COPENHAGEN – Joint Meeting: GAC and ccNSO
Tuesday, March 14, 2017 – 11:00 to 12:00 CET
ICANN58 | Copenhagen, Denmark

CHAIR SCHNEIDER: Hello, everybody. Please take your seats. We will start in a few seconds. Thank you.

May I also ask the vice chairs to come back to the table, if there's enough space. Well, whatever.

So please sit down. Okay. So you see the proposed agenda on the screen, but let me quickly give the floor to our colleagues from the ccNSO to quickly present themselves as not everybody may not all of them because we have some new people here. Thank you.

So, Katrina, please go ahead.

KATRINA SATAKI: Thank you very much, Thomas. My name is Katrina Sataki. I'm the chair of the ccNSO, and it's always a pleasure to be among governments, so thank you for having us here for this update.

We have a list of updates and probably I will introduce my colleagues as we proceed with the items on our agenda for today.

So the first agenda topic that we would like to update you on the ccNSO policy development process. Last time in Hyderabad, we gave you an update, and we prepared you for the PDP, policy development process, that is coming, and now I would love to give the floor to my colleague, ccNSO Councillor Nigel Roberts, who is leading the effort.

NIGEL ROBERTS: Thank you, Katrina. I'll be relatively brief and just give a little bit of an overview of what we're doing. As Katrina said we have actually got substantive policy development process effort about to start, and its relation to retirement of Country Code Top Level Domains and review of ICANN, stroke, IANA actions that they may make with respect to the delegation, redelegation, and eventual retirement of ccTLDs. Obviously if we're going to talk about review of retirement, we need to have the policy on retirement pretty much under way, too. So that -- that's the final part of that jigsaw puzzle.

The background to this is with the assistance, welcome assistance of the GAC over a period of six, maybe seven years, we did an exercise on delegation and redelegation, and then the production of a Framework of Interpretation which successfully concluded about a year ago.

During there were this process there were two holes or (indiscernible) identified which couldn't be dealt with by simple interpretation of existing binding policy. In other words, RFC 1591. No matter how creative you wanted to try to interpret this, the policy just simply did not have any substantive guidance on these two areas.

Retirement, I presume, when the RFC 1591 was first brought, nobody thought about retiring. It was all about creating new ccTLDs. And review mechanism or appeals is referred to in passing, but nothing was ever substantively done. And as history has shown, the lack of this has perhaps been a lack that we should have addressed.

So we created a working group to produce a charter to do this, which will be presented to the ccNSO Council, and council will be asked to formally start the PDP. And I'm going to hand over to Bart Boswinkel now who is going to give some more detail on this.

BART BOSWINKEL: Thank you, Nigel. Julia, can you put up the slides, please, because that makes it easier for you to understand what we are talking about. If not, I'll continue.

So as the process around the ccNSO PDP started in January this year with effectively three questions from the ccNSO Council, where the first one is the obvious one, whether or not the ccNSO Council should initiate a ccPDP to develop policies on the review mechanism and retirement, as Nigel already alluded to.

The second question was, and I'll go in a little bit more detail around this one, is should it be one or two PDPs? Because in a way, these two topics, the review and retirement, are interdependent. At the same time, you could argue they should be done separately.

And the third one, and this is, again, a usual question for a PDP, should this be done in the format of a task force or a working group or other mechanism. And both, and this is relevant for the GAC and I'll allude to it at the end of the presentation. In both there is a formal role envisioned for the GAC process during the process. So whether it's a task force or it's a working group, but it's different. So I'll come to that in a minute.

Slides are coming up. This is what I -- Next slide, please.

So the review mechanism included, and you can look at it at your leisure. This is just the context, provides background information of where there is talk about a potential review mechanism. So that is in RFC 1591, the Framework of Interpretation itself and in the ICANN bylaws. But in the ICANN

bylaws it's more in the negative that say it is excluded from the IPR.

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As Nigel already alluded to, one of the -- said there was a drafting team that focused on the charters, and also -- and one of the reasons for starting these chartering teams was to get more a handle on the topics that need to be addressed in the -- in the two as -- or in the two topics. So first a review mechanism. Again, I will not go into details. You can read them at your leisure, but you can say they will be on the review of the scope mechanism, who has standing in the review mechanism.

Next slide, please. The grounds for going to the review mechanism, and rules and structure of the review mechanism itself. Again, these are just the usual questions.

And then on retirement, the same structure. The drafting team discussed potential background.

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This was already done some time ago and the drafting team reconfirmed it, said there was what is called the delegation/redelegation working group which ended its work in 2011. They produced a report on the retirement of ccTLDs, and now it's time to pick it up again.

And next slide, please.

And again, these are the high-level issues for the -- in the retirement discussion. The consistency of terminology, what triggers a retirement. And, again, you can read at your leisure.

One thing to keep in the back of your mind, if the policy is developed, it's not only applicable or could be applicable to ASCII ccTLDs but also to IDN ccTLDs as per overall policy IDN and ASCII ccTLDs are considered equal.

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So now the PDP matters, maybe again recall the three questions that were asked.

So the first recommendation of the issue manager will be based on the overview of issues and threshold criteria, and taking into account General Counsel's opinion, because that's a requirement under the PDP rules as well, that the council is -- advised, recommended to develop a ccNSO policy development process to develop policies for both review mechanism and the retirement of ccTLDs.

Next slide, please.

And then the question is, as you will recall, whether we should launch or the council should launch one or two PDPs. And

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again, there are some assumptions. Based on previous discussions, the CC community wanted to have a review mechanism on the decision to delegation, revocation, transfer and retirement first, but as I -- Nigel alluded to, effectively they're a bit interdependent because there is no policy on retirement. So if there are decisions, that needs to be included at one point in the review mechanism policy. So there is a bit of a chicken-and-egg question.

So a second assumption is that the pool of volunteers for both streams will be rather limited, meaning effectively that a lot of people will want to participate in both streams, and you can't do it all at the same time and all at once.

So next slide, please.

So again, some consideration. There is more flexibility to align review mechanisms once -- with one PDP once you have the recommended policy in place for retirement. Effectively that means you can revisit it easier under one PDP than finishing up one PDP, starting another PDP, and then being obliged to revisit the first one after you've closed it.

So, again, that's a strong argument for one PDP. So I will not keep you in any more suspense.

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This was coming. So the recommendation to the council will be that to initiate one PDP. Start with the review mechanism first until the point that there is a rather stable advice for -- around the decisions pertaining to delegations, transfer and revocation. Then kick off the retirement, and then revisit -- that the working group revisits the review mechanism again.

So next slide, please.

So the final question, if you recall, was whether to use the task force mechanism or a working group mechanism. Now, the reason why this is important or relevant for the council, it's more administrative. If you look at the bylaws or at the Annex B, it assumes that a task force will be formed. However, experience or nonexperience with task force has known that is a very cumbersome process, and until now, the ccTLD has -- or the ccNSO has a lot of experience with working groups. So initiating task forces for the first times in such a complex process would have been a little bit too much, is the idea. So the advice -- next slide, please. The advice will be to appoint a -- two working groups, one on the review mechanism and one on the retirement of ccTLDs.

The charters are included -- the draft charters are included in the issue report. So if council agrees, the ccNSO Council agrees,

then these charters become effective, and then say the PDP will run through working groups.

Next slide, please.

There is no next slide?

Let me check. There should be. Oh, yeah.

There you see next steps.

So next steps is the council initiation. That's curing this meeting. The public -- The issue report is already online on the ccNSO website, but it will be published to seek public comment. And the interesting part of it, the results of that public comment process will feed into the work of the working group. It will not, say, change the issue report itself, but any comments made on the -- on the issue report through that public comment will feed into the work of both working groups. They will set -- They will also form the scope of the discussion.

After the council has adopted the charters, there will be a call for volunteers.

The ccTLD managers' interest will be appointed by the ccNSO Council. And if you would look at the charters, the ccNSO will invite other SOs and ACs -- in particular, the GAC, SSAC, ALAC, and GNSO -- whether or not they want to send for participants.

So you can send an invite for participants and this is not to represent the GAC. This is to do it in order to keep informed and that we -- this -- the working group can be informed by, say, the sense of some of the members of the GAC. So this is definitely not to represent the GAC on the working group. It is just you share some -- the individuals will be asked to share some of the insights on what is going on, what might be relevant from a GAC perspective.

But so -- And then finally -- and again, this is important for the GAC, as such -- the GAC will be asked for its opinion or advise on the issue report. So that will come shortly after this one. At the end of the process, they will be asked again. This is inherent in the -- in the -- or this is explicit mentioned in the rules.

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Just a very high-level timeframe. You can't see it; you can't read it. Again, this is for your leisure. As could be expected, this ccNSO time. So at its fastest, the expectation is that it will be done in January 2019. So it's not too bad. But this is rather optimistic, I can tell you. But this is -- And one of the reasons it takes so long, there are several moments of public consultation included. There is a voting mechanism included for the ccNSO members, which can take four months. If you deduct this, then the active duration of working group members is a lot shorter.

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Some references, background material.

Next slide.

Any questions?

NIGEL ROBERTS: Thank you, Bart.

Any questions?

EGYPT: So it's not a vital question but for my own info, what's the difference between forming a task force and a working group?

BART BOSWINKEL: The task force is defined in the Annex B, and it precisely describes who has to do what and they focus on one topic and who needs to be involved. They're mostly external experts, et cetera. The working group is just your ordinary working group. And it's a flexible mechanism. That's why it has been used from day one. It's a little bit, say -- the practice will be a little bit like under the IDN PDP. That was with working groups as well. Two working groups, effectively.

Go ahead.

Iran just complement to what you said. Task force is called in French (non-English word or phrase) d'action, some where you want to move quicker and more fast reply rather than working group which takes many, many months or sometimes years.

Thank you.

UNITED KINGDOM: Thank you. I've got the floor. Mark Carvell, United Kingdom.

I was just going to ask very quickly, forgive my ignorance, but does retirement have any impact on reserved country codes? I'm thinking in particular of .GB which still exists but it's reserved it doesn't take registrations.

Should I be -- I mean, I look forward to reading the issue paper, but it would be just useful to have a sort of marker for me in respect of current nonactive country codes, if that's the right description to make.

Thanks.

NIGEL ROBERTS: Thank you, Mark. I think there's a distinction to be made between reserved country codes which exist on the ISO and have never been delegated on the Internet and the example you use

of .GB, which is a real country code. It exists. It may have been de-deprecated, it may not be in active use, but it exists.

So retirement is intended to cover country codes which exist as far as ICANN IANA and, before that, Jon Postel IANA, right back to the very beginning.

So potentially if -- And this is part of the substantive discussion we're going to have, and I hope perhaps you might even yourself want to contribute to this for that very reason. We want to make sure we do cover all the edge cases.

BART BOSWINKEL: May I add a little bit? If you were to look into the issue paper and some of the underlying documentation, especially to the form -- say the delegations/redelegations report, you will see that the terminology that has been used is not consistent. And this is one of the issues that has been brought up as -- as to be addressed by the working group; to work on a consistency of terminology. Because your question already indicates, yeah, we could call it whether it's retirement, undelegation, whatever.

But so that's one of the topics to be addressed by the working group to start working on a consistency of terminology.

KATRINA SATAKI: European Commission.

EUROPEAN COMMISSION: Thank you very much, and thank you for coming to meet us. I just have to read, because we've been told we're not allowed to use acronyms anymore, so I have to read the whole name here. I'm just wondering, and perhaps it's not the right point now but perhaps later, but I'll raise it now. I just wondered if you could bring us up-to-date on the outcome and next steps of the ccNSO extended process, similarity review panel which is sometimes known as EPSRP working group, which you have been doing a lot of work on and the GAC had a comment on that.

If you want to raise it at the next point, that's fine with me but I just wanted to put that on the table at some point.

Thank you.

KATRINA SATAKI: Thank you very much, European Commission. The report has been submitted to the board, and currently this is not on our agenda for today. So I would rather defer it to the next meeting.

Thank you.

Next time -- next question from Pakistan.

PAKISTAN: Thank you. My question is that you will initiate the ccPDP process in 2017 and it is expected to be completed in 2019. What is your approach to approach the communities, particularly the communities in underserved countries? What are your main planning, particular the planning about the feedback of the existing operation of the ccTLDs, particularly from the communities' point of view?

Thank you.

NIGEL ROBERTS: Well, this doesn't really fit into the work of my particular working group at this point in time. It's obviously a very important point. Maybe if you could send us an email on this one, and we can see if we can -- we can actually feed that into the work.

Katrina, have you got any comment?

BART BOSWINKEL: An in addition is say we are very -- or the ccNSO is very well aware that there are ccTLD and other members who are not participating in the ccNSO. That's one of the reasons if you would look, but you haven't seen it, in the charter. There's an explicit reference to the regional organizations to reach out to ccTLDs and -- in the region. And that's an avenue to approach it.

And of course as -- as we just hinted upon, there will be quite a lot of opportunities for broader communities and other stakeholders to provide input to the working groups because at least each of the working groups will have two public comment periods of 40 to 60 days, and they will give their activities around ICANN meetings.

KATRINA SATAKI: Okay. Thank you. And with that we'll move to the next agenda item. It's an update from the Cross-Community Working Group on the use of country and territory names. And I will ask Annebeth Lange from .NO who is our co-chair of this Cross-Community Working Group to give us the update.

Annebeth.

ANNEBETH LANGE: Thank you.

Will there be slides here or....

Doesn't seem like it. Okay. Then I will just talk you through.

Hello. I'm Annebeth Lange from .NO, as Katrina said, and I have been the co-chair of Cross-Community Working Group for the treatment of first level top-level domains, not second level, first

level use of country and territory names in the next round of gTLDs.

So as you all know, and the Applicant Guidebook has these rules already that we were quite satisfied with, and that GAC worked to get. But this question now is what happens in the next round.

It's not all of our community that was satisfied with the solution we chose in the last round, so the discussion is up again in this Cross-Community Working Group. And I have been here before on meetings to present this for you.

What we have been dealing with in this working group and what was our mandate was was the codes and names based on ISO3166 only, nothing else. And what we should do was to review the existing policies and assess if it was possible to find a common framework that all stakeholder groups could agree on in the way forward.

It should not be PDP. It should be a Cross-Community Working Group. And the goal was to reach a solution and give advice that could be included in a later PDP.

We have had teleconferences weekly and face-to-face meetings, but this takes time. And next slide, please. And what happens now is that this interim paper that is out for comments, the deadline is 21st of April, includes a lot of observations and

conclusions and tentative recommendations. It gives a good overview of country and territory names over time, both what happened before RFC 1591 and after, the evolution of proposed use as new gTLDs.

I would also recommend to read the overview of assigning method of ISO3166. For those of you who are not familiar with it, it will give quite a good insight in why ISO3166 is used the way it is.

So now the short summary of what happened in this group is that we reach a preliminary result for two-letter codes. And all the stakeholder groups -- the GNSO, ALAC, SSAC, we -- ended up with a preliminary agreement that all two-letter combination of letters, both those on the ISO list and all the others, should be reserved for countries. So if there will be new countries in the future, they will have a two-letter code that will be assigned to them.

When it comes to three-letter codes, that was much more problematic, and there's many reasons for that. As you know, that three-letter codes, historically they have been the gTLDs, and it's already in some of those, some gTLDs that we have like .COM that's on that list. But we have to -- still have to consider should we use the rest of them for gTLDs or should they be

reserved just like the two-letter codes and the country and territory names as a whole?

Next slide, please.

I think I'll go through this very quickly. You can read that afterwards. So if you go to -- go on. This is about the two-letter strings that I have explained.

Next.

And this is the divergence that we had and all the different views that came up when we discussed the three-letter codes.

And it's impossible to see where we should do that because it's so divergent views from the one end that we should use it as country codes with the same rules that country codes have today. Very difficult to do that. And then it was to have it as a part -- discuss it in a part of a subsequent procedures in the GNSO. And the GAC, you have your working group on geographic names that's goes further than we discuss in our group. So it's a lot of things going on. It's parallel efforts, uncoordinated. And we have already talked about that in this meeting, to try to find a way forward to discuss more coordinated in the future.

So when we come to the recommendations, we are not giving recommendations on the material content, what to do, except for that two-letter codes that we are quite clear on.

What we have arguing recommendations on is what to do with the discussion in the future to try to reach a result. It is -- has been recommended that we should close the Cross-Community Working Group with the mandate that it has today. It's not far enough. We can't reach a result. But we should continue to work in the area, but in another format.

So if we could consolidate all efforts in one effort, that could be good, but the problem now is that the GNSO's PDP, they consider that all new gTLDs should be -- that's their domain. But as for geographical names and perhaps especially country and territory names, it's very important for you, it's very important for us, so they have a different standing. So we can't just leave everything to the GNSO. We have to be engaged.

Next, please.

So now we are awaiting the public comment, and we will provide updated recommendations to both councils.

What -- It is anticipated at ICANN 59, but as you know, it has been planned, Webinar on 25th of April to discuss geographical names as a whole, and a planned face-to-face meeting in

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Johannesburg, big meetings where we can all discuss these things together.

So until we -- So what should we do now until we can agree on some way to deal with the country and territory names? CCs have one solution, the GNSO has another solution, and perhaps in the end, the GAC has its own.

So we wait and see now. And my advice would be just to read the report, try to give input, and engage as much as possible. It's important for all of us.

Next please. That is all.

Next, please.

That's what I said. Do not hesitate to ask Bart or me, if you need any clarification, and thanks for listening. Thank you, Annebeth.

ARGENTINA: Good morning. This is Olga Cavalli from Argentina. Thank you for visiting us. Thank you, Annebeth, for this very important document. We have talked several times about it.

Just a comment. It's a working group that, as you very rightly said at the beginning of your presentation, is related with the names that are in this list. 3166. We have had several times this

idea that we should do the same work -- merge our work with this Cross-Community Working Group.

I'm referring the GAC working group on protection of geographic names and new gTLDs. I would like to stress the fact that our internal working group focused analyzing what happens with names that are not in any lists. So those names that were outside list, not in the Applicant Guidebook that after the first round we realized that there were some conflicts. And this is an outcome about what happens with names that are in lists. I would like to make that clarification. I'm very much looking forward to the webinar and the cross-community dialogue in Johannesburg. Thank you very much. And thank you for the report. Iran.

IRAN: Yes. If I understood you correctly, it is mentioned that the use of the three-letter codes either for countries in the future or for the gTLD is still under discussions.

I saw somebody in the corridor who says that now he has a registry and then using three-letter codes of a particular country that I don't want to name. Dot three letters.

So how it has happened? Is it possible that to put everything on hold until we have a solution or we implicitly allow to not use, then we are faced with a fait accompli. Thank you.

ANNEBETH LANGE: As far as I know, those names on the list, on the ISO list, those three-letter combinations are not allowed in this round. But other three-letter combinations that are not on the list, they were open for registration on the last round. And I have been before as well.

So that was the solution in the first Applicant Guidebook that we should put things on hold for these names until we have found a solution.

And we even had a recommendation in the study group that where, before the working group that we should send -- that ccNSO should send a letter to the ICANN board to ask them to not open up for this until we have found a harmonious framework and that we can agree on how to work this.

It will be complicated for the three-letter codes to be used for countries. Because the cc, the two-letter codes, they have the very national rules and -- have national law. It's very different from country to country. And then, if we have a three-letter codes as a gTLD for the same country, then it will be really

confusing also for the users. They have other rules, if you sign up as a gTLD under ICANN.

So we have to figure out how to do this before we open up. And I am afraid it will be -- open up Pandora's box and a lot of political problems if we do it without thinking very well what we are doing. Thank you.

KATRINA SATAKI: Thank you, United States.

UNITED STATES: Thank you. The issue of dealing with three-letter codes -- and, as Olga just mentioned, we also are facing the issue in the GAC of having to deal with geographic names that are not on a list as well. But I think the point you made in your presentation, which is the GNSO has a solution, the ccNSO has a solution, and perhaps the GAC will have a solution, applies in both cases. So I'm curious to know if you have an opinion or if there's activities already underway within the ccNSO to try and figure out a way that we don't find ourselves in this situation where we have three separate solutions as opposed to working together on a single solution.

So I just wondered if you had any thoughts or comments on that.

ANNEBETH LANGE: Thank you for the question. As Olga said, what you have been mostly dealing with are those names out of the list. Those on the ISO 3166 list are actually the easiest things, even if it's different opinions. Because on the G side they want to open it up and have it and earn money on these things. It might be trademarks out there that want it and other reasons.

And I can understand that. But for us, that is a very bad solution.

So -- and that's why we didn't end up with a harmonized framework in our group. It should be easier since it is a list, but it's not. And it might be worse when it's not a list. We have a lot of work to do. I think we should work together all the time even if it's different groups. Because don't want the situation that -- was it last time? -- that many important discussions came up after the first result from the GNSO was presented. We don't want that.

So -- and my feeling working with the against now is that they are much more open for input from both us and you.

And I think we should manage to come to an agreement together.

Thank you.

KATRINA SATAKI: Thank you, Tepua.

COOK ISLANDS: Thank you, Katrina. Tepua Hunter from Cook Islands.

I don't have a question, but I have a statement to make. The GAC underserved region is tasked to be the reference point for any ccTLD issues that land with the GAC. We have agreed to take this on, this role on, and have since met with yourselves and also with IANA to inform them of you and IANA of their role and also to seek cooperation between ourselves to assist us in putting together a summarized version of information to pass on to any country with ccTLD issues.

This will be in the form for now of a frequently asked questions on ccTLD and a possible two-page summary. Because we all know that the Web site is full of information that countries will get lost in.

Also, as you know, this is the point to where GAC can get involved. Any further undertakings will have to be at the country level. So we, the underserved regions working group, seek your support and cooperation to assist us in our efforts. Thank you.

KATRINA SATAKI: Thank you very much. And we really appreciate that you invite us on board and seek our comments, because we really are eager to contribute to this frequently asked questions list. And so, again, thank you and looking forward to this cooperation. Thomas.

CHAIR SCHNEIDER: Thank you. Just a quick additional information and also to our ccNSO representatives here. This is, in particular, relevant for the question of delegation and redelegation that we'll discuss later. There are a number of countries that have issues with this and that seek the GAC for support in the way to improve or modify their relationship with the ccTLDs. So this is why we try to channel this and give them support through the Underserved Regions Working Group. So, as Tepua mentioned, the key issue here is on particular questions on delegation and redelegations that a number of countries from developing regions, but not only, struggle with. So this is just to let you know where this comes from. Thank you.

KATRINA SATAKI: Now we're going back to the cue, questions to Annebeth. Palestine.

PALESTINE: Thank you. You talked about the delegation. If you mean about the delegation, who is going to -- you have talked about the delegation. If you mean about the who is going to manage the ccTLD for any country, I am aware that there is a lot of problems about managing the ccTLD while -- when the government or the authority might misuse or might -- I heard a story that some people from specific countries, they consider that it is a profit project. And the government has nothing to do with that. In the future, what do you think -- what is your vision to solve this problem about managing these ccTLDs by the governments and by other countries? Thank you.

KATRINA SATAKI: Thank you. This was meant to be one of our discussions today, but Tepua already highlighted our discussion. Apparently, this is something that you should feed into this document that we're talking about. Something that would help governments explain to those people, especially outside ICANN community, what all these terms mean, what it -- what a significantly interested party is and that the government is one of the significantly interested parties that should take part in the process.

So Annebeth -- or the country code, the cross-community working group on use of country and territory names does not deal with these issues.

So, going back to the list, to the line.

So we have Switzerland.

SWITZERLAND: Hello. And good morning. Happy to see you here and to have this discussion with you.

On the interim report, if I got it right, of the CWG, the CTN, I would first have one question. And this is whether you managed at any point of time to talk to us about full names, be it short names or official names of country and territories.

And the second thing is that I don't remember from going through the report or previous versions of the report, that there was too much investigation into the positions and the ccNSO and the GAC held when the first round of 2012 was being developed.

For instance, there's longstanding advice from the GAC in the new gTLD principles of 2007 -- and it's similar also in the ccTLD principles of 2005, that country and territory names should be avoided. So -- and further, there was a communique from the GAC in Nairobi where, seemingly, it was implied that such country and territory names or their abbreviations should be handled as ccTLDs or as something similar to ccTLDs.

And I think there's also exchanges from the same time between the then chair of the ccNSO with ICANN board making very similar positions or expressing very similar positions.

So my question would be has this been really taken into account? Because at least for the GAC, as was recalled a couple of days ago, as long as an advice has not changed, it is standing advice.

And what is the position of the ccNSO nowadays on these questions? Does the ccNSO stand by the opinions expressed when the first round was being developed? And, apart from a question of going through the ccNSO or the GNSO for such country and territory names, I guess that underlying it is a more fundamental question, which is, if these TLDs are more similar to what were generic top-level domains or whether they are more similar to country codes top-level domains.

And that is linked, of course, with the question whether the more contractual legal framework established by ICANN should apply, which is the case for gTLDs, or whether we are really talking about something which is for the local community, for the country and the territory concerned to regulate.

And so these are very fundamental questions. And I'm afraid that in the interim report, I don't see a discussion about them. But more very difficult to understand this position between what

is the exact formulation of the recommendation three, I think, A, B, or C. And for some -- for people outside of that discussion, it's really hard to understand what's behind that.

But the fundamental questions which should be fleshed out are really hard to find in that long report.

ANNEBETH LANGE: Thank you, Jorge. That was a lot of questions at the same time, but I'll try to go through them.

As for country and territory names, short and long names, no, we didn't come to that. We stopped after that three-letter codes. But, when we had all these problems, we thought it was about time to find another way to go forward.

And I agree completely with you that all the input for the GAC through -- we can start with the new GAC principles in 2005 for new gTLDs. Already at that stage, the GAC stated that they should be careful about country and territory names. It's been repeated several times in GAC advice and several discussions.

So my feeling is that the GAC, so far at least, are quite clear on this. And, mostly, the ccNSO are also standing by the principle that was discussed and ended up in the Applicant Guidebook.

But, since it is a GNSO process starting new gTLDs, we have to have a discussion with them. And we are in minority in these discussions. It's very strong opposition about protection. And the arguments also that's used is the legal rights of country and territory names. As we all know, they don't have a legal protection, actually. They don't.

And then it's really easy for some lawyers then to put it up against legal rights for trademarks, for example.

And my personal view is that this is not only about law. It's a lot of politics here. And, in the end, it's ICANN going into a private contract with those applicants for a TLD.

And ICANN can decide that they want to protect some names and keep it out of the application process.

For -- when it's advised to do something and create and delay the process and create political problems by doing it, it's other arguments and only the legal arguments in this discussion.

As for the report, I agree with you. It's very difficult to read. For the recommendations, the alternatives, the 1, 2, 3, that's exactly how difficult it was to get common position on anything. This, actually -- what it's saying in the options there is should it all be under a GNSO PDP? Should it be established a new PDP that perhaps under ccNSO? Or should it be a new Cross-Community

Working Group with an extended mandate and, hopefully, also more people from GAC engaging in it? At least to reiterate the advice that you have had before, the easiest thing at this stage would be to stay status quo. We've reached a good compromise, even if the governments didn't get as much as they wanted at the last Applicant Guidebook. It's a good starting point.

KATRINA SATAKI: Thank you Annebeth. Sorry. We're running out of time. We have to run to our next session. I still have a few people in line wanting to ask questions to Annebeth. May I ask you to keep your questions brief and easy to answer? Thank you. The Netherlands.

NETHERLANDS: Yes. Thank you very much, Katrina.

I'm a little bit struck about the fact that talking about three-letter codes we only see negative things. Problems, political, between factions.

What strikes me is the fact that, although we have had some discussions in the past, I think ICANN is evolving. We have seen new type publications.

What we see, for example, is that there are countries who are better known by its three-letter codes.

And, basically, my question would be why should you -- why shouldn't you be able to grant these countries, with the consent of the Internet community, including governments, why should they not have these codes? That's another way of looking. You have to look -- okay. If this is something they want, what should be the guarantees or warranties? We're now looking at the complete other way of starting the debate. We say oh, it's difficult or we don't agree. You should, I think, or we should just turn around the discussion. Thank you.

ANNEBETH LANGE: I keep it short, Thomas. That is absolutely being discussed. The way we can do it is the same as capitals, that non-objection or support from the government if you want it. That's absolutely on the table. I agree.

KATRINA SATAKI: Thank you. Thomas.

CHAIR SCHNEIDER: Thank you. I think we should wrap up with Iran who has requested for the floor. I will give you the floor right away. Just a few comments on this.

We have concrete examples of countries who would like to use their three-letter codes. And we have advice from one of the last meetings that says the same as Annebeth has said that, until we agree what to do with them, we don't change it, but we are thinking about it.

One remark, in addition to what Switzerland has said, the representatives of the geoTLD group that came to us earlier this week also outlined that they don't see them as normal generics but rather closer to something like a geographical TLD. And, of course, a geographical boundaries are normally also political boundaries. This is why maybe we should rethink how in the future we deal with this. And that also goes to the question of rights. In some countries you have legal rights on these names. In others you may not have. But that is not fundamentally different with a trademark system that is actually also divided into national systems that may differ, to some extent.

And maybe -- and I'll close with this. I think you're right that this is not necessarily something that is of pure interest and should be led only by the GNSO. So what we may think about is ending this Cross-Community Working Group and starting another

Cross-Community Working Group on geographic. And, if you want to add names of public interest in general for the future, this is something that you may want to think about where we all are in as equals in a discussion because this is not something limited to the GNSO. I'll stop here. And I think Iran is next. And then we need to more or less wrap up. Thank you.

IRAN: Thank you. In the matter of time, we have mentioned several -- it is our view, not the view of others. We don't tell me this is your views. The only way is the mutual collaboration having one single group of three parties. Three partite. And I don't understand minority and majority. Everything in this house is under the dominations of the GNSO.

Because they are the bulk of the whole thing. When you open your mouth, you have tons of lawyers attack you. That doesn't mean that I don't stop. We express our views and try to convince people. One of the suggestions would be three partite working together and come to agreement without minority and majority. At the end we have to work together. Thank you.

KATRINA SATAKI: Thank you very much.   And speaking of lawyers attacking people, here we're coming to the next agenda item.   And we have two minutes for two items. So one minute per item.

Yes. And we wanted to raise the issue of how do you implement bylaws? Because for us it has been a challenge. We're working on implementation part. And one of the biggest challenges is to read and understand the bylaws. I understand it might not be a problem for governments. You're used to reading -- you're used to reading and interpreting such documents.   For us it is a challenge. And for that I would like to give the floor to Steve for more.

STEPHEN DEERHAKE: Good afternoon. Stephen Deerhake from American Samoa. I'll give you a really brief update on the work we're doing with regards to changing our operational procedures to handle the requirements in particularly Annex D to fulfill our responsibilities as part of the enhanced community, empowered community.

We're working on changing -- producing guidelines and looking at existing procedures with respect to how we will handle, as a supporting organization, approval requests and petition -- rejection petition issues. Because both of these are coming up rather soon with this community.

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The Board is planning to make a fundamental bylaw change shortly that will trigger a public forum held by the ECA, which I'm the ccNSO's member, at the Johannesburg meeting. Don't have any details on how that will transpire, but I would assume it will be a high-interest topic scheduled at the beginning or near the beginning of the meeting rather than towards the end of the meeting. It's up to ICANN to sort of stipulate how that would work.

We have concerns about some of the tight guidelines that are present in the particulars within Annex D of the new bylaws. We do not operate very fast. We're pretty deliberative.

As a result, we have some issues that may require some changes in existing procedures.

Once the guidelines draft is out and about through the guidelines review committee and circulated, it will be available for anybody to peruse if you want to take a look at where we're going with that when that's out.

Besides the approval form likely in Johannesburg, I'd also like to remind this community that we have a budget approval cycle coming up that ICANN board is expected to approve the FY18 budget at the Johannesburg meeting in late June. This will trigger a rejection petition submission period, which would probably run until middle or third week in July. If we're all lucky,

nobody will submit one. And we can all go on our way. If one is submitted, then we're going -- the community as a whole -- and I mean the GAC, the GNSO, and ourselves and then numbers people are going to have an interesting late summer. Because we will have to again schedule a forum on that, which will probably be a teleconference forum and further probably have one or two conference calls ahead of time on that as well. And that's all I have in the interest of time. If there are any questions?

KATRINA SATAKI: Thank you, Stephen. And some short remarks from Thomas.

CHAIR SCHNEIDER: Just wanted to say that, of course, we're curious. And we're in the same situation and share the same deliberations and would be curious to know from you or exchange with you how we move along to be ready for Johannesburg with regard to participation in this. I'm just thinking out loud. What we may do, if people are interested, we may have a conversation call in the following or coming weeks that is open by the leadership and others dealing with this but open to anybody who wants to listen in and have a particular more focused look on these procedures and see what we make out of them. So that's just an offer to think about. Thank you.

STEPHEN DEERHAKE: Thomas, I'd be happy to participate in that. And I think we'd have no difficulty getting ICANN staff to set something up for us. I think it's a great idea, by the way.

KATRINA SATAKI: Thank you. We'll do that. Sorry, no questions.

And the last item here is about scheduling of ICANN meetings. We're still in the process of learning, but still in the mess. At least that's our view on that. And, as you may know, on Thursday, Thursday morning there's breakfast that would kick start this discussion and planning for the upcoming meeting in Johannesburg.

Our proposal will be to limit the number of people who are involved in the discussion of agenda, the big agenda for the ICANN meeting. Because the current setup, in our view, is not reasonable with too many people trying to comment on everything.

We will propose to have one person per SO/AC, and the role of that person will be to foster communication with their respective communities, and then go back to the smaller group, let's call it program committee. And that smaller program committee would do the heavy lifting of the planning.

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That will be our proposal, though you may think about it, whether you support it, do not support it, or come up with any other proposal, and we will be happy to discuss it.

Thank you.

CHAIR SCHNEIDER: Thank you. Just 30 seconds.

First of all, you're right, it has been difficult, although I think the mess has been bigger in the previous three meetings. I think we are moving in the right direction. This one is already far better than the last ones, but I think your proposal is worth looking at, and we will -- I will participate in this meeting. I always love breakfast meetings. There's nothing better to do than have breakfast meetings, so I will be there, of course. And feel free, GAC members, to give us your opinion. We may not have a session on this, but we'll discuss this informally, and I will report from what I hear.

Thank you.

And we have to wrap up. Thank you very much. And I think we try to have a longer meeting next time, but this time it was difficult, and we have -- yeah, looking forward to continue the exchange on the phone or in physical.

Thank you.

KATRINA SATAKI: Thank you very much. And let's start on time next time.

Thank you.

CHAIR SCHNEIDER: Time is relative, you know.

So we will immediately move on to our last agenda item.

BART BOSWINKEL: For the ccTLDs who want to go back, the meeting will reconvene in hall C1.2. That's where the CCs will meet again. So the meeting with the ccNSO appointed board members.

[END OF TRANSCRIPTION]