steadily, and I think the Working Group has reached consensus on all that couple of very fine points.

So it was just a little bit too much of a rush to try and get that through in time for this meeting. But I could say with some surety that the Redelegations without the consent of the operator report will include the same resolution as the Delegations and Redelegations report. And the three reports and this fourth report will be available for a little while yet for consultation, so if you have comments, the reports are on the website and include an email address for your comments on them.

What we're looking to do is consolidate those comments into a final report bringing the four reports together and producing that final report for a final round of full public consultation, with a view to having a final report to the - final agreed report that everyone has accepted to the San Francisco meeting. The Working Group has been working steadily and has achieved consensus on everything that has been published to date, and is continuing to work very expediently and reasonably quickly, and this Working Group may finish its work ahead of time.

So that's the report and we're struggling to currently get this PowerPoint presentation on line, but it does contain the links to the various reports, and also if you have any issues that you want to raise emailing me would be appropriate, but if you want to provide formal input to the reports, please use the email addresses listed in the individual reports.

Thank you and are there any questions?

Peter Dengate Thrush: Stefan.

Stefano Trumpy: Hi, thank you. Stefano Trumpy from Italy. The question is what you foresee after San Francisco? What follows on in the ICANN procedures and which kind of agreement there is with the staff/Board, because this is quite interesting?

Peter Dengate Thrush: This Working Group's work is purely to come up with a series of recommendations to the ccNSO Council on whether or not to -

there should be a PDP. As to the suggestion of the framework of interpretation, and the consideration of the recommendation that there should be a PDP on Retirements, that becomes the property and decision of the ccNSO Council at that point. So the shape and form of that will be over to Chris.

Christian Singer:

Stefano, if you assume for the moment that by San Francisco or shortly thereafter the report is finalized, the next step would be for the Council to consider the recommendations. If you assume that the Council accepts the recommendations, then the next step would be to form a structure to come up with the framework of interpretation.

It is certainly the intention of the Working Group, and I would be surprised if it wasn't the intention of the Council, that we would seek a significant GAC involvement in whatever the structure is to work on that framework. And - but what shape it's going to take and etc., I can't - I don't know. It's probably - it will probably be a joint - another one of those glorious joint Working Groups that we love so much.

Stefano Trumpy:

If I cannot - I see some let's say, let's call it supervision of the IANA function anyway. So it is something that has to be harmonized in the ICANN framework as globally I think.

Christian Singer:

I agree with that. I just wanted to make, if I may, Keith, I just wanted to make one point personally. It's very easy reading these recommendations on their own, many facts very easy if reading the

reading the report as a whole to take the view that this is all very negative, and that would not be a fair view.

We are not suggesting that anyone is being negligent or bad or it's a function of working with the tools that the ICANN Board has been given. It's a function of the fact that a lot of this stuff was written a long time ago. It's a function of the fact that the GAC principles, for example, are very useful or a series of high-level statements that don't promote - necessarily provide detail. So the Board is doing we think the best it can do in the circumstances, so I wouldn't want anyone to think that this is in any way saying that you know things have gone - have gone wrong, it's not an indictment of the Board.

I'm conscious of that because I've had some feedback on the AT from people who are perhaps less climatized to the ICANN environment as we are that the ATRT report, the Accountability and Transparency Review Team Report, could be perceived as being very negative. So it shouldn't be and this is certainly isn't intended to be. Keith?

Keith Davidson:

So my question actually was directly exactly to the point which you sort of almost answered, but not completely. And that is there is this question of consistency of approach and failure to follow procedures and so on. And I appreciate what you've just said, Chris, but I wonder if those comments have been made to the Accountability Transparency Review Team, and if there have been any - any comments back from the Review Team about that,

because you could probably observe that point about a number if not many of the decisions that have been made by ICANN over the years.

Christian Singer: Okay, are we talking about the ATRT now, or we talking about the Delegation, Redelegation?

Keith Davidson: I'm talking about the observation about failure to follow process.

Christian Singer: Okay. Well, in the context of this - in the context of this of the Del and Redel, at least in part, there is a lack of process to follow in the first place. And so therefore, process gets - precedent gets created by what you did last time, and the fact that you feel - the fact that you've been able to do that, gives you almost automatically a feeling of license to kind of meander the path, rather than following a specific process.

That's not to say that there aren't occasions where real specific processes are not - they're not necessarily followed. So on that side of thing I think that yes that message is delivered in respect - just very quickly in respect to the ATRT again, I would say, yes, that's understood.

Thomas deMann: Yes, Thomas deMann from the Netherlands. I've studied it and I don't yet grasp the idea of the framework or interpretations. I mean, we have three documents which are leading, and we know this, and we have to end up doing a process getting guidance by these three documents. Will this fourth document be another

guidance, or will it be - will it be in a sense determinative about certain actions that do? I don't get quite yet here.

Peter Dengate Thrush: You know I think that's an issue that the ccNSO will have to grapple with, I mean one possibility, just plucking a possibility out of the sky might be to - that the ccNSO may ask the GAC to revisit the GAC principles 2005, or somehow come up with series of clarifications or statements that give some color and depth to the GAC principles that the ccNSO and the GAC might jointly agree on, and point towards the ICANN Board as a sort of advice from the two communities as one possibility.

And I think trying to second guess what that might look like now is probably a little difficult and it needs some discussion before we get to that point.

Christian Singer: Thanks, I can just take an example, Thomas, if you - everyone - I think everyone pretty much accepts the concept of you know local - local community support, the problem is that there is no explanation anywhere really of what that looks like, what color is it, and how deep is it, what does it mean; to take that as - just as an example, the goal would be to - for this document, which would be a document that would hopefully be embraced by the GAC, as well as the ccNSO to provide some meat on that bone of community support, for example.

Then the next question that arises; what is the status of that document? And the answer to that is that it is guidance, hopefully

from all of those involved, the reason why there's a supplementary recommendation that says and if that doesn't work, have a PDP is in case that doesn't work. We would certainly hope that if we could - if we could reach - if we could reach agreement consensus, if you like, on a series of frameworks of interpretation, that they would be taken very seriously, and that they would be you know used by the ICANN and IANA. But we're conscious, and that might not be case, and that's why put in this thing about the PDP. That's it.

Peter Dengate Thrush: Okay. Maria.

Maria Häll: Thank you very much. Yes, thank you so much for the presentation. It was very interesting. Even I haven't been able to dig into all this material, but apparently you're covering a lot of very interesting and important issues. I mean, it's also very much connected to different procedures that was something we have been discussing the GAC also.

But I have a little bit of a curious person, maybe it's totally irrelevant or maybe even stupid, but I go for it anyway. Of course, you've been focusing of course to this - on the ccTLDs, but do you see the mutual problems or issues or if you see in the other TLDs on the procedural basis?

Christian Singer: No, absolutely not. We haven't looked at any of the - anything outside of the ccTLD arena at all; but no, not a silly question, and

something that we had never contemplated, yet this is an issue for the ccNSO, so yes we've only restricted ourselves to our arena.

Heather Dryden: Ornulf?

Ornulf Storm: Yes, it's Ornulf Storm from Norway. Yes, thank you very much for this presentation; I think it looks very interesting. And just a quick observation, I think when it comes to the framework of interpretation; I think that's at least at this stage, that I think the GAC would like to sort of be involved somehow to be part of the interpretation at least of our own principles.

So I think that's as you described, Chris, that when it comes to that stage then of course we have to find a mechanism of how to be involved. And that's - I think that's - that's a very good point here with the information exchanged here that we actually get this information at this stage, and then we can plan on how to be active and be involved where it's appropriate. Thank you.

Keith Davidson: Just in response, yes, we have had two GAC observers on our Working Group all the way through, Suzanne and Jayantha, and I have to say they've been more useful when being observers by providing us indications at times of some useful ways forward for us. So the cooperation has been extremely good and we would look to harness that energy I'm sure for the future.

Christian Singer: Can I - just one second, it just occurs to me also that I should again, I would expect that this - whatever this structure is that we

used to come up with this is obviously also going to involve IANA, I mean the - we need to involve the people who do the stuff, because they will have - they will have hurdles that they know about, that we don't necessarily understand, so that's another point. Jayantha and then Suzanne and then Bill.

Jayantha Fernando:

Thank you. Jayantha Fernando from Sri Lanka. Firstly, I'd like to thank the Working Group for an excellent outcome, which in a way sets the tone of the work that we may have in hand in relation to the ccTLD principles in future, if we are going to do that. So in that context, I'm very thankful.

Just a quick clarification, something that I have not understood perhaps clearly in this process, is whether this would have an impact on the IDN ccTLDs, how - will there be any co-relationship between this and that?

Christian Singer:

Well, yes in the sense that the IDN ccTLDs go through the delegation process and presumably one day there might be that goes through a redelegation process; but in the sense of the policy for IDNs, no. Because the IDN policy development process doesn't deal with the IANA function. The IANA function is the IANA function. So the IDN PDP stops at the point where you make your delegation request, okay? Suzanne?

Suzanne Sene:

Thank you Chris, and thank you Keith. I just wanted to note that it's been a very interesting opportunity as one of the observers to participate and to chime in when appropriate. And I think it - just

we will remain in very close contact, hopefully so that we get a sense of a trigger point, if you will, when we need to set up a small group.

Obviously, the way the GAC works everything is open to everybody, but *de facto*, it will boil down to a small group to revisit - to re-examine the 2005 GAC principles to be in line with some of what you would be considering. So we just have to keep ourselves very close on the calendar. But I think again, I expect it will be a very constructive and productive working relationship. Thank you.

Christian Singer:

Bill.

William Dee:

Thank you. Yes, I have a stupid question. Has there been any discussion in the Working Group about why it's necessary to retire ccTLDs just because the relevant country doesn't exist any more? I mean is there - what the problem that's caused by just leaving them in the route, presumably they have - many of them have a number of registrants actually, and while they continue to have registrants and maybe even gather new registrants. Are there technical problems caused by leaving them in the route? Thank you.

Keith Davidson:

That is a question that the Working Group did battle with. The issue is that the country code may be re-issued by ISO on the ISO 3166 list. And at the point of some of the decisions of retirement,

the ISO re-issuance of a country code could have happened pretty much at any time.

Now ISO has as clearer policy that usually cc - a country code on the ISO 3166 list won't be re-issued for a period of 50 years after its retirement. So we have attached to our retirement report some information from ISO on that, which in the policy development process may lead to a 50 year extension or something like that, for the existing registrants or whatever's happening with the retirement.

But I think retirement is difficult when numbers of registrants are declining and perhaps there's no willing registry operator and issues like that as well. So it's a complex issue, and the PDP will not be a five minute job.

Keith Davidson:

If there's no other questions, just can I make the observation that the Delegations and Redelegations Working Group is meeting on Thursday at 11:00 a.m. for an hour in conference room 2A and B, and so any GAC members who are very fascinated by this may want to come along and one of the subjects we'll be discussing is consent and informed consent. So if you're interested, please come along.

And in terms of other ccNSO groups - Working Groups that are having meetings on Thursday in Room 161 from 10:00 a.m. to 11:00 a.m. the ccNSO geographic regions Working Group is meeting, and previous interactions with the GAC there's been some

interest from some GAC members in the ICANN geographic regions, so if anyone interesting, that meeting is on too. Thank you, Heather.

Heather Dryden:

Thank you very much, Keith. I think you've heard today that GAC members are quite interested in how things develop, following that report. So we look forward to working with you on that.

Now, we can move to I think the next topic for this afternoon, and that is on the issue of geographics. So I will turn to Hubert, my German colleague to talk about I guess where the GAC is at in terms of outstanding issues related to geographics; and we will ask the ccNSO for their perspective, because I think we share some of the same concerns regarding new gTLDs. So please, Hubert.

Hubert Schoettner:

Yes, thank you. Yes, as we all know the question of introduction of geographic names into the new gTLD world was discussed a long time and was in the GAC I recall that 2007, the GAC principles already mentioned that ICANN should avoid territory or places name, country territory or regional language or people descriptions unless in agreement with the relevant government or public authorities.

This principle already stands for us, and we want procedures set safeguard these principles. We have been discussing for quite a long time whether we should introduce a list of what extent a list can be defined for a protection mechanism. We have decided now that we are in a situation there is a consensus that geographic

names or the use of geographic names needs a non-objection letter from the relevant government. That is something we welcome.

Having that said, the problem is, as I mentioned before, we started to talk on a list and realize that it is difficult to have an extensive list - exhaustive list including everything that might be considered a geographic name; and then we now have, according to the discussion with GNSO and with ICANN Board a list that is more or less consists of the country names, for country names, subdivisions of the countries that this provinces, federal states, then we have a third category, the cities and then for us it's UN regions, that's bigger regions.

ICANN brought over a letter to the GAC that say second avenue for other geographic names or geographic names that we think are not considered in this list as a community objection process. And we see this community objection process as it is now designed a bit complicated. The problem is - there is an objection as it is now is the first step for litigation, and that means that we are discussing if there is applicant states account of objection that is - that is rather likely after having applied, paid almost \$200,000, and he normally will give account objection to a community objection and then there will be a decision of a panel and that is probably quite costly.

And we have as GAC says a position that GAC members and government should be excluded from fees generally and in this question there is still discussion with the Board whether this is necessary.

The second major problem we see is the criteria which are to be met for objecting, or under which the panel will decide whether objection has - is funded. Say one of these issues or criteria is for example that has a damage or determined, we see that is actually quite difficult to anticipate, because we see - we may see a list published by ICANN where it's mentioned that there's an application for a city name, we may see it's a standard application, and then anticipate some damage for the community. It's really difficult to know what will happen.

And the second step is what is necessary is that the community is targeted that's also a question I cannot answer without knowing in detail what is - what TLD is designed. You have really know in detail what is the design of the TLD, what are the registration policies, and you also have to see that this may not be changed during time, and they may not be changed and end up in a geographic TLD.

And therefore we see this process quite difficult, and I think that it would need yes to be reviewed, this - in this context and as it stands, the procedure for geographical names that are not on this list, we think it's more conflict orientated and not content orientated, so it's a process.

I think we should find ways that are softer that we don't start with a litigation, but try to find means where governments and applicants

can communicate in a soft form, not in a - start as a legal confrontation. Thank you.

Heather Dryden: Thank you very much, Hubert. Is there anything that the ccNSO might wish to ask or comment on?

Christian Singer: I have a couple of things I'd like to ask. I just wanted to check in with Annabeth who's hiding over there. Did you want to say anything? Okay? Okay.

I've had numerous conversations over the last couple of days with people about - about this issue. And I think it's got so many different bits to it, it's actually quite hard to kind of you know get clarity on it. The situation gets confused because people end up talking about objection processes, and there are all objection processes for all gTLDs, whereas this is a conversation about geographic names.

So the first point I would make is that there is nothing to say that the same process has to apply across everything. So you could take you know place names, geographic names, whatever you want to - whatever the right word is and use it and say, well if governments want to object to dot GAY, that's one thing, and you go down an objection process. But if you're talking about a geographic name, that's a separate thing, and that should be treated, you could argue, it should be treated differently.

Once your solution to the point if you go beyond the list, you then get into an argument about what is the name, what is actually considered to be a name that would fit under the criteria of geographic. What do you say, how do you say we should deal with that? Because if you go beyond the list Holland, for example, sorry Thomas, is not on the list as far as I'm aware, so how would - if you wanted to use a special mechanism that said that the country can object; or it shouldn't even be out there in the first place, because it's on a reserve list, or whatever you want to call it, how do you deal with what you put on that? Do you have solutions for that?

Hubert Schoettner:

Yes, may I? Yes, that is exactly - that is a problem. But we - I understand our role in the GAC not to design this procedures. I think we are in the first line, we listen to the procedures we are offered from ICANN, and we read with interest the new guidebook, and we can state that we are not able to accept them, and maybe what you - what you mentioned in respect to object - objection processes is that we find some new form of objection on a geographic - in respect of geographic names that would be a solution where we could surely agree upon, and then I think this problem of dot Holland would also be solved.

Because if the government of the Netherlands had the chance to object to a dot Holland for free, I think then it would be rather - rather simple to be integrated, and I don't need an objection on the list but the problem is really the objection process that is - as it stands now.

Christian Singer:

I understand, and thank you for the answer. I acknowledge that you - it's not your job to design the process, but it would be perhaps useful to know what - in the broader context what you might - the sort of things you might be satisfied with, which is not quite the same thing as designing the process.

I wanted to pick up on what you said about Holland, because it seems to me that again this issue is getting complicated, because there are two issues. My understanding, and maybe I'm wrong; my understanding is there are some governments who object to objecting, and then there are some governments who don't mind objecting, but won't pay. Am I right? Are there some governments who are saying that even the concept of objecting is not acceptable? Or is it just the money?

Heather Dryden:

Suzanne, United States.

Suzanne Sene:

Thank you, Heather. Thank you, Chris. I don't think it's the issue of not - of objecting to objecting. Why would we ever do that? No, no, of course you always have to retain your right to object to something of course. No, I don't mean to flip, but to my knowledge we have never actually heard that around the GAC table.

It's the rather what appears to the GAC as a fairly rigid structure for objections that also comes with a hefty price tag. And that most governments really cannot anticipate whether they will

consider a string to raise sensitivities. So if you cannot anticipate whether there will be one or 50 or 3,000, then you cannot put a line item in your budget to prepare you to write a check to ICANN, or to the dispute whatever, whatever, oh, la-di-dah, and so that whole process just seems to be completely out of whack, with the fact that the GAC actually has a role to play in ICANN. And as one of my colleagues around the table puts it, the by-laws don't say that we can provide advice provided we write a check.

So there is a sense, and I don't mean to be flippant here, because this is actually a strongly-held view. We are structured to provide advice, so we would like to see if they are willing to consider an upfront kind of quick look, some kind of prior review procedure, so that you could tell at a glance.

You would just know any country, the Netherlands would have that opportunity to see that oops somebody has applied for dot Holland, you may decide that that's acceptable, because of what they propose to do with it, and if they happen to be a Dutch National. You might feel otherwise if it was some other nationality or they intended to do silly things with your country name.

So that is the idea, and it would apply to any number of categories of strings possibly. There could be some concerns about language, or ethnicity, or references to tribes, I mean there could be any number - religions, that's a pretty good one. There could be any number of potential strings that an applicant in some cases might

not know that in some countries that proposed string is actually against the law, and is prohibited from being registered at the second level.

So if you had this kind of an opportunity, then you could either - certainly the applicant would then presumably have the opportunity to amend perhaps that string, knowing that it wouldn't run into opposition. But at least it would have a sense that there would opposition. Instead, what the GAC has been struggling with on a number of issues, but particularly you know geographic names have been very, very visible is that you'd have to wait until the objection - you have to file an objection to stop something, that's been the problem.

I hope I've done justice to that, so I look to my colleagues to correct me if I have made any mistakes in this. Thank you.

Heather Dryden:

Greece, did you want to speak? Please go ahead.

Panagotis Papisiliopoulos:

Oh just supplementing what Sue has said. The objection procedure is one procedure which is there. Some countries, mine included, feel that this should not be taken as a procedure which will replace GAC's advice procedure.

GAC is an advisory committee, and should keep being able to give advice to ICANN on those candidate strings, like Sue explained because this can be done at the time before bilateral objection procedures take place which are more serious which if they can be

avoided it will be better at an earlier stage, through the advice-giving procedure of the GAC.

Heather Dryden: Thank you for that. Chris, did you want to quickly respond, then I'll give the floor to Italy?

Christian Singer: Thank you, Heather. I think I may - I may be missing a link here. I've heard this from Peter a couple of times, and I don't actually - and I don't think I understand.

He has said he's not suggesting that if the GAC wants to object to whatever, that they should pay as the GAC. And I said to him this morning, but hold on a second, for the GAC to do that, for the GAC to put in, not an objection, but advice that you should not do this, the GAC has got to go through a monumental process, and the concept that you would be able to do that in the timelines required on anything other than an extraordinary one off basis, I would have said, I mean it's going to be pretty difficult.

I mean, is there something built into the - into the process that gives you guys time to go away and think about stuff? I don't think there is.

Suzanne Sene: Not that we know of.

Christian Singer: No. So I had looked at it from the point of view of the number of times the GAC is likely to actually do something was actually relatively small, whereas individual countries may well on lots of

occasions want to put their arm up in the air and say, hold on a minute, I'm not happy about this.

So that was why when you said, it shouldn't take the place of GAC advice, I went well I didn't think it would because you know the speed doesn't lend itself to, does it, to you guys doing that, I wouldn't have thought. Just a thought.

Heather Dryden: Thank you. I have Italy, Netherlands and then European Commission, followed by Arab League of States.

Stefano Trumpy: Okay. Let me start from mentioning a letter of a Minister, Africa Minister that is promoting North Africa in one of the new geographic gTLDs and the end of the letter is that he want grantee, that this name will not used as a gTLD, because otherwise the business sector will enter in and so and so. So the reason like that.

So this lead me to a provocative question, did you as country code names ever thought about representing rather geographical names, okay? And some of the questions that we are mentioning here that are connected to names of the country possible appeal against some of the geographic gTLDs that are ready to start.

So is something that in any case it creates, if you want, a link, and that also country codes are country codes, but we have territories, some of the territories are cities like Hong Kong or things like that, and we have also a regional that is dot you. So it is open the interpretation if you want, but this is a provocative question.

Christian Singer: At this stage, Stefan, I think I'll just say no, we haven't spent any time thinking about whether we should make a land grab for regions and every other name you can think of.

But in the case of dot Asia, when that came up, there was a lot of discussion in the Asian Pacific region about how we felt about that, and some people were massively in favor, and some people were less in favor, but not in any other respect.

Heather Dryden: Thank you. Netherlands.

Thomas deMann: Okay, thank you, Chair. Well, I would concur very much with Hubert and Suzanne in what they said. I think that's the right approach also as Hubert said that we're not designing the process. I mean we are giving our big concern about certain things which could be against public interest, and then it's up to the - let's say the experts to design a beautiful process for this, I think.

But let me add only one thing extra, which is I mean we're talking about dot Holland, and well the Netherlands we are here, we can see the process, and we can let's say engage timely, but it's not - I think it's not about dot Holland, it's about probably countries who are not here, or maybe well - not well resourced in developing regions which are not aware that their country can be taken by somebody else.

So I think that's the thing we should be pretty much aware of. And I think it concurs with people who were saying that in the event, if the process is being very designed - very complicated with the amount of money involved, and so when going into the conflict situation and litigation, then of course, as GAC we should also think okay if we have a certain case; we just give advice, which is for free, to the Board or during the process or so, we give advice not to delegate the certain string. So that could be one of the consequences if there is not a good process. Thank you.

Heather Dryden:

Thank you. Arab League of States.

Khaled Hazem Foda:

Thank you. Actually I thought about raising that topic many times, but the Arab region was one of the six regions recently added to the GAC by the Board resolution. And it was added as Arab States which is actually how the UN defines it. But regarding that term, and regarding all other terms that have been added, those actually are very long terms.

The list that was initially used or the list that serves or contains some sort of abbreviations of short terms for those regions, but this - those six regions there's not, we were wondering actually if there is going to be a process through which we can define short terms for the regions we got, because definitely we won't be interested in applying for like dot Arab States, and we need to protect dot Arab, or dot Arabs or whatever terms that's relevant in that sense. Thank you.

Heather Dryden: Thank you for that. European Commission.

William Dee: Thank you, yes. I think it's very important to stress actually that this is quite a key issue, and it's not really about the money actually, although I don't have a checkbook in the drawer of my desk at work, you know. I can't just take it out and write a check actually when somebody asks me for one. Those kind of things require budget lines and justification.

But there is a point of principle here as well. You know the ICANN model is quite controversial, you may have noticed, you know? Many of the governments who come here spend a lot of time defending it, and other inter-governmental organizations. And then they have to go back and explain to their Ministers why they have to do that. And then the next thing they have to tell them is that organization that they've been defending is telling them they have to pay to tell them to have a major public policy issue with an application.

You know that's a hard sell, to be honest, actually. And it seems very counter productive from ICANN's perspective, it really does actually. I mean if there's - and it's not just the paying for an objection, it's the objection procedure.

You know if an applicant, an application causes problems locally, Parliament gets excited, and Ministers get lots of letters about things, and we're instructed to come here and say actually that's really a big problem for us. You know subjecting ourselves to an

independent panel which may consist of people who don't even come from our country, and then go back and tell our Minister, well actually somebody who doesn't even live here says it's okay and we should shut up. That's actually a problem, you know, practically that doesn't really - that's not sellable actually when you're in the lift going up to the Minister's office, to be frank with you.

On process, I'd also challenge it, actually. I don't think it's so difficult. It seems to me very easy, people apply for gTLDs, we look at the list, and those GAC members who have a problem, say that's a problem for me. And they explain why it's a problem for them. And then I'd suggest actually that the government and the applicant go off together and talk to each other; and they come back when they've got a solution. And they don't come back before then.

Now, the reason I suggest that procedure is because it's a procedure widely accepted by ccNSO members in the case of a Redelegation. It's a long established practice that you've defended and I think we've defended, generally, so we have a precedent. I think you'd argue that it works actually, and I think it could work for the GAC as well. Thank you.

Christian Singer:

Thank you, Bill. I agree with you. I had thought at one point you were talking about all names, and you were going to send people off to and then I realized you were talking about geographic ones, and so thank goodness for that, it could have been - but no, I

absolutely agree. I mean I think that's a very simple and - well, simple and straightforward solution that has the effect of doing what it does in cc land, which is shifting the problem somewhere else, and that works pretty well normally.

I should tell you that I did have a - I did speak at the GNSO ccNSO Council lunch, yesterday I think it was, it seems like a lifetime ago; and say to them that the subject - on this specific subject of country names - or not country names, geographic names in the sense of countries, Holland being an example as opposed to on a list, that this was a major, major hurdle and sticking point for the ccNSO and for the GAC, and that it might be useful for them to think about how much it really matters to them. And if it really doesn't matter all that much, they should probably go to the Board, and say stop faffing around and just give the GAC and the ccNSO what they want.

And I got a reasonable amount of kind of nods on that, I think from people in the GNSO room, it just went, and maybe it doesn't matter all that much, because if you actually think about it, have you heard the GNSO running around saying no, no, no we must have country names in it? I haven't. It just seems to be coming from the Board.

So maybe we can actually just kind of get the GNSO to accept that they don't need it, and then we can take the country names out of the - out of the equation, at least for this round anyway.

Heather Dryden:

Thank you, Chris. You would like to speak? Nigeria.

Mary Uduma:

Thank you. I just want to echo what Chris had just said. I thought that at Brussels we came to terms with the fact that this round would not include the geographic names. I'm not - I think - I don't know whether we are renegeing from that - that position that everybody agreed on. I think the GNSO was a joint meeting like this, that I think there was a presentation that the geographic names will not be considered at this one, so why we want to go back to that?

Christian Singer:

Mary, it's because of the way that it's being done that there is a - they are removed, country names are removed from the first round, but only if they're on some sort of a list, I can't remember what it is now, which means that for the Holland example, it doesn't work, and there are other - there are plenty of other examples of that. In other words, it's too narrow an interpretation of what we mean by a geo name. So that's the issue, and that's why we're trying to get those - get that sorted.

Heather Dryden:

Thank you for that. We're reaching the end of our time. One last thing, if we could request a quick update on the progress with the ccIDN PDP effort? Our colleague, Manal, has been following that work, but unfortunately Manal is unable to join us here. So if you could just do that briefly and then we can move to close, thank you.

Christian Singer:

Thanks, Heather. I'll be very quick, because to go into it in any detail is massively complicated. But effectively, the IDN PDP - the ccTLD IDN PDP has got two arms to it. The first arm is the policy for the IDNs, the Delegation of IDNs. The second arm is what changes will need to be made to the structure of the ccNSO to cope with the fact that as an example it would be possible to have a country with two registries, two separate registries, and right now two separate ccTLDs effectively.

And right now our structure allows us to have one member per territory, so we need to try and figure out a way of handling that. So those are the two areas that we're looking at. They're both progressing reasonably well.

In respect to the first one, which is probably sort of more critical from your point of view, the PDP itself, what we've done is we've started, we've taken the starting point of the fast track, and said first question, have we covered every step that needs to be covered in a normal delegation, as opposed to a fast track delegation in the fast track? And then gone back to each one of those steps, and said should the rule that applied in the fast track apply in the PDP? And we're going through that process at the moment.

So for example, should it be only an official language as it is defined in the fast track or should it be different. We spend a fair bit of time on what is an IDN, and there is fortunately now there is a sort of accepted technical definition. And an IDN is basically any string in which there is at least one character that is not the 26

letters of the Latin alphabet and hyphens and whatever else it is. So if you have one character, if you have a character with an umlaut, or you have whatever that character makes it an IDN. And that's the definition from somewhere other - Bart can tell you, I can't remember.

So what that means is that the IDN PDP does apply to extended ASCII characters, character domain names. So if your country, country's name or a meaningful representation of your country's name is made up of six characters, six letters, one of which is extended ASCII, that makes it an IDN. And that is the definition that comes from the technical - technical community.

So we're working our way through - what flows from that, etc., etc. And we're on track, but can I give you a date when we're likely to finish - no, we're very grateful for the input from Manal from a government point of view. It's incredibly important. And also I know that she's been sharing information with you, and she's been getting feedback from some of you, and that's really great too.

Heather Dryden:

Thank you for that, Chris. Are there any questions that GAC members have? Comments? No, okay. All right, so with that, I thank again the ccNSO for joining us; it's always a pleasure, and we will see you at some point during the rest of the week, in the corridors. So thank you.

Christian Singer:

Thanks, everyone.

Heather Dryden: For the GAC, we're meeting here no later than quarter to four please.

[End of Transcript]