Transcription ICANN Dublin
Monday 19 October 2015
Cross-Community Working Group on the Use of Country and Territory Names as TLDs

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Annebeth Lange: Welcome everybody. It's a pleasure to see so many people coming here today. We have to have a bigger meeting room next time.

So we start with (unintelligible) and please present yourself with your name and affiliation, and also when you speak later, it is great if you state your name again.

So should we start with you? (Unintelligible) I'm Annebeth Lange from .no, ccNSO and now co-chair of this working group.

Heather Forrest: My name is Heather Forrest. I'm a member of the IPC and a GNSO co-chair for this working group.

(Mina Elsa):   I'm (Mina Elsa) and I'm working for (Sentap).

Patrick Jones: I'm Patrick Jones, ICANN staff and liaison to the EU group of experts on geographic names.

Jaap Akkerhuis: Excuse me. Jaap Akkerhuis I'm the ICANN liaison to the ISO working group on names and a member of the MA 3166, the maintenance agency for the county codes. This is my function here.

Woman: I'm (unintelligible) from (.th).

Man: (Unintelligible) from GAC.

Griffin Barnett: Griffin Barnett from the IPC.

(Dana Brown Northcott): Hi. (Dana Brown Northcott) from the IPC.

(Adrianna Zaroni): (Adrianna Zaroni) from .it, Italy.

(Akio Fayette): Hi this is (Akio Fayette). I'm an ICANN fellow.

(Garret Dixon): Hi. (Garret Dixon), litigation associate at (Cooley) and member of the IPC.

(Alice Dupain): (Alice Dupain), member of the Internet community.

(Collin O'Brien): Hi. (Collin O'Brien), (Partridge Garcia), IPC.

Mirjana Tasic: I'm Mirjana Tasic coming from Serbia .rs.

Susan Payne: Hi I'm Susan Payne. I'm a member of the IPC.

Man: (Klaus) (unintelligible), Switzerland.

Sanna Sahlman: Hello. I'm Sanna Sahlman from .fi, Finland, ccNSO.

Laura Hutchinson: Laura Hutchinson from Nominet .UK.

(Elisa Lindeberg): (Elisa Lindeberg) from Norway, GAC.

(Una Storm):   Yes it's (Una Storm) from Norway in the GAC.

Joke Braeken: Joke Braeken, Zurich, .eu registry.

Ron Sherwood: (Ron Sherwood), ccNSO liaison to ALAC and .vi.

(Aaron Goldberger):   (Aaron Goldberger), Neustar.

(Antoinette Magicotti): (Antoinette Magicotti), ICANN staff.

Marika Konings: Marika Konings, ICANN staff.

Carlos Gutierrez: Carlos Gutierrez, GNSO and co-chair of this PDP.

Lars Hoffman: Lars Hoffman, ICANN staff.

Annebeth Lange: Yes there is some people here that hasn't presented themselves.

(Pinti):   (Pinti) from .TS, Thailand.

Maxim Alzoba: Maxim Alzoba, (unintelligible).

(Thomas O'Toole):   (Thomas O'Toole), Bloomberg News.

Woman: (Unintelligible).

Annebeth Lange: So let's get on with it. We start with the agenda point to review the achievements we have come to so far and next steps. And the way we have done it is that I held a presentation for the center regional group a week ago, and we based this presentation today on the same, just to make it easy. And this is a list of the questions that the working group has arrived at during our

discussions. And now we're trying to get answers in from the stakeholder groups and from the advisory committees.

So you can load it up now.

Lars Hoffman: Yes.

Annebeth Lange: It's a little difficult for those sitting there because you have it behind your back, but...

Lars Hoffman: For those in the AC room if you are...

Annebeth Lange: If you have it there. Okay.

Woman: Through ICANN agenda, through today's agenda.

((Crosstalk))

Annebeth Lange: So this first slide is just a little repetition and also an explanation for those mainly in the center community that didn't follow the process from the start. So I reminded what we were discussing now. We are, at this stage, discussing the three letter codes in the ISO list.

And all the work we are doing is based on the ISO 3166.1 list, and it's only country and territory names and only as TLDs, not at the second level. And I think that's a very important distinction. Since it's going on discussions also at the same time of using two-letter codes at the second level. So it's a good thing here to hold things straight. This is at TLDs in future routes.

So their existing framework, what we did in the study group and also we in the working group, we have reviewed the existing framework in the area and also the applicant guidebook model too where we are talking about

geographical names and the special rule we had in the first round that the country and territory names were taken out.

So the goal now is to try to develop a framework that we can agree on, if it is possible all, but at least we should make a good try to find something that we all can live with. So what we have been working on is mostly is through teleconferences, and the only thing I put here is that this was for the center. So you know that.

Next one, please. Or can I just do it there? No?

Lars Hoffman: You could (unintelligible).

Annebeth Lange: Okay. So it's the identification of country and territory representations listed on ISO 3166. We have finished our discussion for now with a two-letter strings, and we are on to the three-letter strings. And the next step is the full name, long form, short form, and we also have to discuss both letting letters and the IDN.

Oh this doesn't work. You have to do it.

Lars Hoffman: I'll do it.

Annebeth Lange: Yes okay. So as I said, two-letter strings, we have tentatively finished it here in the working group and moved on now to the next step. So our preliminary recommendation on the two letters are that - so the working group so far recommends that the existing ICANN policy of reserving two-letter codes for ccTLDs should be maintained, primarily on the basis of that the reliance of this policy is consistent with RFC 5091 on a standard, established, and maintained independently of an external to ICANN. It's not ICANN's mandate to decide what is a country and what it not, and it's widely adopted in context outside the DNS. So this is the most sensible solution.

Next, please. So what has been done so far with regard to three-letter strings? In the working group we have developed options and tried to think of everything. We have engaged in the community. We had sent letters to the chairs of the SOs and ACs with a questionnaire with questions that we wanted answers to and get a feeling of how it is out in the community.

And for your part what you can do is to participate actively in this working group, and we always want more people to come to the teleconferences and give input on what they think. It's important to get all the groups to come with their view. And also to encourage your stakeholder groups to send an answer to us.

So what would be the advantage or disadvantage of the difference policies that the working group have suggested? What would be a reasonable solution that all could live with? And what would you prefer?

Next, please. So this is just a run through of the questions submitted to community on the different options suggested by our working group. An interesting thing is that after starting to talk to different groups about it, it has come up other options. So what we have not heard of, that is also one outcome, right, reaching out, trying to talk to other people about this, as it can be other options and other solutions that we haven't even thought of. So.

But what we suggested was in future, should all three characters top level domains be reserved at ccTLDs only and be ineligible for user gTLDs. Option two, in future, should all three character top level domains be eligible for use as gTLDs, as long as they are not in conflict with the existing alpha three codes from the ISO 3166.1 list. And that is the three-character version of the same ISO list that is the basis for the current ccTLD allocation.

Option three, in future should three-character strings be eligible for use at gTLDs, if they are not in conflict with existing alpha three codes from the ISO 3166 list and they have received documentation of support or non-objection

from the relevant government or public authority, the same way as it's done today with capitals and some cities. In future should there be unrestricted use of three-character strings as gTLDs if they are not in conflict with any applicable string similarity rules.

Next, please. Five, in future should all IDN three-character strings be reserved exclusively as ccTLDs and be ineligible as IDN gTLDs. Option six, should there be unrestricted use of IDN three-character strings if they are not in conflict with existing TLDs or any applicable string similarity rules. And seven, do you have any additional comments that may help the working group in its discussion of three-character strings as a top level domain.

So what we have found that is it - we sent out this letter to the chairs of the SOs and ACs, and what we then find is that it's very different working methods in the different communities. So - and that is time consuming because some working - some communities have to go home and check with their communities at home, others have a council that decides, and others have a membership that has decide during a physical meeting, et cetera. So this takes time.

So the timeline or the timeframe we put up to it's too short. So we had set 9th October, and in the 9th October we had received three answers, so of course we extend this. It's a good thing to get it right, not to rush it. We will give people a possibility to think it through and answer us.

And the GAC situation is of course special. It's governments there, and they have a lot of other things on their plate, and we all have that for that sake. But the way they are deciding things, they cannot give a consensus view on this. We can't expect that so - but we want to have as many inputs from the government from the beginning as possible. But it will be from the individual government representatives, not from GAC as a whole.

And it's different priorities in the different stakeholder groups, and also different priorities in do you want to forbid it, do you want to open everything, et cetera. We see very, very different views when we talk to people and present it in the different working groups - in the different stakeholder groups. Already during this meeting, we have noticed that.

The competition issue comes in, but also the sovereignty discussion will come in. And then we have the (unintelligible) from the past. We have done things from the past already that can't be undone. We have the .com from (unintelligible) historical reasons and I can't see the option that we just stop that.

So - but it's 300 other three-letter code that are on the ISO list, and .com and is the only one that's taken and used from the ISO list. All the other three-letter in this found, it's been a lot. And today in the applicant guidebook rules, it's not available if it's on the ISO list.

Jaap Akkerhuis: Jaap Akkerhuis. .Xyz is actually on the ISO list, the same with .aaa, which is being handed out. And - but these are kind of special. They are actually user defined, I mean so they're not unique in - so they are actually officially allocated. So somebody didn't notice that.

Annebeth Lange: But is it a country representation?

Heather Forrest: One second. Can someone - has their - that's all right. That's all right.

Jaap Akkerhuis: Okay. This is Jaap Akkerhuis again. And (unintelligible).

Man: No, no they physical one.

Jaap Akkerhuis: And I -- this is getting very disturbing.

Man: Thank you.

Jaap Akkerhuis: Okay, yes, sounds much better. And people actually caring. I'm not going - my previous life was in audio stuff, so I'm not going into any details. But no, the ISO has reserved - has two three-letter codes, but a couple of them are reserved for special purposes.

And anything starting with an X can be used by the user, and the AA and the CC are also reserved. People are using it for random things like documentation and there's a range starting with X and there's a range starting with QK to QC, which are reserved. And I'm (unintelligible).

For these cases where this is some interchange requirement but it's - but the requirements are not strong enough to give somebody an official code, so actually I remember that Argentina is using them for branding cows and there are a lot of different - so. So they are officially allocated and they will never be allocated for anything else through the ISO. But - so it is a kind of gray area, and I wanted to point out that it's also complex.

Annebeth Lange: It's Annebeth again. Yes, thank you, Jaap. That's important. But it's not directly a country code in the way that it's a two-letter for the same. So it's allocated to a country.

Jaap Akkerhuis: They're not allocated to countries, just whoever think it needs a code. I mean the customer, the international custom where we say he's using either AA or (unintelligible) for the codes where they cannot establish from which country it comes from. And the same with the right database using CC for allocations, which are strong for - which are somewhere in the past and nobody knows in which country it is. So things like that.

Annebeth Lange: Thank you. Yes. I'm not sure if it's more. No, that's all.

So but afterwards, we have - yes, do I have to come to the next point of the agenda?

Lars Hoffman: Yes.

Annebeth Lange: So we come to the initial discussion of comments on three-letter codes
                 submitted so far. So, Lars, could you...?

Lars Hoffman: There might be a question. Open the table for...

Annebeth Lange: Before? Yes all right. We'll do that.

Lars Hoffman: (Unintelligible)

Annebeth Lange: Okay. So questions, input? Heather?

Heather Forrest: Thanks, Annebeth. Heather Forrest. I wanted to clarify before we move
                 around the table and make comments, let's say to build on what Annebeth
                 has said about out our methodology. So the methodology that the working
                 group approached this with in relation to second - in relation to two-letter
                 codes is to look first at the status quo.

                 And I'll remind everyone if you're new to this group that there was a non-PDP
                 study group that initially commenced work in this area. The study group's
                 report is available on the page for this working group, so we don't, let's say,
                 start from scratch. We've approached this by reviewing the study group's
                 report and attempting to determine has anything changed since the
                 presentation of our report, and if so, what.

                 And so inherent in that is an initial identification of what is the status quo,
                 what is the status quo in relation to policy. That of course has been impacted
                 since the study group's report on or impacted by the introduction of new
                 gTLDs since 2012. So these are notes that we have made as we've gone
                 along.

The second step in our methodology is to canvas policy options, and these are the positions, the seven, I believe, options that Annebeth has identified. I want to encourage all of us in this room and elsewhere listening, participating remotely, to consider that that is not an exclusive list, that this is a starting point for discussion.

All of our discussions are, if you like, on a straw man basis. We put things out for comment and hope that will engender discussion. There are certainly -- or this is certainly -- a broad range of views presented in that list of seven options. It's exactly the way that we tackled two-letter codes. And of course that - there are options in that list for some groups that say absolutely not, and that's the sort of discussion that we wish to have here.

From that list of options then, the one thing that I would like to emphasize is the...

Lars Hoffman: There's another - please mute your phones, laptops, of whatever you're using.

Heather Forrest: Now we're good. Is in the options that Annebeth has presented, perhaps just to make it crystal clear, and this comes through in our recommendations in relation to two-letter codes, we must, given the requirements of accountability and transparency, be in a position to explain why we have come to the recommendation to which we have come.

So from all of those options, please , I discourage you, I would never say that I discourage you from answering the questions, but I would very strongly discourage you from answering yes or no. That, quite simply, is not terribly helpful, answering to any one of those options.

At the end of the day, we need to justify to the community. I mean that can be a starting point perhaps, yes or no, but in terms of our conclusions on two-letter codes, as Annebeth has very rightfully pointed out, the basis for our

recommendation in relation to two-letter codes and of course a number of justifications were proposed in the context, because we want to, because we would like to, because our culture demands this, because this is in keeping with a tradition, ranging to the things that you've seen there, this idea of the adoption of a universal external standard established outside of ICANN, predating ICANN around which we've really designed the DNS.

These are the sort of robust justifications that we're going to need if we're going to carry this recommendation in relation to three-letter codes and indeed throughout our work. These are the sort of robust recommendations that - or justifications that we need to back our recommendations with.

So in that sense, we've also looked for the justifications of the status quo. In addition to looking at the status quo, we've explored way, and some of the reasons why are surprising, we found. It's one of the great mysteries of this group to see why - how we've gotten to where we are.

In any event, I encourage you, with that note on methodology, please we enjoy robust discussions, particularly in the face-to-face groups. It's an excellent chance to that. And please be open and forthright and frank in terms of your reasoning as well as your view. Thank you.

Annebeth Lange: So then, it's Annebeth again. On this stage, does anybody want to comment, have some preliminary feeling about this way to go forward? Carlos?

Carlos Gutierrez: We have so many good chairs because nobody speaks here. I just want to make a footnote that on the two-letter codes, there is a document and you will find it in the respective wiki. So everything that Heather just mentioned, you can go through it. It is a very interesting document and it's still open for comments. And please take a look.

Annebeth Lange: Okay. If it's there no comments here, I encourage you to do as Heather said. That's go home and read it and try to, if possible, come up with other events if

you have. And also even if it's of course most helpful for us to also have the reason why you say what you are saying.

I wouldn't say, Heather, that it's unuseful (sic) for us to get yes or no, because we get a feeling of the community. If we see that 50, 60, 70% of the community goes one way, we know more what to look for when we go further in the work. So, yes. So but of course the preference would be to have just more than yes or no, and it's - if we send out some surveys, it will be room for explaining why you think what you think.

So thank you so much for that. And should we continue then if there's no questions?

The next point on the agenda is the three-letter code answers submitted so far, and it's not much. But you have printed out something here, Lars?

Lars Hoffman: (Unintelligible).

Annebeth Lange: Should we send it around?

Lars Hoffman: Yes, I also put it up on the slide deck, but yes. I think it...

((Crosstalk))

Annebeth Lange: But actually it's not very much. Yes, please?

Woman: Go ahead. Please state your name.

(Gary):   (Gary) for the record. So from - this is not a wheel from the GAC but from my - it's in the comment that we made then. I think for the GAC we will consolidate. But one of the issues that I'm looking at is when you state about the non-objection or support I think from governments, we do see since the application guidebooks that what is the definitions of government.

For example this morning we heard how could we know that the Ministry of (NAG) take care of the Internet, and maybe half of the ministry in the world - in one country (unintelligible) to Internet, anyhow. Applicant can be running around, getting the doc support, like the non-objection from the ministry that they have a connection. And we tried to see the scenario. There are three types.

One is a country that having a GAC representation. Some countries do not have GAC representative at all, and how could we work to be sure that our - we don't want to go for the objection but we try to be sure that how the non-objection or support later that coming from government for the applicant going to the process is a legitimate one. That will not be an issue of the GAC rep.

I have to say that this is not coming from our ministry, it's coming from ministry of cultures. And then these are the things that we try to improve in the applicant guidebooks to ensure that the whole process if you agree with that 3166 will allow.

So that's a community, but from the government perspective, we tried to see how could we factually state that to ensure that this would be not the issues anymore, because the application guidebook state even that the applicant may consult with GAC, which is should be like shall not may.

Because in that way we eliminate a problem that when the paper get into the evaluations and then there will be no objections on the credit abilities or legitimate rights of issued objection or supporting it.

Annebeth Lange: Thank you for that input. That's actually a very valid point in - as a comment to that option. So thank you. (Una Storm)?

(Una Storm): Yes thank you. It's (Una Storm) for the record.

Lars Hoffman: Just a quick note on the papers that have went around, so as Annebeth said there's seven questions, but because of the length of the answers and the choices so it's only the first four that are on this document. They all have submitted seven - answers to all seven questions but on a separate document that's on the document. So if we get to that, I can put that up as well. But this is just the first four of the seven.

(Una Storm): Yes thank you. It's (Una Storm) from GAC from Norway. Just I wanted to just elaborate a little bit on our answers into this questionnaire and just to talk a little bit about the rationale, et cetera.

First, as we answered that we don't think it is not a good idea to use the country code - country three-letter codes as gTLDs. Also our initial opinion is that they should not be used either - not for ccTLDs also. That was discussed a little bit in the GAC session, but some countries did have an opinion that they wanted possibly to use the three-letter country code as a ccTLD for some reasons.

But I think the feeling in the GAC room was that some didn't. I think that many -- that's just an assumption -- that many do want to use it as a ccTLD. But there's more - but do not want to use it as gTLDs. And the reason for that, in our opinion, is that the system where we make the policy in ICANN, the system is divided into generic top level domains and country code top level domains, and also the three-letter codes have - the reason for them and they have a strong association to the country and territory, as have the two-letter codes.

So therefore they are associated with a country, so they are, in our opinion, very strong related to the existing country code top level domains, CCs. So if they should be used for any purpose at all, they should be used for CCs. And also for - if we mix CCs and Gs, you will have user confusion of what is what.

And also in our case in ICANN environment, we are making policy, so also rationale for during this or that is not, in our opinion, has to have an international law background or not, but we think if it's a wise thing to do and to provide use of confusion and to follow the existing sort of system that ICANN decide in the sort of first that (John Pastel) made in this separation between CCs and Gs. So if we want to continue that sort of system and architecture, we think that the three-letter country codes should not be used as Gs.

I'll not want to make too much time, but in that respect, ICANN also understand the rationale for other reserved codes on the ISO 3166-3 list that does not necessarily exclude them to be used as Gs. Because if those reserved three-letter codes are not associated with a country or territory, they don't necessarily will be mixed up with a territory as such, because I saw on the usage information on - from ISO they are for others - well they are not - does not necessarily represent the country and territory as such. So they might be available for you.

So also we think it's important that other three-letter codes they have also been used Gs, existing, and others like companies. They have company abbreviations and so on. So it's reasonable for other three-letter codes to be used for Gs as long as they are not country codes. So. Thank you.

Annebeth Lange: Thank you, (Una). Susan?

Susan Payne: Thank you. Susan Payne for the record. I guess it's a question maybe to people who are more expert than me in this, but I wanted to pick up on a point that the previous gentleman just made about the distinction that (John Pastel) made between the CCs and the Ts -- the Gs rather. And it is my understanding that when he was making that distinction, the distinction was CCs are two characters and Gs are three.

(Una Storm): Yes but my point is that the Cs are associated to a country and territory letter code. So I don't know why he didn't use the three-letter code, country and territory. That of course we still need to ask him about. But he possibly had a reason for it was easier to use the two characters instead of the three, I don't know.

But the association with country and territory associated abbreviations like the two and three-letter codes and the country name in full, they are a strong association to the country and territory, which are the CCs. So therefore, and also in the name of the Gs, are generic ones, generic top level domains. So in our mind, a generic is a generic name or a generic abbreviation but not at the specific associated to a country and territory name.

Susan Payne: I guess I think I would also say that maybe some of them are associated with a territory perhaps. I'm not sure. We perhaps would need some evidence of this. But one might also think that some of them would be associated with company, for example. And it may be that it's the same three letters and have a number of different roles depending on the context.

(Una Storm): Yes, thanks. It will be back and forth. Yes that's true. They might also be associated with a company name, but still they are standardized by ISO to represent a country name. And also because since the distinction from day one was made between a top level domain that was generic on one side and the others were associated with countries, you have this strong relationship between the code and the country representing their territory.

And also one other aspect of not to mix things that can be mistaken for a representation of a country and territory, some countries have national legislation regulating the CCs. So if that will then - if you allow three-letter codes that represent a country, users will - could mistake them to be others than the one that represent the country and you have different competition regulation rules for the new top level domains.

But for the Gs, you have a similar regulated by the registry contract with ICANN so they have equal terms. But in the country, there are different variations of regulation for the CCs.

Annebeth Lange: I think we'll stop there. Thank you both of you. We can discuss more about that later. Jaap?

Jaap Akkerhuis: I just want to point out that one of the discussion document we had for the two-character names, there actually historically a few and a reason why (Pastel) came to the two instead of the three. And because .com was already existing, and .edu, and more three-letter codes. So that's why the two was picked out.

I also want to point out, and it makes things slightly more complicated than people know, there is not the public list of in ISO 3166-1, which is three-character codes, but there's also a reserve list of three-character codes which is not public and which also represents some part of the countries. I think for the U.K. there's six and (unintelligible).

So if you really want to be very precise, things are getting a mess very quickly. And the codes are not really defined to represent the country, it's to be used in interchange, and that's a slightly different angle than what people seem to be hammering on all the time.

And the last point I want to make that the ship has quite sailed, as other people have seen. I mean in the last round, I mean having to read through that the non-allocated are free to use, that quite some of the three-character codes are already used, it might be used for other - (unintelligible) might even be reserved. So.

And so the reaction of SSAC -- I'm now changing hats -- will be that they don't have any opinion what it should be, but at least it should be minimal first

and as consistent as possible to minimize the confusion, which now is happening here.

Heather Forrest: Thank you. Thank you, Annebeth. I'd like to pick and just make some follow up points and perhaps do so not as a say in my co-chair role but also in bearing in mind the research that I've done in this area, so first, (Vonnivit), I'd like to pick up your comments in relation to the consent requirement.

This is a position that we've taken in the applicant guidebook without any justification and rationale. And in terms of our seeking a rationale here, it is not going to be a sufficiently robust rationale to say because we did so before. So to the extent that comments can be made as to -- and I understand that there's a broad acknowledgement, which I find gratifying, given I've spent lots of time on this, that there is no legal basis for that consent requirement -- I'd be interested to hear if there are other rationales for that.

And on the point about confusion, again pushing the point about rationale, I'm not aware of any evidence of confusion, and Jaap, you've alluded to this, let's say the confusion argument. Given that we're having this discussion after the introduction of new gTLDs to the root, we're in a different position than we were, let's say, when we were drafting the new gTLD applicant guidebook between 2008 and 2012.

It's certainly the case that it's a different position that we're in with three-letter codes than we are with two, in a sense that we have existing three-letter codes. So the chance of confusion seems, at least at face value, to be significantly, significantly less.

Again, I come back to the point about rationale. Without actual evidence, or even likelihood of confusion evidence, I don't see that that would be sufficiently robust to go back to the community with. But I'm interested to hear comments. Thanks.

Man: Yes thank you. Just a short, short comment from my side as well. On the

legal basis, there is also for the two-letter codes, for the CCs, there are no

legal basis. So in our mind, that does represent sort of a requirement for

having a policy that you should exclude three-letter codes for Gs. So the legal

basis for the two-letter codes does not exist.

So it is a policy made in ICANN. So therefore, we make policy here and then

the policy can determine that for good reasons, for sort of a clarity in

regulation, clarity for the user, et cetera. And since - and in our mind it's a

good system.

And I also just want to quickly add, I think many countries would maybe have

the option to be able to use three-letter codes for an additional CC. So I think

that might be some requirement from countries that they want to have that

option. But then we'll wait and see how that goes further down of course.

Thank you.

Annebeth Lange: State your name.

Man: (Unintelligible) for the record. Do I understand correctly that the main

discussion point is to extend the traditional historical exemption of two-letter

ISO codes to three-letter ISO codes? In the history, (Pastel) started with two-

letter codes, and three-letter codes were generics. That's the history. And

then somebody, I don't know who and I don't why, started to give the whole

root zone free for key words instead of top level domains.

And that's the messy bit we are face with, and now we have deal with a

problem that two-letter codes are not so likely to be a key word but three

letter codes are. And now we are facing the problem that people have

different understanding. So the question we have here is, to my

understanding, do we want to extend the special role of two letter to three

letter codes for government? And I personally think that would be a good thing.

Annebeth Lange: Thank you. That was an interesting input. So anyone else want to say something before we go on?

Heather Forrest: I have a quick comment if nobody else...

Annebeth Lange: Okay. Heather?

Heather Forrest: Apologies. I don't want to jump the queue but I suppose my comment -- nor do I want to make it a binary discussion -- but my comment in reply in relation to international law is as not necessarily having to be the basis of policy, we can't, as an organization, undertake to observe international law in some context and not in others.

And frankly, ignorance of international law, I don't see that that helps us as an organization. So with that in mind, let's say, I would say we're treading on dangerous territory with that. But it's very much - let me clarify -- and apologies, Heather Forrest -- it's very much a personal view, not my view as co-chair of the group.

Annebeth Lange: Thank you, Heather. And well I'll give a personal view as well, just to end this discussion. I'll then go on. That I agree with you, there is no legal basis for it. But on the other hand, what the contract is it's a private contract between ICANN and the applicants.

And in the bottom line, in my view, we can make this contract the way we want it if the community agrees and if there is good contract and if it's not against any law. It doesn't have - so it's not forbidden, then it's another case, but it's not.

But this is an interesting discussion that we need some - perhaps some more advice on that. Thank you.

Another comment there? (Elisa Lindeberg)?

(Elisa Lindeberg): No, it's just, as you said, it's interesting to discuss whether then it's kind of like a human right to be in the root as a CC or as a G. If you're going to say that this is international law, saying that this is something we have to do, we are creating, we are opening up a possibility or not. So that is more is this against some law, the system we are creating or am I saying that I have a right to be as this and that. Because otherwise why we are here? We are here to create the system that functions.

So I think it's the way you turn and twist it, I think it's a bit wrong to say that no one wants to do policy against law or oversee or don't look at the law or whatever. Of course I wouldn't gain a sense of a community. But this is about should we open this as a new possibility.

And of course it's always like that. When you trade or you want to start a company or whatever. Is it is my right to do it or is it like is that market open for me, is it opened up? Simple as that. Okay? Thank you.

Heather Forrest: I think it's a fantastic question. Heather Forrest, apologies. I think it's a fantastic question in relation to human rights. And certainly in my work in that area there's nothing that says that the government actions that write on behalf of the people. It's an individual right. Human rights, by their very nature, are individual.

And in that sense, what's to stop any of us in the room from wanting to exercise our right to call ourselves by a particular name? I could go home today and call my business the (Hobart Tasmania) whatever whatever. So I think it's a fascinating discussion. You know, the human rights element of it

is, given its nature as an individual right, that brings a whole new complexity to the challenge. So great.

I mean I agree with Annebeth. This is one of the most robust discussions we've had, and this is fantastic and truly lovely to see so many people in the room and contributing. So yes, fantastic.

Annebeth Lange: Okay this discussion at least confirms there is a lot of different views in this issue, and that's the same thing that we have seen from the inputs we have had. It's from there to there, and that's what we are dealing with. So this will be interesting discussion forward. So I really encourage people to be there, come with their views.

Heather Forrest: Can I still come in a bit?

Annebeth Lange: Sure.

Heather Forrest: On process, sorry. So Annebeth, I didn't make this clear. Apologies, Carlos and I should have spoken up about this immediately. Annebeth has made the presentation that you've seen to center and that was made in your capacity as CC of .no.

It's - from the GNSO perspective -- so this is a cross-community working group chartered by the GNSO and the ccNSO -- from the GNSO perspective, this survey that you've seen, the questions that Annebeth has posted, has gone to the heads of the stakeholder groups and constituencies within the GNSO.

This is open to the entire community. We've also of course distributed to the chair of the ALAC, and the GAC has received this, as has been noted. So we're seeking as broad an input as possible in the spirit of exactly the fact that this is a cross-community working group. This is a golden opportunity to seek input from the community.

We've asked the GNSO, the various stakeholder groups and constituencies, bearing in mind this is not something that the council of the GNSO will have a say on, but will seek input from its respective parts. And although, as Annebeth said, we had set a deadline of 9 October, we've said after the meeting is fine. We understand, you know, it's not a hard thing.

Susan, you have a question about that?

Susan Payne: Indeed. Thank you very much, Heather. It's Susan Payne. I had - I'm obviously aware of the questions and I know that they had gone to the various stakeholder groups and constituencies with ICANN. I am the chair of the subcommittee on new gTLDs for the International Trademark Association and I had been assuming that it wasn't for us, for that subcommittee, to be commenting on this. But - so I'm questioning whether in fact my assumption has been incorrect.

Heather Forrest: Heather Forrest. Absolutely, we're very keen to have input from the community. And I understand, let's say, one of the things that Annebeth and Paul and Carlos and I have had to understand as co-chairs is that each of the various SOs and ACs in ICANN works differently in terms of how it responds. And Annebeth has alluded to that in her comments as well.

So we understand that some of the comments we'll have will be from individuals, some of the comment we'll have will be from constituencies or stakeholder groups. Bottom line, again in the spirit of CCWG, we welcome them -- or CWG, whatever we are. We welcome feedback in whatever form we receive it. So thank you, Susan, very much.

Annebeth Lange: So what we are looking for is to find a way to form principles and framework that is robust that we can live with if we open up. Okay?

So I think we don't go into the different inputs we have had. You have had a taste for what we got in the paper and we'll see how many comes now after the meeting. We hope to have a lot of them. And then you, Lars, will have a lot of work to do to try to find a way to summarize this.

The GAC had a very good presentation yesterday on the discussion of the three-letter codes. And (Karen) made a good presentation as well from the ICANN staff. So that's worth looking into if you are interested.

So any other business we should discuss today, Heather?

Heather Forrest: I don't think so. I suppose -- Heather Forrest -- just to explain our working methodology, as Annebeth included in her presentation, we generally meet by telephone every two weeks. Lars and Bart are very helpful in keeping us with an agenda.

Given the geographical diversity of our membership, we try and rotate times of calls so it's not at an awful time for everyone all of the time. And I'd very much encourage you to participate. Now, is that our current - Lars, are you no longer our contact? Is it (Kimberly) for if anyone would like to join after today, they find they love us so much they'd like to come back?

Lars Hoffman: Yes, this is Lars. Yes you can send an e-mail to me, that's fine. But (Kimberly) actually administratively the mailing list. So - but if you send it to me, you know, it'll be taken care of in any case -- or Bart for that matter.

Annebeth Lange: It's Annebeth again. Just one last remark about that. We have set up every other week, but I must say that if we haven't anything substantial to discuss, if it's nothing new, then we just postpone or we just skip one. So it's not that bad.

Man: And I don't mean to extend the meeting, but as you all are here, to be able to answer the questions more accurate, I want to be sure that we discuss so

that we don't confuse ourselves, is that when ccTLD let's assume that a three character will go to the ccTLD. And the ccTLD is a trustee of the government and community to run. They have a special arrangement. It's not a contracted party of ICANN, which led to the delegation and (unintelligible) aspects in IANA as well, right? That have a special procedures. So even assume that a three characters will go to the ccTLD and under the category of gTLD, then how are we going to do about it?

Lars Hoffman: That's maybe a question you want to submit also as part of the answer to the questionnaire, right? That's something that the group needs to think about if that were to be a recommendation.

Annebeth Lange: All right thank you very much everyone for joining this meeting today. We are really thrilled that so many are here, and we recommend you to stay on. Be patient.

Heather Forrest: Absolutely.

Annebeth Lange: Thank you so much.

Heather Forrest: Annebeth, thank you.

END