

**ICANN Cartagena Meeting
Joint ccNSO GNSO Lunch
TRANSCRIPTION
Monday 6 December 2010 at 1230 local**

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Operator: Please go ahead; the recording is now being – so the call is now being recorded.

Olga Cavalli: Thank you very much, Operator. Thanks so much. Okay thanks again for joining us. And we have – we the GNSO have prepared some topics that we would like to exchange some ideas with you. We have only one hour time so we are aware that it's not a long time to talk a lot. But we would like to let them know which are they and perhaps you have some questions or issues that you would like to discuss with the GNSO.

We have only one hour but then after this meeting if you have other further issues that you would like to keep on this (unintelligible) just feel free to – and we will find – let us know that and we will find a way to keep on dialogue.

So if I may, Chris, you want to say something – and, no? Okay. If I may I will find my (unintelligible) with all the issues. Okay one of the things that the ccNSO has been doing is promoting and participating in cross-community working groups.

Some of them have – gave successful results and outcomes. And we – this is one of the topics that was already agreed in between Chuck and Chris to be one of the discussions that we may have today.

We would like to know from the ccNSO perspective if there are limitations for you guys being part of the ccNSO in participating in this cross-community

working group? How do you foresee them? If you see them as a process that could be started before that an issue is raised and it's relevant for the community and for the different supporting organizations and advice of committees? And/or if you have other ideas.

And I forgot to tell you that me and Stephane we are chairing this meeting because Chuck, our chair, he's sick; he's in the hospital. He is getting better but he has to go through a medical process and a surgery so unfortunately since Friday he hasn't been able to join us for the meeting. So this is why we are doing this with you today.

Chris, would you like to say something?

Chris Disspain: Yes, thank you Olga. I'll just start trying to respond to your questions and then we'll see if others want to chip in. I guess for us there's a natural affiliation or closeness with the GAC because for every ccTLD manager there is a government and in many cases that government comes to ICANN.

So there's a natural mix there. We, most of us as ccTLD managers deal with our governments everyday in one way or another. So for us when we are working on things we try to – we try to involve the GAC as much as we can.

We're cognizant of the fact that the GAC has difficulty sometimes in adapting and adopting other people's processes. But nonetheless we work pretty hard at that. And most of our experience on cross-constituency work has been with the GAC with the Fast Track being the most obvious example. With the Fast Track what we did was we had full GAC participation, full ccNSO participation and then we had reps from the GNSO.

We also are taking that model a little bit further; we promoted the joint working group on Security Stability which has now – there is now a draft charter and hopefully the Gs and the Cs and the ALAC and everybody will

approve the charter in their own ways at this meeting and then that working group can be set up.

And I think that that will actually be the first real joint working group ever in the sense that it is – it will be chartered by the two supporting organizations. And actually there are three because I think the ASO as well and they will also have, you know, advisory committee representatives on it. And I think that clearly demonstrates that there are issues where complete community involvement is necessary.

If you go back and look at that GNSO policy development process on new gTLDs would it have been useful if there had been a greater involvement of the ccTLD community? Possibly. Certainly from the point of view of the issue of country names which is an issue for us as well as being an issue for the GAC.

And it may be that processes could be put in place for pre discussions although I'm conscious that the last thing we want to do is to slow this stuff down. It may be in the future but it is sensible for each of the SOs and ACs to ask themselves the question at the very beginning of every, you know, major issue they go with is this something we should talk to the others about?

Are there aspects of this where their input at an early stage would be valuable? And if the answer to that is yes then obviously we should find mechanisms to do that.

The other point I would make is that we do have liaisons and I think we under-use them. I think that that – the liaisons really should be – should be specifically tasked with thinking constantly about whether the organization that they are liaising from could usefully provide input to the organization they are liaising to.

And I also think just to finish off the GAC is also I think coming to this conclusion now. They realize that they cannot operate in a silo; that it's critically important that they get in – they get stuff in early.

At the joint GAC Accountability and Transparency Review Team meeting yesterday there was a suggestion floated – only a suggestion floated that there might be an agreed process were at very early stages in what now are formal processes there's actually a formal outreach if you will to the GAC on certain issues and to seek their input.

Having said that that doesn't in any way decrease the value of having their involvement in stuff even if they can't speak for the GAC you tend to get input from the individuals which is useful – providing useful signposts as to what issues may be in the future for the GAC.

So just how about anyone else want to chime in? (Unintelligible)?

Woman: There is another cross-constituency working group on IDNs. And – although I haven't been working in the group as much as I should have I've been following it fairly closely. And see that (Edward) and (Jiang) both from each of the groups are able to lead the group in such a way as to have us feel that there is a much more of a consensus (unintelligible) that's working instead of it being just a CC effort or a G effort. I think that's one area that really worked.

Chris Disspain: (Leslie).

(Leslie): Hi Chris. I was just going to make a point that the cross-constituency groups may not necessarily be in order to that of policy. They may be also about sharing or example technical development issues. Particularly given with the new Gs there's going to be quite a bit of crossover between registry operators I suspect.

So there may actually be an opportunity not necessarily to develop policy but for greater sharing of information and developments as well.

Chris Disspain: Thank you. I've just – that's just reminded me of another point which is more a sort of process issue, just something to be aware of. In the charter drafting group for the security and stability we – it's very hard to – we can't have a circumstance where one SO's rules rule the charter.

Our rules tend to be more relaxed than yours because you have your two houses and a whole heap of other things and terms about representation and so on and so forth and I quite understand that.

The only – the point I would make is that whilst you can use those for making selections to the working group you should remember that where this is a cross-ICANN working group it needs probably more flexibility perhaps than your very, very, very defined rules would allow for if we used those rules for the actual joint working group.

And given that any output from the joint working group has to go back to each of the SOs anyway and has to go through the process with it anyway it ought not to be too much of a challenge to have a bit of flexibility in the actual joint working group itself.

Olga Cavalli: Stephane.

Stephane van Gelder: Chris, well what kind of flexibility are you talking about?

Chris Disspain: Oh well, I mean, it's things like – and I'm not saying that these are not necessarily acceptable I'm just using this example. You have for example declaration of interest provisions and things like that which are meaningless to us because we don't have any reason to do that.

And again I'm not saying they're bad I'm just saying sometimes it's challenging when you're trying to put together a joint working group to try and ram it into one SO's way of doing things. So a little bit of flexibility – and there was flexibility on the security one.

But I just wanted to reinforce that point because it is important that each SO doesn't just sit there and say well if we're going to do this we're going to do it our way; there's actually a third way and that's a joint way.

Olga Cavalli: Any comments from GNSO Council members? Just to letting you know that we are still also discussing this inside our own council and we are analyzing the advantages and disadvantages. We find value in this joint effort. But we still have to think about how to really organize our work or when is the right moment to use this cross-constituency working groups?

Do we have other comments from members or you want to add something?

Chris Disspain: I need to say that it's obviously a matter of issues but clearly joint working groups with one SO or all of them or all of us together are issue-driven; there's not a whole heap of point of having one for the sake of it. But I would encourage you to think of it in a positive way as having (unintelligible) this.

It's much harder for the board to resist back in the ccNSO together, in fact all the CCs. It's much harder to resist the whole community (unintelligible) coming and saying Zed or Z than it is to resist one. So there are political advantages as well having (unintelligible).

Olga Cavalli: Thank you Chris. I would like to ask you a question. You said that we have liaisons. Just one comment, you said we have liaisons and I think you're right that maybe we should use those liaisons in a better way. Do you have some idea that you could share with us? I am the liaison too so...

Chris Disspain: Only that – only that (unintelligible) or the liaisons are clear what their role is. And one role – and it's not just to turn up, right? I mean, one role is to be the bringer of information back with (unintelligible) as well as just facts. Say and this is something that maybe we should be involved in.

It's because it's very hard for you, if you're not there, to get the essence of it. (Unintelligible) if our liaisons were able to come back and report formally. And I think this is something that (unintelligible).

Woman: I'd just like to make the comment that it's not with – as a working group or a cross constituency working group that we can work together. For example our joint council meetings that we've been having since a couple years ago it really makes us feel more like us rather than the CCs versus - or the Gs. And so I think that – that was one example.

And the other excellent example was when with the DNS cert when the three chairs of the SOs and ACs was made a joint – sent a joint letter to the President.

Olga Cavalli: Thank you.

Adrian Kinderis: Yes thanks. Adrian Kinderis from the Registrar Constituency. I think that there is, you know, just adding to the conversation here, you know, something Chris said earlier is about really understanding, you know, what I took from what Chris said – really understanding whether there is, you know, something to say; whether it's relevant to you.

And I think that that's – in the establishment of the working group I think it needs to be made very clear as to what each particular – I'll use the word (unintelligible) but use it badly – invested interests whether it's the ccNSO or the GNSO, whatever other group may – why they need to be involved in this particular issue.

Because I think otherwise, you know, it may be that this becomes the default method. And I'm just concerned about bandwidth issues of, you know, particularly, you know, from our perspective within the GNSO and how much volunteer time is available.

If this becomes a default play that often finds, you know, the GNSO gets dragged into something that potentially, you know, we may not want to even have an opinion on; we can read the report when it's complete.

So just putting it that I think that so long as it's concise and the approach is correct in the formation of the working groups then I think it's okay. But I would also hate for this to become the default method by which each group does its work because I think there's a lot to be said about allowing us to provide our expertise with where we are and providing that as we do now.

Chris Disspain: Yes, I think that's right but I would – there's a lot that can be done outside of – outside of policy development; I'm talking about stuff where you can do pre-work. Where we do – the Cs do far less policy development stuff and the Gs do very, very narrow band of policies that is global procedures.

So for us a lot of the stuff that we do is all about guidelines and that sort of thing. That's really the area – more of the area around – that I'm talking about. With the policy development process we're stuck with the bylaws anyway so we can only do what we can do under the bylaws and so be it.

But certainly I think, you know, there will be – there will be issues that come along over time where with the new gTLD process once it's up and running there'll be stuff that happens where it might be that input from CC managers - at CC managers because it has nothing to do with politics, just as managers, you know, might be valuable.

So – and I'm sure the reverse applies. But that's – I'm not talking about a default mechanism at all. And certainly not from a (unintelligible).

Olga Cavalli: Thank you Chris. We have Tim.

Tim Ruiz: Yeah I think that's a good point, Chris, and appreciate that. And – because I think that given what we've seen that these groups have been used for so far I think there'll be situations where the output of that group may need to come back to one of the SOs or ACs.

So in some cases it may need to come back to the generic supporting organization; in cases it could be the ccNSO depending on what the subject matter is that the group is called to meet.

But I think we should be cautious about groups that we've pulled together that when they're done they communicate directly with the board. And so I just put that caution out there. Thanks.

Chris Disspain: Oh that's absolutely right. I mean, I think they shouldn't be doing that (unintelligible) circumstances. I also think, I mean, just popped into my head there's a – on some of the management stuff that goes on I imagine there may be a not insignificant amount of work duplication.

I mean, I am assuming for example that some of you are just as concerned about the timing issues with the strategic planning process as we are. Now I'm not suggesting that, you know, we should suddenly get together and form a working group. But communication, you know, where, you know, our liaison to you says just so you know the strategic and operation – our strategic and operational planning working group has written a letter to – saying this.

That starts to inform cross communication between the two and so – and I think that's actually probably more useful initially because you can – we can leverage off each other in the sense that if you know that we're upset about

something and you're upset about the same thing, as I said, that's more powerful.

Olga Cavalli: Adrian.

Adrian Kinderis: Excuse my naivety...

Chris Disspain: Don't worry about it.

Adrian Kinderis: Thanks. That's the first time I've ever said that. Do you have – do you publish minutes of – or how often does the ccNSO meet and do you publish your minutes?

Chris Disspain: Yes we do and we meet generally speaking we have one – we have a council recordings are available – the recordings are obviously apart from the logistical nightmare the recordings are much more informative than the minutes (unintelligible). But we do and your – we've got your observer eye on our council call. Yeah so...

Adrian Kinderis: So my question, I mean, asking that was potentially that should be enough for us. And I would wonder if we're not using that now and me as a councilor have never ever referred to your minutes but potentially we should. You know, I'm certain there might be mechanisms in place now that enables us to achieve the same result which is to get an understanding of what goes on.

We already have the (unintelligible) as we've said. But if councilors before we went to respond to, you know, a topic that you said we may have in common why aren't we as a GNSO, you know, looking into your minutes and seeing, you know, what you've got there? That's my point.

Olga Cavalli: Me as liaison what I do I try to participate in all the calls that I can. Sometimes it's conflicting with other calls that we have in GNSO; we have many. I read –

if not I read the minutes and the MP3 and I – that's maybe my mistake; I try to extract what I think it's relevant for the GNSO.

So perhaps what could be useful is just two or three minutes sharing some ideas with leaders of the GNSO and say hey, Olga, we think that this and this could be relevant. Maybe that adds something to my vision.

And then I shared with our list – this is what I usually do to avoid you going through the minutes and listening to all the material which is online but it's a lot of time.

Chris Disspain: Adrian I (think) my response here would be yes but there – but the only way to do this efficiently and effectively is to rely on a number of tools rather than just one. So yes there are minutes, yes the liaison should be extracting relevant information. This is probably a good time to talk about the chair situation. I know you're going through a new chair process (unintelligible) and we will be doing that in San Francisco.

What some of you may or may not – I assume you all know that Chuck and I and Cheryl and Heather talk. And we talk totally off the record a fair bit to get a feel for what's going on and why because that way it's easier to, you know, you can lead better because you know how things are going.

And that puts flags up sometimes, oh, that might be an issue for the GNSO or that might be an issue for the GAC. That is something that I would massively encourage (unintelligible) really, really important. It's not formal; it's not recorded, it's just chat.

Also we are hopefully with the new GNSO Chair and ALAC Chair we'll be able to re-constitute the ACSO (unintelligible) more formal committee because the chairs and vice chairs. The last time we did that it kind of started off really well but then it kind of got sidetracked by staffing issues and became quite complicated.

But again that is an opportunity for the sharing of information. And that is critically – it's critically important that we (unintelligible). So – and one of those things that I want to see happen is for the board to be doing that as well, by a different way but the board needs to do that.

So from my point of view I think you need to take all the tools. I think the liaisons need to be charged up with, you know, this is your job and come back with information. The chairs need to talk often. And we just need to recognize stuff when it happens. It doesn't need to be a formal process; it just needs to be – we just need to recognize stuff. Say, you know what, it would be really useful to get an opinion on that.

Olga Cavalli: Stephane.

Stephane van Gelder: Yeah, I think it's a great idea that you as chairs talk and in an informal capacity. I think that's...

Olga Cavalli: I'm sorry, Alan, sorry.

Stephane van Gelder: Oh sorry, Alan, you want to go? So – but I think we have to stay mindful of the fact that when we're talking cross community groups for us as GNSO we may be walking a tight line in some cases because, you know, we never really know what to expect from the outcome basically.

So if we're in a situation where it's just conversation, people getting together and thrashing issues that's fine. If it become something that can be forwarded to the board and, you know, people have said this already and may look like policy even though it isn't then we as GNSO members may be in a difficult situation.

Olga Cavalli: Alan, so sorry. Apologies.

Alan Greenberg: As the liaison I'm normally treated very well in the GNSO. I guess I would like to support a lot of what Chris has said. And when I first put up my hand it was less but he said more since then that I support.

A really proactive liaison who does not get too annoying on either side can be very effective I think. And some of it's formal; some of it's informal. But I think it enables the groups to support each other even when there is no formal cross working group.

The concept of the cross working groups despite the fact that some of you may know the more recent GNSO/ALAC/GAC one was not particularly well received by the board on our morality and public order. But we seem to have gotten their attention at this meeting on the other hand.

I think the issue of multiple groups hitting the board or hitting someone over the head together is really important. There's a second aspect to it also though that if people work on a cross community working group they get to know some of the people on the other side.

And the informal relationships that are developed and respect that is developed may well be as important or more important than the formal relationships.

And I think it becomes invaluable. I think everyone in ICANN is realizing – and maybe even the board will soon – that people need to talk to each other if we're going to do effective things.

Chris Disspain: I thank you Alan. See just as a simple example you guys have got a whole new process which we could learn from. I'm really liking this name thing; this is great. CcNSO should have badges, Leslie, I think don't you? We should have names (unintelligible) for everybody.

(Leslie): Am I badge and chief now?

Chris Disspain: I think you're right. And, look, speaking entirely personally it is – I completely recognize it is harder for you guys than it is for us. We are all ccTLD managers. We might not necessarily agree with each other but we all come from exactly the same space.

It is much harder for you. Registries and registrars and users and God knows what else. And it's really hard and I understand that the trust levels are harder to establish. So I completely (unintelligible) with that and I still think working within those confines.

Olga Cavalli: Thank you. Jaime.

Jaime Wagner: First I would like to describe everything that Alan says but I see the importance of this informal get together. And – but I have one doubt that I shared yesterday in the GAC meeting – GAC and GNSO meeting. And I don't know that if what happened in this very successful Recommendation 6 or (MABOR) as you want, working group, if it was a time sensitive issue and this is why this cross community working group was put together.

And, well, it did well, okay, but I don't know if a cross community working group cutting directly to – reporting directly to the – to the board is the best way to deal with time sensitive issues.

I don't know if maybe formal bodies should take a stance and to pass through them these decisions. I think and to take the time to discuss in each body I think it is infallible. So although I admit that both things should live together there is a – people divide between creating (unintelligible) in our decision bodies.

Olga Cavalli: Thank you Jaime. If we don't have further – okay (John) please.

(John): I was just curious as more of the country codes are licensed for general purpose will that begin to put some stress on your, you know, your uniformity and approach?

Chris Disspain: If I gave you the impression that there was uniformity then I apologize for that.

(John): Apology accepted.

Chris Disspain: No I don't think so. I mean, we generally – ccTLDs managed, you know, slightly – you know, in a generic sense or a more generic rather than just being, you know, they're still effectively bound by the same rules that we are; they're still bound by the same requirements and bylaws and so on. So no I don't.

And just to stress I'm not suggesting that we uniformly – we (unintelligible) I was trying to make is we come from a level (unintelligible).

Olga Cavalli: Thank you Chris. I don't see other hands. So if you allow me I would like to – we would like to have some feedback from the ccNSO about the Fast Track. If you could give us some idea of how many applications you had, how many approved, how many went to (unintelligible), how many large ID and ccTLDs. That would be very interesting for the GNSO.

Woman: Just a procedural question, I mean, do we have a list of topics that we would like to discuss?

Olga Cavalli: Well basically this is one and then Edmond did a presentation for the GNSO the other day, maybe he would like to address some of that content? I don't know if we have the time and also maybe Andrei want to add something. They are our IDN experts in the group.

Chris Disspain: The answer is that Chuck and I agreed that we would discuss the cross constituency workshop thingy at this particular meeting. And I – and then Stephane sent me a note saying if we have time can we talk about some other stuff as well? And I said sure, we can talk about whatever you like at this, you know, (unintelligible).

On the IDN Fast Track the answer to your question is I don't know. We're not involved really. Once, you know, it's now a process and it's a process by staff. And we have nothing very much to do with it unless there is – an issue arises that somebody wants to come and talk to us about.

However I believe that Tina is doing update reports this afternoon in the main room – a full discussion on the Fast Track. (Jeff).

(Jeff): Yeah, I will say also I think – unless I'm dreaming I think this morning in the President's report I think Rod did go through all of those statistics; how many applications they got, how many were approved, how many are in the root.

Chris Disspain: I may well have been dreaming during that part of it.

(Jeff): Yeah. That was part of the one – I think that was in English so I think I paid attention to that.

Chris Disspain: Yeah. So but as far as we know – and I mean, there are – if there are IDN people in the room I'm – they can speak. As far as we know it's basically going okay. There are a number of issues with governments perhaps not necessarily understanding the process very well. It could perhaps be explained better.

There are some issues with evidencing local Internet support, local community support, sorry, and stuff like that. But from the get – putting your application in and coming out at the other end pretty much everything seems to be running fine.

There are, I know, a couple of – I'm not going to talk about them because it's not appropriate. But there are a couple of stalled ones that are having problems because of the (unintelligible) report saying that they are problematic strings.

And again that is something that they are dealing with directly with (unintelligible). So that's where we are. And I think it's slowing down now. I mean, I think there's been some (unintelligible) it's not the rush is (unintelligible).

Olga Cavalli: (Jeff).

(Jeff): So how is the progress going on, you know, that was Fast Track so you have a PDP underway right now I guess. How is that coming along?

Chris Disspain: That's split into two sections. That's the (PO) policy side which is what are the rules going to be. And then there's the – there's ccNSO admin stuff because we have – we had – we now may, for example, have two registries in one country. So we have to figure out a way of dealing with that from a membership bylaws point of view.

So those things are going on at the same time. They're both progressing reasonably well in fact faster than I thought they would. From the point of view of the policy that's pretty good. We've got our sticking point if you like or the area where we can have the largest amount of work is the variant situation.

I'm still, even after all this time, have absolutely no idea what therein is. I can give you lots of examples of things that could be variants but I have no idea whether they actually are or not. And I think pretty much everyone else is in the same boat really. So it's pretty hard.

But everything else is coming along well. And I can't give you a finishing date; I don't know. Bart, would you be prepared to? No, didn't think so.

Olga Cavalli: Any other comments from GNSO members? Edmon Andrei, you want to add something? No.

Edmon Chung: Well, yes, then we can move onto something we talk about and maybe want to bring up actually. I think it's somewhat related to the – sorry – to the cross community working group discussion that we had. I think, Chris, you mentioned that if you can identify items earlier on this might be one of them.

The GNSO and the SSAC sort of created a working group on internationalized registration data. The reason why it's not called Whois is because of, you know, want to focus on the internationalized registration data whether it's Whois or not.

So there's been discussion about it. The working group was formed. There's the – we have been going on discussion about in an IDN environment (unintelligible) in terms of the IDN itself variants, name servers that maybe IDN as well as contact information, registration data, that would be internationalized.

And we're putting together sort of requirements and sort of what policy should be put in place which might impact technically future Whois or Whois-like directory services. And perhaps this is one of the things – I know that some of the cc already participated in the group. But I think, you know, this might be something that would be of interest to – for ccNSO to join us as well.

Chris Disspain: So, Edmon, just so that we're clear, are you talking about data in the (unintelligible) or are you talking about Whois?

Edmon Chung: I am talking about Whois. And that, you know, in a way that it includes the IANA Whois, right because it's also – the IANA Whois also is available on...

Chris Disspain: Sure.

Edmon Chung: ...443.

Chris Disspain: So the distinction I – I make the distinction for what I hope are obvious reasons. In respect to the IANA database than that is obviously something that we're interested in. The curious change some years ago, the description of manager to sponsoring organization is something that even after all this years still drives every single ccTLD manager insane.

But in respect to Whois that is really completely in-country in every case. We all have totally different – I mean, there will be countries that have the same rules but everyone is different really and really has a different set of criteria for the UK and so that is not – and discussing what happens in our Whois is not – for example is not a discussion that we would have.

We're happy to provide input but actually discussing a policy that would affect our Whois way outside of what we could do because in fact it's – certainly in our case it's something that the government takes (unintelligible). So on the IANA side absolutely.

Edmon Chung: The big – I understand that situation very well. And I guess the reason why I think it would be interesting to bring it up – and I'll let Andrei speak more to it as well – there are a number of things that are being discussed that may ultimately have technical implications where, you know, it becomes a requirement for (IE) to have to do more work on it.

And then it comes back to a situation. Of course each ccTLD has their own (call) season and stuff. But I think as – in terms of identifying things early both the input in terms of the experience and the limitations and all those kind of things would be useful.

But some of the things that are being said it's not necessarily so much policy of what – in a way like privacy or whatever but in the way data is presented and collected and what types of data.

And one of the things that we would like to have sort of like a, if you will, a more comprehensive set and I think the CCs would probably be able to provide more information on that. So I'll – that would be good...

((Crosstalk))

Olga Cavalli: Andrei, go ahead please.

Andrei Kolesnikov: Edmon, thank you for being such politically correct. Let me put it like this since we all want a single Internet the Whois data regardless of the policies of individual countries will be kind of similar to – between different organizations because that's the basics of the Internet.

And this is our (unintelligible) and these are requirements for the people who register domains to put their contact – their data. And this workgroup works basically trying to achieve some new recommendations on using the international data written in – not in the Latin script basically.

And there should be – there can be different ways like references to the, you know, third party applications, translation services. It's a whole set of interesting, new, fresh requirements because we're all facing now that Internet is not ASCII-based anymore by the way for many years already, it's the address system which was just started.

So I think participation at least on the level of exchanging of the information between the TLD world and the gTLD world is very, very important.

Chris Disspain: Okay (Becky). No? Okay (Leslie).

(Leslie): There are some things on which we would agree and there are some things on which we will disagree I'm sure. And I suspect the UK and many other CCs would fight tooth and nail for local policy to be determined locally because that's how we do policy.

There is only a very limited set of policies that should be globally and agreed through the ICANN process for us. Also of course there are local and regional laws. In my own country we're affected by European legislation on data as well in that area.

Woman: I didn't realize we were going here. I just think it is even if it is an RFC it is important to keep in mind that it's not just Europe but there are laws all over the world that limit the kind of personal data and what kind of personal data you can use in what kind of ways.

And it's relatively buried from country to country including within the European Union. So, you know, there's an exception for required by law but RFCs have never been considered laws.

Chris Disspain: Yeah I think it might come as a shock but law trumps an RFC every time.

Andrei Kolesnikov: I should say that in our case in Russia people who actually write the data protection regulation took the European experience and made it work.

Olga Cavalli: We have – Edmon, please.

Edmon Chung: So just to try to wrap things a little bit it's really not – sometimes it's not so much about ultimately what's presented at the Whois but, you know, it's as much about how – what types of data is collected and in what format.

So that's what the group is deliberating about. So that – there are certain elements I believe are relatively universal and what types – like for example an IDN, the two of that – the H label and the U label are – could be, you

know, interchangeably used. This is something that might be of use for any type of Whois that manages – that has IDNs.

So there are elements of which that is not – that is not where local policy – there are specifics to local policies; that's sort of what I mean. And I think we went through sort of some of this discussion in the IDN discussion as well and I think the – what I think would be useful might be to try to identify those that are of common interests.

Again, you know, those are some of the things that might be useful (unintelligible). If this is an area of interest for, ccNSO. So to pick up again I do note that already some CCs are participating in the group. But, you know, in terms of identifying items that might be of later stage of interest for joint effort this might be one of them.

Olga Cavalli: Thank you. Any other comments? Okay we have – yes I will take the – oh, Adrian, just let me...

((Crosstalk))

Olga Cavalli: Oh sure. Just – I promise I'll maybe exchange some emails with Bart and Chris after each conference call so maybe we'll grab some important things and using our (unintelligible) for GNSO. Adrian please.

Adrian Kinderis: Given that ccTLD operators may well be soon gTLD operators – registry operators, sorry, registry operators, and notwithstanding that fact just as a group we had an interesting conversation with the GAC yesterday and they asked us about new gTLDs clearly because (unintelligible).

But I was just interested while we had some time, if we do, does the ccNSO have a position, a comment or even just a gut feeling on what they consider for the GNSO program – the new gTLD program?

Chris Disspain: In what context?

Adrian Kinderis: As far as it being ready to roll...

((Crosstalk))

Adrian Kinderis: Are there any major concerns that are coming across your way from your stakeholders?

Chris Disspain: You're asking for a comment on the – where (unintelligible). Okay, cool. So I was going to say that we actually have an ultimate goal which is very brief (unintelligible).

Man: Look around at who's laughing.

Chris Disspain: Look around who's laughing, yeah, funny (unintelligible). So well I can only speak for myself obviously but I think that from a CC point of view we still have an issue with the country name scenario. There are varying degrees of concern about it (unintelligible) from CCs but there's a fundamental concern.

The concern is around striking the balance in a way that ensures protection and the issue is complicated by the politics of governments providing – of governments entering into an objection process. It's more complicated by the concept of governments paying.

I'll give you one example, (.tibet) but somebody applies for (.tibet) the current scenario is it is the Chinese government presumably. That isn't going to happen. They would not – there are legal consequences for them buying into the process like this.

And it's very hard but, I mean, they may find ways around it; they may try and get someone else to object or whatever. But fundamentally they simply

(wanted) to object. They cannot involve themselves in that process. And they certainly wouldn't pay.

I'm not saying that's fair I'm just saying it is. And that sort of thing is currently not covered. And that's very, very challenging. And one of the reasons why you're getting pushback – or such heavy pushback on this issue is because of things like that.

Other than that I think we're probably okay as the CCs. Personally I think if you are sitting here seething at Larry Strickland's letter you should actually turn that around and treat it as a positive (unintelligible). It's – the economic study is now – or it has now been published.

Now whether that's satisfactory or not of course is (unintelligible) and I wouldn't dare comment on that. But from the point of view of – the question on vertical integration whether you agree or disagree with the decision the point – I think the point he made in the letter was (unintelligible) obvious idea is the position that they pled three weeks ago.

And one of the things that the ATRT is saying very, very loudly is recommendations is you have to explain stuff. If you don't explain stuff (unintelligible) going on. But apart from those two things I think we're probably okay. But I (unintelligible) buy-in with a politically incorrect comment or two?

Olga Cavalli: Sure, Adrian.

Adrian Kinderis: I was going to do a joke and say on behalf of the GNSO we are all in support of (unintelligible). That would be seen as a joke for me but then Kristina Rosette would punch me in the face so I won't do that joke.

Chris Disspain: Yeah, thanks. Kristina, would you like just to punch him anyway? Just be much more fun that way don't you think?

Kristina Rosette: You know, this is the new peaceful GNSO so no...

Chris Disspain: Yeah. Oh gee.

Olga Cavalli: Any other comments? Any other topics that GNSO would like to raise or comment? Cc questions to the GNSO?

Chris Disspain: How do you think it's going? Okay start in this corner and work your way around the room.

Kristina Rosette: I have a question on another point. And I think – I think we saw this in the Recommendation 6 cross-community working group. I think we've seen it in other parts of the new gTLD process and in other issues. And I think what I'm talking about is that in some cases there seems to be a lack of understanding throughout the community as to kind of how the ccNSO works, how the (staff) works, kind of a ccNSO 101, GAC 101.

And I was wondering whether you all have ever given any thought to perhaps at a meeting having a short, you know, 30-minute session on kind of this is who we are; this is how we do things; this is what you have to kind of keep in mind about certain issues that you may want us to weigh in on etcetera.

And I think something like that from both the ccNSO side as well as from the GAC would be very helpful. I'm thinking in particular of that point that you just made about the (.tibet) because for example a key kind of aspect of this objection process has been this underlying what I've always thought was an incorrect assumption that national governments would in fact be willing to participate in these objection processes.

And I think that would be helpful to make sure that everybody has the same base knowledge and that to the extent that misunderstandings are kind of perpetuated in some of these – some of this work it would avoid that.

Chris Disspain: Hey that's fine; I'd ask the other way around as well and the (unintelligible) want to have (unintelligible) of how it works. And, yeah, why don't we see if we can't organize that in – where are we going – San Francisco? Why not, I mean, hey, you know, why not?

I just wanted to pick up – just make a little point of responsive thing about governments objecting and stuff. And again maybe this is an example of knowledge and communication that doesn't always happen.

When we were putting the Fast Track together there were attempts made to mandate payment. Now I know that CCs making contributions is a separate issue but I'm talking specifically about that.

And whether you agree or disagree with it – and I actually disagree with it – the flat response from some governments is we are prohibited by law from making this sort of a payment. We cannot do it.

And we might be able to try and find some twisty ways around it but fundamentally we just cannot do it. And that comes from territories and, you know, territories and countries who are perhaps not running on the same system as Belarus or the UK or – but it's there and it's real.

And it means that they are – they just can't – they literally can't do it. Then you go to the cultural issues and you've got to get over so many hurdles. In some cultures the concept that I, a government, would go to a California corporation to object to something and have to pay is massively outside of their paradigm; they just don't get it.

And we're coming across this ourselves because from the point of view (all) delegations for some countries the concept that they would have to provide evidence of local Internet community support – they don't even have a

process for figuring out how to do that because in their country if the king says it happens it happens.

So it's not as if they don't – it's not even that they are being difficult; they just don't even have any way of doing it. So that sort of level stuff is what we're dealing with here and it's really, really hard to overcome.

Olga Cavalli: Edmon.

Edmon Chung: I was just going to ask something. But do we – are we supposed to end this at 1:30 or 2:00? At 2:00 so we do still have time, okay.

Olga Cavalli: Yeah, at 2:00, yeah.

Edmon Chung: All right, that's good then. So just following up on actually what Adrian asked and, Chris, you mentioned the issue of governments objecting, you know, of course Tibet that assuming that it's not the Chinese government that applies for it then that wouldn't be a problem. But so is the ccNSO...

Chris Disspain: Well hold on – just, whoa, whoa, whoa. Maybe it would.

Edmon Chung: And maybe it would.

Chris Disspain: I mean, all I'm saying is we could have objections coming in from...

Edmon Chung: From India.

Chris Disspain: From India, yeah.

Edmon Chung: Okay so I guess the question is is the ccNSO still considering any response to that or – because you brought it up in that context. And if so what's the...

Chris Disspain: We've written – I've lost count now of how many times we've written to the board about this issue. And pretty much the GAC and the CCs agree. There're slight differences in focus but we pretty much agree.

And all we've said is our starting point really is for this ground because we're still doing our own policies on government process on IDNs. So for this round there should be a, you know, a reserve list is a really tough thing and I'm not really saying there should be a reserve list. Certainly there should be a block we say, on meaningful representations of (unintelligible).

I mean, if you ask the Australian government, as an example, if tourism in South Wales (unintelligible) for .aussie as a gTLD. The federal government probably wouldn't be particularly about it. And they would probably object because they don't have quite the same difficulty with an objection process.

But what they would much, much rather is that there was an agreement that meaningful representations were for now out of the game. And I don't think anybody would argue that .aussie is a meaningful representation of Australia.

And I accept that it's a (unintelligible) but it gets harder and harder because more and more things – but if you take (Rolf) – (Rolf) is sitting over there – if you take Holland as an example, I mean, the Netherlands is the Netherlands but Holland is a term that certainly the Brits all use Holland to – and so on. And so do presumably people living in the Netherlands. But it's not on our list anywhere.

So how do you deal with that? And again if the Netherlands government was a government that has a problem with the objection process (unintelligible) on them paying money then they're (unintelligible).

Edmon Chung: (Unintelligible) you're talking about something that the response to like the ccTLD or, you know, because you mentioned Tibet that's why I felt it was an

interesting question. Because what you suggested may not cover that type of issue.

And if it does cover that issue then I have another type of worry which is very connected to what I'm doing which is, you know, that expands to say Asia where, you know, obviously we'd like to apply for IDN of .asia. And, you know, that sort of slightly, you know, starts to move that direction and...

Chris Disspain: Yeah, we could go, I mean, you could go up to world in the end can't you? Yeah, who gets .earth? Obviously the Americans but leaving that aside.

Edmon Chung: How about the Chinese?

Chris Disspain: But, yeah, I mean, I agree and I'm not – I don't think there's any suggestion that – I haven't heard any pushback on regions. I think there are people in regions who are – who might be uncomfortable that I haven't heard any pushback.

No I'm very specifically talking about meaningful names of countries or territories. And that is – that's the issue for us. And I think to answer your original question we have been saying this for quite some considerable time now. And the board's response is make do with the mechanisms we have. For Heather's letter, the GAC's letter to Peter a couple weeks ago and pretty clearly the GAC is not happy about that.

And I would suggest to you guys that it really is a case of figuring out and not saying that we will get our way. But I am perhaps – you might want to think about whether there is like – whether this issue is likely to be a cause of delay and whether it really matters all that much to you, you know, in this round.

Edmon Chung: I understand. But I just want to get a sense, you know, you raised the Tibet example but what you're suggesting really doesn't try to solve that in a way.

So you just use it as an example, right? And you're – in terms of the ccNSO position is really focused on the country names, territory names...

((Crosstalk))

Chris Disspain: Well I would argue that Tibet fits into that. It's a – it's a country. No that's my point, it's not on the (ISO) list so – but then neither is Holland. I'm not – I need to get really clear here; I'm using Tibet as an example to show you why there is a problem with the objection process. That's not the same thing as saying ccNSO thinks that Tibet should be protected. That's not what I'm saying.

So the Tibet example is an example that's saying that there's a problem with the process. The Holland example is an example to show that there are names of countries that are meaningful that are not listed. And I'm not – we're not asking for them to be – sorry? Yeah, it represents, it's a meaningful representation of the country.

That's what I'm talking about. So, sorry, you are correct (unintelligible) suggesting that the Tibet issue has anything to do with that; it has to do with the...

Olga Cavalli: Tim wants to comment.

Tim Ruiz: So that would indicate, Chris, that we might have to think about living with the fact that the (ISO) list isn't going to cut it and we may have, you know, commonly used or commonly known as or something of that nature in order to kind of cover that and whether giving that up is worth delaying this whole process. I think that's a very good question.

And, yeah, I don't know if that would happen either but I think that's a really good question. I'm not so sure it is. And same with the, you know, whether governments need to pay for objections, I think that kind of falls in the same boat. And, you know, we should think about maybe getting this round out and

as some of these things develop we'll see how they go and we'll know better next time around.

Chris Disspain: I think, I mean, yeah, look I'm really conscious that I'm not sitting here trying to convince you of one thing or another I'm just trying to be straightforward. And it strikes me that the current issue – one of the major issues you've got right now is with the GAC certainly is this find a way around that by widening the picture, if you like.

Then I think that that will just literally disappear and if that one goes what does that leave apart from any things that you're not happy about what does that leave externally?

Well, I mean, the question on the economic thing is it (unintelligible) people expected to do I don't – I have no idea. And the vertical integration issue I think it more of a (unintelligible) but apart from that I don't have the answer.

Olga Cavalli: Any other comments? Chris you make a final comment, some conclusion?

Chris Disspain: No I'm – thank you, it's great. And I think we should – whoops – I think we should pick up on Kristina (unintelligible).

Kristina Rosette: I'm thinking I now have a new item on my...

Chris Disspain: I think you might.

Kristina Rosette: Yeah.

Chris Disspain: But I think, I mean, time is obviously an issue; finding the time to do it is obviously challenging. But leaving – we could do this lunch. I mean, we could do make the next lunch, you know, GNSO/ccNSO all at once and do it that way. Fine with me, it'd be great.

Olga Cavalli: Okay. Any other comments from GNSO member, ccNSO members? Okay thank you very much all of you for sharing this conversation and dialogue. And I wish you a nice rest of the day. Thank you.

END