

## **ICANN**

### **Transcription ICANN Hyderabad**

#### **ccNSO – GNSO CCWG Use of Country and Territory Names as TLDs**

**Saturday, 05 November 2016 at 15:15 IST**

Note: Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record.

The recordings and transcriptions of the calls are posted on the GNSO Master Calendar page <http://gns0.icann.org/en/group-activities/calendar>

Man: It is November 5, 2016 NG0102 for the ccNSO GNSO CCWG use of Country and Territory Names as TLDs 1515 to 1645.

Heather Forrest: Good afternoon everyone. This is Heather Forrest, one of the co-chairs of the Cross Community...the use of country or territory names as top level domain. Thank you very much for joining us today. I'm joined here at the top of the

table by co-chairs, Carlos Gutierrez and Annebeth Lange. And our colleague (Paul Sindler) is unfortunately not with us today.

We have a fairly ambitious agenda in front of us today. And if we can make the agenda scrollable or yes, we can go through just so everyone can see what we have before us. We will get back to each one of these the agenda items shortly but just as an overview you see what we have to cover today. We'll have a fair bit of substance as well as procedure. We have an hour and a half schedule for this phone call I think, what are we 1645? Yes or this meeting, excellent and we have a pretty good group today so that is excellent.

In light of the fact that we are a rather large group but I wonder if it wouldn't be helpful and we will need our time to have substantive discussion if we discussion if we leave the rollcall for those who are not in the Adobe. We'll count on the Adobe as those who are present today.

And if you're not in the Adobe and or joining us by phone please let one of us - perhaps if you can let (Yoka) know so she adds you to the – (Yoka) or Emily so that we add you to the attendance list for today. Is everyone okay with that rather than spend time going around the room with introductions? Good, that satisfies welcome and rollcall.

Man: Are we recording this?

Heather Forrest: We are recording this session yes. Item Number 2 on our agenda is our report on meetings today relevant for this Cross Community Working. And you'll see that this list is really illustrative. It's not the co-chair's intentions to discuss any of these things in substance. This is not an approval or disapproval or affirmation or any sort of value judgment on any of the things that you see here, merely a way to highlight what happened since we met last met face-to-face at ICANN 56 in Helsinki.

For those of you who were not aware and are interested there was a session, an open session of the GAC Working Group on geographic names on when did we start this meeting, Thursday, Thursday at 8:30 in the morning. The transcript and slides are available in your ICANN schedule. And you'll notice that that there was a presentation repository initiative and where that group is to date.

There is another GAC working group session on geographic names in the calendar for Monday I believe. And it's not – I'm not entirely clear as to what the subject matter of that group will be but that's on our radars. We had a joint ccNSO GNSO council meeting earlier today at which Annabeth and Carlos and I were all present to provide a very high level update as to where this group is. And largely that summarizes Items 3 and 4 in our agenda.

The WTSA meeting leading to Resolution 47 is something that we've all kept our eye on insofar as it deals with matters that are relevant to geographic names. It's not anything that this group is anything but it's something that's on our radar. The GNSO Subsequent Procedures PDP is active in its work, specifically Work track 2 in which Carlos, Annabeth and I have been participating and a number of others as well that work track 2 deals with legal and regulatory issues relating to new gTLD policy. And reserve names is one of the categories under that work track so or concepts of that work track. So hence that has had some very preliminary discussions at least to knowledge reservations for geographic names is within its scope.

And the reference here to the new gTLD's review session again just touching on discussions relating to geographic names here at ICANN 57 I've given very much the same presentation two or three minutes or so that I gave to the joint ccNSO, GNSO Council meeting to that group, the broader community just to give them some summary of where we are. And of course we know best where we are so we won't go through that and instead focus on the substance of things. Is anyone aware of any other initiatives relative to geographic names that are not on this list?

No, I don't see any volunteers. So the point of us including this list of things is not to discuss the substantive to the merits of any of them but rather to say that this furthers our resolve as co-chairs in thinking that this particular Cross Community Working Group is not really the best vehicle for answering the question posed in our charter which is is it feasible to develop a consistent uniform framework on the use of country and territory names as gTLDs? You can see just from the list of other things going on that it would be very ambitious and foolish of us to think that our groups could solve the problem with five or six other groups also working on the same question. And so we are looking towards now how do we resolve this issue.

And I was sadly put on the spot in the new gTLD review session and asked if I personally had the solution to this problem. And I said there that everyone would be very disappointed by my answer which is to say I don't have the solution except to say that I agree with a point that we've reached in this group and the conclusion that we're driving towards which is to say this issue is much bigger than we are and we need some sort collaborative effort to rope in the bigger scope of problems, not simply limited to country and territory names, perhaps not even limited to the top level that this is much broader discussion. That and recognizing that no one has any further additions to the list in Number 2 I think that's a good thing because that's already plenty in terms of other groups dealing with these questions.

I suppose we spend our time today -- we now have an hour and 15 minutes -- on Items 3 and 4 which is the substance here. And specifically the initiative that we're taken in the past two or three months is to work on how we wind up our groups and the recommendations that we have come to on a draft or preliminary basis. We've had some trouble agreeing on the wording of our recommendations for what happens next. And so one of the things that we did was we ultimately had three articulations or versions of a particular recommendation in our draft report. And we had a quick snap poll just very informally. It ran for less than a week but we wanted to have a bit of a if you

like, temperature taking before we all came here to Hyderabad to see where we all stood.

And we have the results of that informal poll and I'd like to present those today for discussion. And perhaps before we do that maybe we even start with the recommendation and then we work on the results of the poll to remind ourselves as to what the ultimate wordings were on the recommendations. So we're working on showing them on the screen. Could I have a show of hands in the meantime how many in the room participated in the snap poll?

Great, that's great. Thanks a lot. Thank you very much for participating for those who are able to do so. So the document that you see in front of us is our Progress Report which is – was published in good time for documents for submission to presentation here in Helsinki. We might have to make that a bit bigger if we can do. No.

It doesn't work. There we go, wonderful. Just for those who don't have the Adobe in front of them.

Man: (Unintelligible). Yes.

Heather Forrest: Yes.

Man: (Unintelligible).

Heather Forrest: It's too long to read. I can see it. Excellent, perfect. We reworded or excuse me, renumbered the recommendation. This was originally Recommendation 2. And given that our previous discussions came to some agreement on recommendations what were then 1 and 3. And we had this outstanding Recommendation 2. We simply pushed it to Number 3. So this is not new substance if you like. This is just a renumbering.

So let's stick with this now Alternative A of Recommendation 3 says future work should take place with the authority of a policy development process under ICANN's bylaws with a clearly drafted charter of scope of works that sets out how conclusions and recommendations will inform that policy development process. This addresses a key deficiency of the CWG as it has not been made clear how the groups work can or will be incorporated in policymaking pursuant to ICANN's bylaws.

Some members of the working group raised the concern that issues that are in scope of both the ccNSO and GNSO policy development processes for example have full names of country and territories under other than Latin scripts are dealt with should be addressed through a coordinated effort under both processes. That's Alternative A of this group's recommendation in its final report. Let's look at Alternative B. Let's look at all three of them and then we'll discuss.

Man: Read it slower?

Heather Forrest: Sorry, I'll read more slowly, apologies. Apologies. Recommendation 3 Alternative B says to ensure that the conclusions and recommendations of a CWG will at one point have the authority of policy developed through the relevant processes under ICANN's bylaws. Future work should take place with a clear view on how this work at some point will reach the authority of a policy developed as or relates to and provides input to formal policy development processes. With regard to the subject matter the use of country and territory names as TLDs, the CWG notes that this should be defined with respect to both the ccNSO and GNSO policy development processes.

Due to the overlapping definitions used under existing policies additional policy developed by one group impact and has an effect on policy developed for another group. This may be achieved through a clearly drafted charter or scope of works that sets out how these policy development proceeds would

be informed. This addresses the key deficiency of the CWT. There is a typo there. This addresses a key deficiency of the CWG - there's a typo in there.

This addresses a key deficiency this CWG has encountered as it has not been made clear how the groups work can or will be incorporated in policymaking pursuant to ICANN's bylaws. That is version or Alternative B. And you'll notice some commonality of language between A and B.

And finally may we see Alternative C please? Thank you. Recommendation 3 Alternative C says future work should clearly align with ICANN policy development processes and should have a clearly drafted charter or scope of works that sets out how conclusions and recommendations will inform ICANN policy development. I'll say this as a note to Alternative C. This was fairly hastily drafted sort of during and immediately after our last call prior to Hyderabad drafted by me. So I take the blame for poor drafting here.

The intention was something less convoluted and less lengthy and less perhaps bogged down with background and differences between our various communities. So Alternative C is aptly named C for compromise and that's the explanation behind. This one the previous two have been in our report in draft form for a few months now.

Alternatives A, B and C we put this up in the snap poll approximately three weeks ago, had five days answers to the poll and you'll see here the results. What we asked respondents to the poll to disclose was their supporting organization or stakeholder group affiliation not to call anyone out but to try and see if this poll and the recommendations follow the general trend which is to say that we're noticing in our own substantive work that the GNSO and the ccNSO have fairly different views on the substance. And we wondered if that then would bear out in the recommendation.

Now as with all things this group has been fairly plagued by uneven participation at times. At times the ccNSO participates more and at times the

GNSO participates more. And here we have an example of some stronger participation perhaps in yes, some of it stronger in the GNSO than the ccNSO. So I don't want anyone to read. I'm not an economist or a statistician but I don't want anyone to draw any conclusions from the small sample size here and from the lack of balance in the results. But you will see that indeed the preference for Option 2 seems to run along the lines or indeed Option 1 perhaps runs along the lines of the ccNSO although there is a ccNSO answer for Option 3. The GNSO answers are consistent for Option 3 except for one in support of Option 1.

So I don't suppose that we draw any conclusions from this but it is in the spirit of taking the temperature at the time prior to Hyderabad where we all were. I'll be very selfish and tell you why I was also very keen for us to do this snap poll. I wanted to make sure we all read the documents before we got to Hyderabad. I'm happy to disclose that that was part of my purpose in pushing for this because I didn't think we would have a very effective discussion if we all just had to look at these things for the first time here at Hyderabad. And having a snap survey ensured that some of us at least saw the text that you've just seen and had a chance to reflect upon it more than just in the plane or in the five minutes before this meeting or indeed just now.

With that in mind I would like to suggest that we open the floor for discussion. This is our first opportunity to discuss all three options as we see them on the screen. As I say Option 3 was added or Option C was added at the end of our last meeting. So I'd like to open the floor for comments in support of or against any of these possible articulations of Recommendation 3. Thank you.

Nigel Cassimire: Thank you, good afternoon, Nigel Cassimire, (unintelligible). Frankly I don't see too much disagreement there. Even though it's three options they all have the same thrust essentially one that - it's the same tool means thrust. One is that the work should be consolidated among the various groups and secondly that it should be clearly defined how it would inform the ICANN policy development processes inclusive of both the GNSO and ccNSO. So as



I say in terms of the point, the substance of what we're trying to say they are saying the same thing. It's just a question of wordsmithing. So I wouldn't be too worried or spend too much time trying to wordsmith it right here once we get the two main points through. Thanks.

Heather Forrest: Thank you. This is Heather Forrest and I'll remind you take the opportunity would you after the fact please tell us who you are so we can note that for the transcript. We can link your comments to your name.

Nigel Cassimire: I thought I started with it. I said Nigel Cassimire, GAC observer.

Heather Forrest: Good. Apologies Nigel. If you did say I missed that. Heather Forrest again. Nigel indeed I'll share with you a comment that was raised to me on the airplane in fact on the way here by the person sitting next to me who's one of the longest standing participant in the ICANN community and indeed was around when the organization was formed. And he said to me, leaned over quietly and said, "Heather, really what's the difference between Alternative A, B and C? I've read them several times and I don't see it."

And indeed that made me smile because that was part of my thinking behind that third alternative that compromises if we strip language out and just try and keep it to the core would that help? Thank you very much Nigel for your intervention. Someone else please would you like to comment on the recommendations? And we can pull up the text of a particular version if you'd like to comment on it? Lots of interest and no necessarily no one hardly opposed. How does anyone feel about the comments just made by Nigel? Is there a general agreement that they're all three trying to say the same thing?

I for one - this is Heather Forrest. I for one see a difference in Recommendations 1 2 in that Number 2 more clearly points to the roll of the excuse me B, more clearly points to the joint roles of the ccNSO and the GNSO. And Alternative A was originally worded differently from this. This was actually our starting point Alternative A some months ago. And it pointed

more clearly the intention at least in A. And A has been changed since. But the intention is A was to point more clearly to the GNSO subsequent procedures PDP which is underway.

Perhaps the spirit behind A gives some explanation as to how we think A and B are different. But you'll notice that A now also says that these issues are in the scope of both the ccNSO and the GNSO. I think A was our initial attempt at compromise and then B was a second attempt at compromise and now C is a third attempt to compromise.

To the extent that no one - it's interesting that the room is so quiet. To the extent that no one feels very, very strongly about A or B can we have some comments on C please given that that is the shorter version. It is less specific which could be problematic but it's also less convoluted which may be a benefit. Is there anyone morally opposed to C? Thank you.

Maxim Alzoba: Maxim Alzoba for the record. I think it's yes (unintelligible) both should be simple and understandable. If we are not sure if we understand what's in A and B why do we think that others who read this text come to some predictable conclusions or at least they will be able to come to any kind of a conclusion beyond we don't get it. So it might be the reason to get - turn to the Version C, yes. And if we are questioned what do we mean it will be simpler to answer. Thanks.

Annebeth Lange: Annebeth Lange for the record. I think what we tried to do was to illustrate that this is an issue that is of interest for all the stakeholder groups for the SOs and ACs together. And traditionally we have all things with the new gTLDs in the GNSO process. And then on the last process in - that ended in 2012 it was a long period with comments after the process the first applicant guidebook came.

So what we tried to illustrate here is to find a way to solve the problems and a way instead of wait till after the new process of PDP has been concluded.

And this has been repeated in many things during this meeting. And we are working together and how can we do this in a constructive way even if it's a GNSO PDP.

So the different wording of these three recommendations in the two first as it says, both ccNSO and GNSO are mentioned. We have also when we have worked with it this had members from the GAC and from that ALAC and also some others. So we have to choose a way forward that will not exclude participation from other constituencies than the GNSO.

And I think probably all these can do that but the last one is more open and when perhaps not really sure what the interpretation of it will be. But it's easier to understand and grasp for everyone. Thank you.

Heather Forrest: Thank you Annabeth. I have Carlos and then Susan Payne in the queue.

Carlos Gutierrez: Susan if you want to go ahead. I just wanted to provoke a little bit the discussion but maybe you can do it better than I do, please. Okay just to take a step back I just wanted to recall that the reason we are standing here is because the charter said if we could develop a general framework, remind everybody maybe not everybody have read the whole papers. Instead of leaving out of reserved list if I might add from my point of view. And when you read that or you hear that we have said is that this group has not been able to get close it to a general framework. Please Susan.

Susan Payne: Thank you Carlos and Susan Payne for the record. I was just going to kind of mirror something that Heather said earlier and a comment that I received as well separately from the one that she did which came from someone in the Subsequent Procedures Working Group because this - our recommendations have been shared with that working group in advance of this meeting. And so someone came and (unintelligible) come inside and said, "What's the difference between the three recommendations because I don't really understand what the difference between them is."

And so I tried to explain the difference in other words, trying to do so I felt I couldn't - you know, I struggled to explain the difference. I think three is the - C is the easiest one to understand because it's the shortest. It doesn't specifically call out either of the ccNSO or the GNSO which perhaps is a disadvantage.

But I don't know, it doesn't matter how many times I read to. I do not understand what it's saying. I think it has the ability to be interpreted in different ways depending on what you want it to say. So I'm troubled by two not because of - not because I think it's saying something bad but that I'm concerned that no one will understand what on earth it is saying.

And 3C for me is cleaner but it, you know, we are still all of us saying we can't reach a conclusion and we're leaving this for someone else to work out what to do. And I still, you know, I've said this a number of times. I still believe that the place we should be talking about this since it's underway and is a subsequent procedures PDP because that will be talking about other geographical issues as well. And it seems to me ludicrous for us not to also be considering the issue of country and territory and for the top level at the same time as we're considering other geographical names at the top level and at the second level.

Heather Forrest: Thank you Susan. I have Carlos and then I have Greg Shatan. Carlos has ceded his place to you Greg.

Greg Shatan: Thank you Carlos, Greg Shatan for the record. Thank you. Following on what Susan said and I think it maybe to put it even more elementarily if this is a question of making gTLD policy that happens in PDP Working Group and there's a PDP Working Group working on the subsequent procedures which would encompass everything that will happen in future rounds or procedures for gTLDs. And clearly that's, you know, where the policy gets made that's the kitchen and this should be cooking along with everything else. Thanks.

Man: (Unintelligible).

Heather Forrest: Carlos? No. Bart would you like to speak?

Bart Boswinkle: Just say as ccNSO support staff Bart Boswinkle for the records, ICANN Staff. I think the same argument goes for with regard to the ccNSO. All policies relating to ccTLDs are made within the ccNSO policy. That was the argument of the ccNSO members on the group. And say where the real conflict is is not so much in the two (unintelligible) codes or the current delegation of ASCII ccTLD. Where the real issue is is with IDN ccTLDs because there is a definition in the current - it's the fast track but also in the overall policy that is referring to meaningful representations of country and territory names. And that's, yes less defined than the ccTLD. And there is as a result of this definition what is considered an IDN ccTLD there is overlap with the say or potential overlap what has been defined in under the new gTLD the first round and in the subsequent rounds.

And I think if you would look at the interim report you see a very nice collection of the evolution of this overlap and how in the past people try to avoid this overlap. And I think putting it back into the new gTLD rounds or the subsequent procedures is the fear of the ccNSO members on the working group is that they would leave the whole definition of meaningful representation also to the subsequent procedures hence the need from the ccNSO members on the working group to alleviate and to make - ensure that at least the ccNSO PDP would be treat - or that the ccNSO PDP would be mentioned and at least considered as well and people are aware constantly of this potential overlap between the two areas.

And I think that's at the core of creating this working group and also at the core of the concerns of some of the ccNSO members on the working group. Now that's the - one of the real driving forces for creating in the past this

Cross Community Working Group being aware of there are two areas of policy dealing with this topic of country and territory names.

Heather Forrest: This is Heather Forrest. Bart thank you. And (Yoka) in light of the fact that you volunteered to read out questions we do have two comments in the chat from (Temo). Would you be willing to read those because in fact they segue to what Bart has just said. Thank you.

(Yoka): Absolutely. There are two comments by (Temo). The first one, "I also feel that Alternative C leaves things on a point of having balanced discussion too vague. B is a mouthful and if the points can be brought out in a shorter manner it would be good.

And then a second comment do not consider three letter and country names as gTLDs by default. There still are different views and options on that. This is the point of conflict in my view and the reason why GNSO PDP is not a place for this discussion.

Heather Forrest: Thank you (Yoka). In fact there might be a comment just about that too. B brings out clearly that there is some conflict of interest between ccNSO and GNSO and to move forward the effort to go to having balanced discussions as GNSO PDP is dominated by GNSO. That was the comment that I think segued to your comments Bart. Speaking with my GNSO capacity on I would really be remis if I didn't take the opportunity to stress that the GNSO community believes that PDPs are for the entire community at large. It's really the bylaws that give us this in the same way that the bylaws give the ccNSO responsibility for managing the cc process. You know, I'd be very interested to hear if the GNSO would complain if the ccNSO started an initiative like, you know, if there were a PDP afoot in the ccNSO and the GNSO said we don't like that because we can't participate in your PDP.

Bart Boswinkle: That - may I respond to that being around for some years now? I think what was an interesting exercise was the discussions around the fast track

process in 2006, 2007 and because that was the time the new gTLD discussions were taking on. And there you had this methodology around IDN ccTLD that results in the fast track. But the comments around say what we're discussing now and the fears expressed by all the groups are very similar to the comments that were made on both ends at that time.

Heather Forrest: Thank you Bart. Yes please? Yes?

(Suasa Damini): (Suasa Damini) ALAC member and the (unintelligible) manager, .tm manager. I want to raise some concerns I talked about yesterday with - in a meeting with CNSO and ALAC. In fact as developing countries as African countries we have some concerns with if you consider the three letter ccTLDs are generic top level domains or the whole name of the country as top level domain for me it's our dated identity. We'll have to have it.

But if it will be considered as new or generic top level domain and it will be go under the polices of the GNSO you know we have already problems to run our TLDs and to make good work with our (unintelligible) TLDs. And you are not really involved with the new TLDs actually. We can't make industry named domains and we aren't the first steps to run these domains. And I think we will lose another time the opportunity to have these geographic top level domains if you don't consider some issue to these countries, some specific or specific consideration to these countries.

Heather Forrest: Maxim please.

Maxim Alzoba: Oh Maxim Alzoba for the record. Actually yes, few months or maybe a year ago we have conversation about this. And we have made - unfortunately made - unfortunately depends on the point of view situation in which for example Komodo Islands they will miss .com, yes. and other domains which were in new gTLD bunch some domains three letter codes.

And if we say that yes those three letter codes only for countries then some countries have already no options because those three letters are already taken. So it's still a discussion and we - there is no resolution at the moment as I understand. Thanks.

Heather Forrest: Thank you Maxim. Yes please?

(Jano Stone): Yes thank you Heather. My name is (Jano Stone) from the GAC from Norway for the record, just a quick comment on the alternatives A, B and C. I think what Annabeth said are covering the scope and what the sort of the real idea should be that the recommendation should not exclude anyone to participate in the development of policies so I think at least the general reference to the policy processes under - or well the ICANN policy development processes as a general reference would be very good.

Also what is not being said but of course as you know we have in the GAC we have had discussions with the GNSO to have GAC early input into the processes. But nevertheless then of course the GAC will always provide advice to the board on any policies delivered to the board from any of the constituencies. So of course that is also something to take into consideration. And of course I think that's also the idea for the early engagement into the processes of ccNSO and GNSO from the GAC to be able to enlighten the debates, have all the perspectives at hand to be discussed at an early stage and to avoid as much as possible conflicts at the end stage. So I think also as concluding as a general reference to the ICANN policy development processes it's important to have in the sort of further developing this. Thank you.

Heather Forrest: Thank you very much. Greg Shatan?

Greg Shatan: Greg Shatan again for the record and also thank you for letting me as a visitor speak. Even though I'm sitting at the table I'm not a member of the working group. I've been following it but not a member. In any case just to



point out - it was probably obviously but just needs to be said that anybody can participate in a GNSO PDP as long as you show up and do the work and, you know, will get into the mix. So there, you know, if you have constraints that's one issue. But there are no constraints on who will participate. You don't need to be a member of any constituency or stakeholder group. I do think you need to be a human but other than that I haven't found any other restrictions and that one is probably malleable as well. Thank you.

Heather Forrest: Thank you Greg. You remember the - one of the very early pieces of Internet humor was the cartoon in The New Yorker that said on the Internet no one knows you're a dog. Perhaps we could bring out our old copies of The New Yorker and challenge your view that one needs to be a human. And I will - I'd like to make some comments but I see Annabeth with a hand up and Maxim you had hand up but hand down? No, Maxim has denied his opportunity. And Annabeth you and then I'd like to make some conclusions based on what I've heard.

Annebeth Lange: Thank you, Annebeth Lange here. First I have a comment to what Greg just said that it's true that everybody can be there and as I do in the work track two and try to follow the subsequent rounds. But and it's when GNSO is talking about consensus in the end. It was mentioned today which by (Jeff) that if we don't find a consensus then it will be as it is today. But which consensus? It's consensus within the GNSO.

So if what the other ACs and SOs put into that group you can listen or you can don't listen. It's in the end it's the GNSO that decides what will go to that - to the ICANN board. That - is my one comment. And the other was to what (Bob) said about the differences between the IDN or the difficulties we have had with the IDN and ASCII because if you go back to the study groups the report we had a very good illustration of what could happen. As long as it's one non-ASCII letter in a string this is more from more than three letter codes.

But if you have a country name with one non-ASCII string then it's suddenly an IDN. And we could experience cases where one country name could be an IDN and CC if it's an official language in that country. And the same country could have an ASCII name as a gTLD. So it's a lot of confusion out there. And my problem is that as long as it's country names as you said it's kind of identification. Even if it's not legal it's a lot of feelings here. It's a lot of politics here and the GAC had their country name geographical groups discussing and we can't just stop discussing because the GNSO are taking care of all new gTLDs. As you say Greg it's their kitchen but we must adapt sometimes. Thank you.

Heather Forrest: Greg let me try. This is Heather Forrest. I want - my intention in this is to sum up what I've heard but I have a reputation occasionally for laying on the explosive to try and diffuse a situation. I don't want us to get down the path of GNSO good, bad, what the GNSO does but I would like to correct perhaps a misunderstanding. It's true that the GNSO decides but I say that only insofar as the GNSO Council approves or disapproves of the working group's final report. And the working group is made up of the community at large so by the nature of the bylaws it's the GNSO Council's job to approve or disapprove that final report and the recommendations that it contains but the GNSO Council is really limited to that role. Greg if you want to refine that but then I'd really like to just turn back to the alternatives.

Greg Shatan: Just briefly reference to consensus though that first what happens in the working group. And maybe the definition of consensus us "GNSO" consensus which is also known as rough consensus. But the consensus is formed by every person in the working group unless the charter says otherwise. The charter of the CCWG accountability and stewardship had named members and the members, you know, were appointed as representatives and that if a formal consensus was taken in that group then it was done only among the members and that all happened I think once between the two groups. But the general concept of consensus was - and that was an anomaly and a CCWG.

In the GNSO working groups the consensus is formed by everybody who is participating, not just by GNSO members. Thank you.

Heather Forrest: Thank you Greg. This is Heather Forrest. And for those not in the room and who can't see the body language I will say that Cheryl Langdon-Orr is sitting next to Greg Shatan. Cheryl you are ALAC representative. And to the extent that there is anything let's say that you've experienced as an ALAC member that's inconsistent with anything that's been said here it would be a good opportunity to say so.

Cheryl Langdon-Orr: I have not had specific briefings in the At-Large Advisory Committee on this matter. However I'm very familiar and sorry I should have said, you've introduced me but I am Cheryl Langdon-Orr. As best as I can ascertain from our discussions on this matter with our regional leadership the concerns of the ccNSO especially as outlined by Annabeth are going to resonate very strongly with the regional leadership and indeed therefore the ALAC. And let me tell you why.

Everything you've said of course in terms of consensus, draft consensus the openness of GNSO working groups remember even I was helping those rules get through. But those are now purely GNSO are still always at least to date we may have to fix this in a minority. And therefore forgive us for being a little concerned that unless we can press gang one to one ratios from the CC interests to at least this specific subtopic and remember how are you going to ensure that the subtopic is properly and reasonably managed within even our four work tracks that we have? If you give it to the IDN work track I'm happy with that just by the way, perfectly happy for you to do it with the IDN work track because I'm a co-rapporteur of that. But I am - I do understand and I suspect there would be support for the sheer fact that we just have five as opposed to 55 people in the average GNSO workgroup. And rough consensus can mean our voice is all but meaningless.

Heather Forrest: This is Heather Forrest. Cheryl thank you. I apologize for putting you on the spot. What I propose is that we've had an interesting thread of discussion here. There really is relevant irrespective of which alternative we choose. And I'm a bit (unintelligible) there were conflicts from both of our colleagues who are the co-chairs of the GNSO subsequent procedures PDP Working Group we as co-chairs of this working group will make sure that they receive the recording from this group and that they are fully aware of those.

I know that they are. That's Avri Doria and Jeff Neuman. I'm confident that they on a personal level are aware of these concerns. But I think it's very important that in the interest of transparency and accountability and that we get those comments back to them. It reinforces that understanding. And we as a community at large, I use lower case C, community and lowercase A and L at-large need to be better at participation overall.

This is an ongoing discussion we're having with the GAC and of course it dovetails into our discussions of volunteer burnout and so on and so forth. I would like to come back to our recommendations and summarize what I've heard and my co-chairs will correct me if they disagree. I've heard that while there are some merits to alternatives A and B in that they're a bit more precise in some cases in trying to be a bit more precise they're a bit muddier and more difficult. And I haven't heard any outstanding loud opposition to alternative C. I've heard some support for alternative C and some let's say lukewarm I can live with alternative C.

Alternative C for compromise is seems to be our stronger candidate at this point just based on the comments that have been said here which then makes me think in the spirit of progress, forward progress I'll make a specific call for objections to alternative C. Can we as a group live with alternative C bearing in mind that what will happen here is this.

This final report will go back to the councils of our two chartering organizations. And they will consider our recommendations. You notice that

this recommendation does not direct those councils to do any particular thing other than to continue effort with a view towards these goals. If this is something that you can live with in the alternative articulation well I guess maybe better to call as I did to start with. Is this - is there anyone that can't live, cannot live with this articulation in Alternative C?

Man: (Unintelligible) for 20 minutes there. I don't know if we should go to A and B (unintelligible).

Heather Forrest: Should we...

Man: (Unintelligible)

Heather Forrest: Yes.

Man: Then come back to C because...

Heather Forrest: Carlos is suggesting perhaps we return to A and B just to give them a final farewell?

Man: (Unintelligible).

Heather Forrest: Yes. All right then seeing no objection, no burning and - yes please? No? No? Yes please?

Nigel Cassimire: Yes Nigel Cassimire again. A fellow objection. There was - well from all the discussion I've heard I've only heard about concerns about policy (unintelligible) and processes in the GNSO and the ccNSO whereas this more broadly says ICANN policy development. So I have a - my question is are we talking about anything broader than just GNSO and CNSO. ICANN - because ICANN policy development could put into other people's (times), you know, other SOs or ACs.

Heather Forrest: Good question Nigel. As the drafter of Alternative C I was thinking of the fact that the ACs serve a purpose in this community of advising and providing advice into the policy development process. I see Cheryl Langdon-Orr nodding her head from an At-Large perspective so I'll take that as agreement that I haven't said anything correct there. I think the intention of Alternative C was to make sure that this was a broader community effort and that no community was excluded. So hence the lack of reference to any one particular SO or AC. I think the danger is if we name one or two we might start to name them all so hence we've gone with some very general wording here.

So I don't hear any objections to Alternative C. What I would like to propose subject to the input from my co-chairs is that we leave this meeting with the suggestion that Alternative C is the version that we prefer. I'd like to give folks time to consider this. And in our next call we'll take a formal vote on Alternative C. That will give everyone the time to go back and consult with stakeholders and colleagues and so on and so forth, government and to come to a view to that. If that is helpful Cheryl please.

Cheryl Langdon-Orr: Thank you. Hey that - I'm just wondering whether we should take such an important and very final fit because this is something that many of us had deeply thought over. Perhaps and do an online poll rather at annex call. The next call the dates are subject to time. We do get variability in the call turnout and I think this is important enough to do as an online so that all the membership have full opportunity.

Heather Forrest: This is Heather Forrest. Cheryl thank you very much for that suggestion. I think that's a very good one, a very good one indeed. So we'll put on our action item list then if we can have the help of staff to develop a poll. Perhaps we have the poll close a few days prior to our next meeting so that we might discuss it at our next meeting. And I see a thumbs up from Cheryl who's suggestion it was that originated this so that's excellent. Bart please.

Bart Boswinkle: And just to be clear around the poll although I don't have to do it because there is the poll man sitting opposite, it's just around the C. And the question is do you support at least or not object to the solution or alternative C? So it's a very binary question.

Man: The pre-recommendation...

Heather Forrest: So...

Man: ...(unintelligible).

Heather Forrest: Yes please?

Maxim Alzoba: Maxim Alzoba or...

Woman: Hang on.

Jorge Cancio: Hello. This is Jorge Cancio, GAC rep for Switzerland for the record. It's correct what I've hearing are the reference is intended to be open to ICANN policy development processes in general inclusive of the overall ICANN community including for instance the GAC which has an important role to play on country names and territory names?

I guess that it would be good to clarify that and to put some wording after process comma inclusive of the overall ICANN community or some language like that so that we don't fall into creative ambiguity which could later be construed as having referred it to a specific public policy development process in particular and to not one that includes everyone here. Thank you. Hope that helps.

Heather Forrest: Thank you Jorge. Maxim?

Maxim Alzoba: Okay, okay, Maxim. I think if we create a poll to ensure that at least it's read as a first option we might have - I do understand the text. But, no, no, no, I don't understand the text. I object the text. I supported the text -- something like this. If there was session which just that starts on full order (unintelligible) something (unintelligible).

Heather Forrest: Thank you Maxim. This is Heather Forrest. And perhaps to the point that Carlos is making on my shoulder here perhaps I do not support the text and prefer alternative A or B even, gives an opportunity to keep them on the table. Carlos?

Carlos Gutierrez: Yes I feel bad about voting only about Recommendation 3. We should draft - we should put the three recommendations together, one and two which have been agreed and Number 3 with Alternative C and with this kind of options because just taking the third out of pre-recommendations is for me we run the risk of taking it out of context. It should have not only what just suggested but this is the whole recommendation of the progress report and we should vote it as a package with the consideration that Jorge Cancio made that my feeling.

I mean all who have been here might be able to follow but if we go out the list might be different. There are people who are not in the room or maybe won't be able to read what happened here. So I really want to - I don't think we have to fix it right now but in general terms I get the feeling that we need to refine the question. We need to be very clear about the options. And the third suggestion the one I made is that we put the pre-agreed recommendations together. Thank you.

Heather Forrest: Thank you Carlos. This is Heather Forrest. And to confirm I did not understand your suggestion initially. I thought you meant alternatives A, B and C. And indeed you're right. This is three recommendations and they should go together as a package. Maxim, please.



Maxim Alzoba: Since it was not easy to read it's scrolling up and down. If possible - is it possible to put it side to side because without it you just scroll down, you're seeing the option and it's (unintelligible). Yes it's almost the same but if you see this option side to side you'll be able to visual them the standard difference. Thanks. But it's about design, not about contents.

Heather Forrest: Thank you Maxim. So this is Heather Forrest. So that I understand is a different question. That suggests that we're still voting on alternatives A, B or C. Is that the case or are we voting strictly on Alternative C?

Maxim Alzoba: It's applicable only if we desired to leave first options just for comparison or something.

Heather Forrest: So let me clarify for those who are not maybe familiar with what we're discussing here. And can we have the help of either Emily or (Yoka). Can we pull up the back end of our report wherein we identify the two recommendations that we preliminarily agreed upon and then this third recommendation because this was my confusion as well Maxim is there are two things of which there are three. So let's have a look at the relevant section of the report and see exactly what it is that we're referring to. So this is a version in which the recommendation that we're discussing is still identified as recommendation Number 2.

Man: Is it one?

Heather Forrest: Yes so let's look at one. Recommendation 1 says the CWG unanimously recommends that the ICANN community consolidate all policy efforts relating to geographic names as that term has traditionally very broadly been defined in the ICANN environment to this point to enable in-depth analyses and discussion on all aspect relating to geographic names, geographic related names at all levels of the DNS. This is the only way in our view to determine whether a harmonized framework is truly achievable. That's

Recommendation 1. And in our previous calls we came to let's say an informal agreement that we supported that recommendation.

If we can scroll down to Recommendation 3 please Recommendation 3 says finally the CWG unanimously recommends that future policy development work must facilitate an all-inclusive dialogue to ensure that all members of the community have the opportunity to participate. Again we believe that this is the only way to determine whether a harmonized framework is truly achievable.

In my mind the language in Recommendation 3 quite actually picks up the comment that was made by Jorge Cancio. Jorge if you disagree it's that time to say so. The intention of Recommendation 3 was to say that this should be inclusive for the whole community.

Now there are three recommendations. Again Recommendation 3 was informally given let's say a certain level of approval in our previous meetings. The recommendation that we couldn't come to an agreement on was the one in the middle there. I'm afraid we have some numbering challenges whether we call it two or three. Bart please.

Bart Boswinkle: Let me explain why otherwise people think we've not done our job properly. These recommendations come now say one, two, three and four come from the Interim Report. In the Progress Report we talk about Recommendation 1, 2 and 3. In the final report the first recommendation is to close the working group. So that's - that needs to be done. So that's a more technical recommendation.

Heather Forrest: Thank you Bart. We have multiple documents on the slide. So I come back to the question for clarification. In this poll that we are sending out we'll send out Recommendations 1 as you see it here, 3 as you see it here. We'll all get sea sick and Recommendation 2 Alternative C.

And we'll ask the group do you agree, can you support these as a package? Do you not support these as a package? Do you feel that an alternative to Recommendation 2 or something else should be supported or are you ambivalent about these options. So it's a poll made up of four choices. Is there any disagreement to the way that has been articulated?

No, excellent. Thank you. That's fantastic progress and I think we should all celebrate what we've done here. (Unintelligible) I feel like getting on the plane and going home. I think my job is done. Let's not let joy overtake us. So thank you very much. Let's put that on our action item list for this group. And it suggests to me that we're well on track for what needs to happen here.

Now Item Number 4 in our agenda if we could return to our agenda and I note just for proper time purposes we have 25 minutes left. Option Number or Item Number 4 you see here is next steps and Interim report. Now Bart has just alluded to the fact that we have two different documents afoot right now. One is our Progress Report in which the recommendations are set out as one, two, three. And then we have our Interim Report.

And of course the way that these things work in ICANN is that the intention of this group is to produce its Interim Report that would then go out for public comment after an opportunity to digest any comments that were received in public comment. Then that would be presented as our final report.

Now there is an outstanding section in our Interim Report which is Section 5.2. Those of us who had been with this group from the duration will remember that we started with a document that we called the Strawman and styled it in such a way that it would enable us ultimately to be built upon and end up as our Interim Report. Of course we started with the question of two letter codes and we developed a structure for that document that would be mirrored for our subsequent work under the charter which at the time we were hoping we could get to three letter codes and names.

So we have our discussion in relation to three letter codes to the point that we've gotten to it. And what I would like to do is turn the mic over to Emily Barabas from ICANN staff to take us through what it is that we need to be looking at in Section 5.2. it would be very helpful if you can focus our attention on our homework between now and our next meeting. Thank you.

Emily Barabas: Sure, thank you Heather. This is Emily Barabas from staff. So in our methodology from the Strawman paper which we applied to the analysis of two letter codes we looked at a few different things. And one of my homework items was to go back and to ensure that the work that we summarized on two letter codes did in fact reflect the methodology and it did. So I'm just going to go back and touch on those points.

So for each of the conversations the CWG wanted to consider the scope of the category so initially two letter codes and three letter codes, issue arising out of potential applicability of multiple policies, issues and feasibility of developing a framework to resolve the issues identified including the rationale for the proposed resolution and possible framework options including an analysis of the benefits and burdens of each option. So that's sort of the framework that we set out and want to try to describe to the extent possible how that framework was applied to the discussions that we had on both two letter and three letter codes. Thanks.

Heather Forrest: Thank you Emily. To put some context around this could we possibly show Section 5.2 of the Interim Report on the screen? I think that would be very helpful.

Emily Barabas: And for those who are following along the methodology is those points that I just read out where in the methodology section of the Interim Report on Page 16. Thanks.

Heather Forrest: Fantastic. Thank you Emily. And (Yoka)'s bringing up the document for us. And here is our general description of our methodology. And it's applied in

the particular instance of three letter codes in Section 5.2. There was area, 5.2 on three letter country codes. You'll see that this follows as Emily has just describe the exact format of how we set out our analysis in relation to two-letter codes. We have the scope.

We have the status quo, of course a much longer discussion in relation to two letter codes than with three letter codes. We have an identification of issues. We have an identification of potential options. And these options were discussed just as we approached the potential option in relation to two-letter codes amongst the group in a community poll if we can scroll down just to see those options.

Excellent. And we see an explanation here. There was a list of options and you see an explanation as to how the community or let's say what feedback we got in relation to each of those various options. What we need to do is this information and the way that it sits in the report we owe all of our thanks to Emily and (Yoka) and (Steve) and Bart for shepherding this document through to this period. It's up to us as a working group to go back and review this section and be sure that we agree with the way that the information is set out, be sure that there's nothing missing, be sure that this accurately captures our discussion. This isn't of course necessarily an easy task because it's taken us some time to have this discussion but please review Section 5.2 in particular.

And what I would propose in terms of next steps is that we have this poll on our recommendations as we've just discussed and we review Section 5.2 and we do that in time for our next meeting. And then we have one more meeting after that to confirm that package as a whole. We'll take on board any comments that are made in the context of the discussion in our next meeting and we'll see what the results of our poll turn out to be.

We'll finalize our document with a view towards having a call before the holidays get underway, well before the holidays get underway. And then to

the extent that we're able to sign off on this initial report it will go out to public comment before the 31st of December. Does that sound like a plan? I see lots of nodding, wonderful. Nigel please.

Nigel Cassimire: Yes it sounds like a plan. The - Nigel Cassimire. The Interim Report, the recent emails I've received with the latest versions have had a PDF version of the Interim Report attached to it. I think it would facilitate feedback if we have a what, a different version, you know, one that you can make some changes on right?

So if we - I - looking back at my folder here it seems like I have a version dated like the 16th of September or I received the 16th of September anyway which is a Word version which is adjustable as the case may be. I don't know if it's changed since then or what.

Man: So just to be on the safe side so at the end of this meeting we'll send out both the PDF and the Word version so people - but because people have a - some people have a preference for just PDF and some for others so we'll do both.

Heather Forrest: Thank you Nigel for that helpful comment. So then that confirms just to revisit that what we will do is we will circulate this document in a format MS Word that can be commented upon as opposed to just PDF. We'll do that very soon. And we will also send out a poll that summarizes at the end of this document. You'll notice it will still be in optional language because we won't be at the point of finalizing it.

We'll send out a poll with the four options support, not support, support in a different version of Recommendation 2 and ambivalent. And that will then be the topic of our discussion. Those two things will be the topic of our discussion for our next meeting.

I want to raise the question in relation to the substance on this which is to say that I feel a bit interested about our recommendations as I look at this

document, the final document. And I wonder if there are others that share my feeling in the back of my head. Some of the discussions that we had in relation to two letter codes I made comments thinking that we would get to three letter codes and names. And I wonder if perhaps some of our conclusions in relation to two letter codes were made on the assumption of further discussions in relation to three letter codes or names.

If anyone feels that they're as they review the document that they're - the conclusions on two letter codes are somehow altered by the discussion that we've had in relation to three letter codes. I think that that discussion needs to happen. I suppose what I'm saying is we've been at this work for so very long and two letter codes is quite a while ago. We did provisionally agree on those things.

But please go back and review. Please don't just spend your time on Section 5.2. Go back and look at the conclusions on two letter codes and make sure that it conforms with your understand of where we are. So I encourage you it is a lengthy document but I encourage you to read the whole thing.

I see nodding which is a wonderful thing. And I think we're all just so relieved to reach this point. I'm - I'll open the floor. Any comments to start with my co-chairs, any concerns, comments, questions? No? Silence is golden.

Man:

I just want to thank everybody. I mean at some points we didn't have this level of participation. And I must say over the last few months the interest has grown. The participation has grown in the calls. And as Heather said it took a great deal of drafting capacity of the staff to produce these documents. It's very unhandily to have two documents. We're very proud of the historic report as Heather said and we had to separate it from the Progress Report. So it's kind of difficult so don't feel afraid to ask in the mailing list what exactly we have in front of us because it's really not the traditional process. And we will be glad to answer and discuss it as many times as possible until we get to this target that Heather has just presented.

Heather Forrest: Bart yes please?

Bart Boswinkle: What people - so most of you will probably not have read the Interim Report because it's not public. But once it's public please go through the especially to the background section and XD. And the background section and I'm - is very interesting. So that's Section 1 because it - I think it's the first time it's explained how the ISO 3166 maintenance agency works and the different categories of assignments under the ISO 3166. So that's background information.

So because there are a lot of wild stories about the maintenance agency and the different types of assignments, et cetera, on the ISO 3166. So even for that purpose this document is very relevant. Thank you.

Heather Forrest: Thank you Bart. Yes please?

Woman: Thank you. My name is (Mary) for the record, (Mary Rotoma). And it remind me just a question of clarification. Well the process that is being followed here or the work that is being done in this working group as again what did the domain division?

Woman: GDD.

Woman ...GDD is doing or their program of releasing two letter codes to the new gTLD? Has it any resemblance, any coloration, any effect? And even though we've got (unintelligible) also if the - have an effect on what the GDD is doing because we are - we (unintelligible) Africa. At the African level we don't see the understanding. Please if anybody can give us clarification on this I will be happy. Thanks.

Heather Forrest: (Mary) thank you. This is Heather Forrest. And indeed you've identified one of the other things that's happening in the ICANN environment that makes us



nervous about continuing. So our groups deals only with the top level. And those discussions that you're describing are only at the second level at this point. So we don't have any - and the impact of this report there is no intended impact of this report which deals only with the top level on any discussions happening around the third level.

In any event we're not making any substantive recommendations here so there's really nothing substantive to be acted upon by GDD not to mention the fact that there's nothing here that has the authority to instruct staff to do anything. So hopefully that puts your concerns aside. Maxim?

Maxim Alzoba: Here is something called policy versus implementation because what we do here is policy like, yes the ideas. And what they do yes they call it implementation. Somehow it's not - it's shown to be not very pleasant but yes we have no direct connection. It's how they see it fit, not necessary like consult in the community. It's one of the pains we suffer. Thanks.

Woman: It's a simple question.

Heather Forrest: Yes?

Woman: I was just asked simple question. Perhaps I missed that in the - this in the discussion. Since yesterday I was asking about this effort since I participated in the survey about the (city) character or (city) idea was wondering if it was (spreaded) into the mailing list of the CNSO. I didn't see it. And how we can join the working groups though this working group is still possible.

Man: Yesterday I didn't respond to you. Say the survey is include - the results of the survey are included in the interim report. That's one. The conclusions of the working group itself are based on the results of the survey. So they're summarized in the Interim Report as well and it is one of the probably maybe one of our defects as staff and maybe as the working group itself that we never got back to those people who were so kind to respond to the survey.

But the results and everything else are included in the Interim Report and that's already public anyway to the draft.

Heather Forrest: Thank Bart and Carlos has just made a very (pressient) comment that I won't take credit for which is I think one of the pieces of feedback that we've received with our surveys recently is that a very brief covering note or paragraph to explain the purpose of this survey would be helpful just so those who receive the survey understand why and what it is that they're receiving. I'd like to pick up on a comment made by Bart and close us off with that perhaps which is that one of the points that I tried to emphasize in the new gTLD program review session that happened immediately prior to this one was to say please don't interpret the facts that this group has been unable to reach conclusions as a failure.

And I think one of our jobs as a community here as members of this CWG is to communicate that we have in fact achieved an objective that wasn't necessarily - we weren't necessarily tasked with. I supposed we were tasked with identifying the status quo, you know, what has happened till now. And the appendix of this document really tells the story and it tells a very complex story. It tells a story that has involved the input of experts. It tells a story that really others in the community haven't dared to tell because it is so complex and so detailed.

And this in and of itself I think we should all feel very proud of having contributed to that effort of finally recording some discussions here that are difficult and having the courage to do so and the courage and the patience and the willingness to put in the time. So I think as with all things but part of the way that the community will receive our work depends on how we pitch it to the community. And if we pitch this as a success I hope that it will then receive positive treatment in the broader community. So it falls upon us to pitch this as a very solid piece of work, thank you. I have a...

(Vicki Lange): Thank you Heather. (Vicki Lange) here. I agree with you that it's been done quite some work. And I would exclusively want to thank (Jeff) for the background he has given us. A lot of us even if we've been here for a long time we didn't know that much before we started this work.

And another thing, another reflection is that when we have the first working groups face to face in this work it - we have ten people in the room at most. And this discussion has invoked some interest from a lot of people from a lot of the - of stakeholder groups and also caused some reflection that we didn't have before. And we have discovered that we have to work together on this. It's more than a GNSO thing. And it has brought the communities closer together. So this is a good thing. And we have - even if we don't end up with a concrete result we will go on discussing so I also want to thank Heather for leading, chairing this meeting and have a nice afternoon.

Heather Forrest: Thank you everyone.

END