
COPENHAGEN – GAC discussion on new gTLDs Policies
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CHAIR SCHNEIDER: Thank you. Jorge from Switzerland, you think everything is said for the time being? Okay. Let's welcome the two co-chairs of the PDP, the policy development process, in the GNSO on subsequent round, Jeff and Avri. We're eagerly waiting to hear from you where you're at and why.

Of course.

JEFF NEUMAN: Thanks. This is Jeff Neuman. Thank you for inviting us again to this. And we're going to be listening intently. Because really what we want is your input as much as possible as early as possible.

Where we are right now -- I think, Tom, you had started to say that at this point, we've been through some of the overarching issues which we talked about at the last meeting in Hyderabad. I keep forgetting where in the world we meet. We talked about some of the overarching issues like should there be new gTLDs and, if we have new gTLDs, should we have things like categories of TLDs and treat them differently? Now we're into a much more

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detailed phase of our work before we do, ultimately, an initial report towards the end of this year. We're in a stage of our work collecting input on very specific issues within what we call four work tracks. The four work tracks include track 1, which is -- which are issues related to the general application process, important issues on applicant support, on outreach.

Work track 2 deals with some of the legal and regulatory issues. Like base -- the base registry agreement, issues of vertical integration or registry, registrar separation. Issues like -- very important issues like geographic names and reserve names.

And so for that, as you know, there is a Cross-Community Working Group right now on the use of country and territory names. So we've seen their report out for public comment. And we await those comments and seeing how that work turns out.

We have work track 3, the third work track which deals with objections, dispute resolution, and very important GAC advice early warnings. It also deals with contention resolution. So how do we deal with multiple applications for the same string.

And then work track 4, which deals with the evaluation criteria, specifically the technical and financial evaluation criteria. It deals with issues around internationalized domain names, and issues involving things like universal acceptance and name collisions. So, with each of those work tracks, we have collected

a group of questions which we are putting out in what we call community comment two or CC2. And that document right now can be found on the PDP wiki page and was also distributed, I believe, or sent -- Tom has probably distributed out as well. And it is not formally out for comment yet, though will be out for public comment shortly after the ICANN meeting.

And we will collect input until at least, I think, the end of April, probably more like the 1st of May or the first week of May, depending on when we can get that document formally sent out.

One of the points that I wanted to emphasize is that we're really looking for input from the subgroups we're talking about before.

We really would like input as soon as possible. So our preference is -- from our group's perspective, is not to get it as formal GAC advice but to get input as you develop it. The reason we say that is often times when there's GAC advice, at that point it seems like a difficult issue to discuss. Because, when you get GAC advice the GAC members are kind of stuck to a particular position. And it doesn't encourage as much dialogue as we'd like to have on the issue before you have GAC advice.

So we've had some great participation from a few of the GAC members in their own personal capacity. And that has been incredibly appreciated to give us insight that we wouldn't otherwise wouldn't have. But we always encourage additional

input. And I think giving input into the CC2 document is going to be vital for us. Our plan is to come out with an initial report by the end of this year. That will go out for public comment and, ultimately, a final report in mid to third quarter of 2018.

I don't know, Avri, if you want to add anything.

AVRI DORIA:

Just a few things.

So the questions that the four groups are basically -- there are 32 issues. And there's maybe 20 pages worth of questions. So, when you first look at it, I'm sure it's a bit forbidding looking. But, really, the questions are as broken down as they are in terms of pieces to try and sort of elicit opinions on many things.

If you don't have an opinion on a particular issue, please don't feel bad about leaving that question empty. We don't have any notion that everybody would be able to answer every question or even care about any question. And I think what's important, though, is that the questions attempt to really sort of bring out the details that might work inside an answer so that we can get as many opinions -- they don't have to be well-formed thoughts. The better formed the better. But just sort of to get that that input in to us. And, while we've had a few very fine folks participating in their own capacity, there's really lots -- as you

look at those questions, if any of them are appealing, if any of them are subjects that you'd really like to jump into further and get into the discussions, do consider it. It's really been very helpful to have the viewpoints of people that come from governments in the discussions early. Because what happens with these is, at the end of the day, we have to address any issues that are in the advice. What's mostly important about the advice are the issues and dealing with them in a complete and fulsome way. So the earlier we get to think about them, the more likely we are to be able to give well-considered answers to them. And there will be many opportunities along the way to have discussions and to come to wider understandings than, you know, we in the group may have at the moment coming as we do from our particular points of view.

So really do encourage you to take these as a point of entry into the discussions with the group. And, yeah. That's basically what I wanted to add. Thank you.

Are there specific questions that we can talk about now? I understand that you feeding to us is going to be more the next meeting than this one. But still, if we can get any dialogue going in this one, that could be a good thing.

CHAIR SCHNEIDER: Maybe if you could just present each of the questions in that document, that would be useful. No, that was a joke, of course.

AVRI DORIA: Even that would take 32 minutes.

CHAIR SCHNEIDER: We can meet -- tonight at -- so the interest is, of course, very high. I have Peru, Canada, Iran -- wait a second. Sorry. Pakistan. Okay. Let's keep it at that for the moment.

Peru, please go ahead.

PERU: I just wanted to say that I would love to accompany your debate. If you could please add me to your mailing list for the debates regarding geographic names and objections, the early warnings. Thank you.

CHAIR SCHNEIDER: Thank you. Canada.

CANADA: Thank you, Chair. And thank you very much for the presentation and for the open invitation for more input.

My question is actually quite simple, I'm just wondering the extent to which the lessons learned from the first round of the top-level domains have been taken into consideration. So GAC has given, I think, quite a lot of advice over a protracted time period. And there's been a few rounds that the Board and others have been trying to investigate the implementation of the first round. A lot of concerns of the GAC have been on the record. And you have quite a wealth of material to draw upon, if you look at the advice GAC has given.

I would point to the Beijing Communique. And I think that would give you very, very solid evidence on which to draw upon and would point everyone in the process to potential issues and items that would need to be examined and rectified in the second round. Thank you.

JEFF NEUMAN:

--- ...There are a number of other issues that have not been addressed by GAC advice or that need detail around the GAC advice that has previously been given in order to operationalize that. So, yes, we have that input, and we are using that, but as well, we would love additional input to a lot of these additional questions which go, I think, one or two steps beyond the previous advice that we have been given.

AVRI DORIA:

Yeah. Sorry; to add to that, I think sometimes the advice is perhaps at a higher level than we're fully capable of using. And when we're dealing with sort of very point issues and we've got advice, sometimes we have difficulty with knowing how exactly. Now, the people from the GAC who are participating in the group are sometimes able to help us in terms of sort of helping us figure out how that advice applies to particular conditions, but in some sense, there is really a level mismatch between advice at a very high level and the detail that we're working at that making the connection is sometimes perhaps more obvious to you all than it is to us.

So that's one of the places where we often need help in sort of saying, well, what does that advice mean on this issue?

CHAIR SCHNEIDER:

Thank you, Avri, for mentioning the, let's say the language or translation or abstract-level issue. And this is something that we've learned in the GAC, that we've -- while we've had, in 2007, for instance, when the basic principles were drawn, the -- there was the understanding that the GAC would remain in a very abstract public-policy level. And we've realized over the years that that is difficult for -- not just for you as chairs but also sometimes for the board to understand what -- how this

concretely translates into something on -- on a much more concrete level.

And we've been working very hard to become more and more concrete in our advice. And if you look at the development of the advice, I think we have managed to be fairly concrete, which then again -- well, then, again the risk is people say this is too detailed. You don't have to tell us what to do, so please remain on an abstract level. But we try to navigate between the two. Also including the rationale that we are now using that of course we hope helps to better understand the advice.

Next is Iran.

IRAN:

Thank you, Thomas.

First of all, we wish to express our sincere appreciation to two capable, skillful, devoted, and dedicated person, plus the group that dealt with this issue. They have spent considerable amount of time, and so on, so forth.

With respect to the Canadian suggestion, it was considered as much as possible. And sometimes bold GAC member, like Jorge, make further discussions in asking and bringing to their attention, and they have duly considered that. Nothing was

rejected at all. That was a totally open-minded group and they took into account everything.

Now a comment. I hope a number of the people asking the question at least would be, if not more than but not less than those who participate from now onward. GAC always is very active physically, but within the two meeting not as active as physically they are. So they are encouraged to participate at the meeting, and so on, so forth.

These are questions that are very, very important, and it has been put, as far as I understand, in a very simple language. That was difficult question, but they put it in simple language in order to be replied. So people need to look at that one.

One of the problems we have, Chair, at this moment, GAC advice and PDP, always they have some sort of inconsistency. In order to avoid that, we need to work together and that is the first step. If we don't agree in second round, we have considerable difficulty because you could not be outside and saying that our point has not been taken into account. If you want your point taken, go and contribute.

So we have to contribute to the situations, and we have to look at this question. As Avri mentioned, not all the question to be replied, but at least those who are of interest of us or on which we have concerns. To the maximum ability that we have, of

knowledge that he have whew, we have to reply. And I think the co-chairs are available for any further discussion, any further advice, any further clarification.

Important is, in my view, it's one of the most important part that we have to vote. This is the new round. There are many, many questions, whether we have one round, whether we have round and stop and next one, whether you have first come, first served. There are many, many questions that have been raised.

So I encourage you, and I think more than encourage. Perhaps I very respectfully urge my GAC colleagues to actively participate or to nominate people to participate if they don't have time themselves.

Thank you.

CHAIR SCHNEIDER: Thank you, Iran.

Let's move on to the next, which is Pakistan.

PAKISTAN: Thank you, Thomas, and thank you for the updates of the new gTLDs.

From the last round of new gTLDs, it was observed that there is a lack of participation from the developing and unserved

countries, like Pakistan. We always request on this from GAC that GAC members, like Pakistan, is ready to extend -- to organize awareness programs in the developing and unserved countries.

My question is that how this PDP process now is going for the next round of gTLDs will handle this issue? It's very (indiscernible).

Thank you.

AVRI DORIA:

Those -- and, in fact, when you go through the questions, you'll find several questions dealing with that. It is definitely one of the issues that we've highlighted as needing a lot of work and needing careful consideration.

We're still at an early point in this, so we do not yet have a solution for how we will do it, but we do have a very strong realization that this is something that needs dedicated work, and it's something where we will be looking for you all to help us figure that out. Because it's one of the things where people like me believe that we actually failed.

A lot of things succeeded in that last round, but in terms of developing nations support, it's one of the things that I

personally think that we failed at, and I'm hoping that we manage not to this time.

CHAIR SCHNEIDER: European Commission.

Can I just put --

EUROPEAN COMMISSION: Sorry to come in on that point, but I just wanted to respond directly as well because this is something that's been looked at in the competition, consumer choice, and consumer protection review, and you will see tomorrow when we discuss this, and we've been discussing also with the subsequent procedures round.

So just to say that it's not only in that context that's been looked at. Just so you know.

CHAIR SCHNEIDER: Thank you for this information.

Next is the United States.

UNITED STATES: Thank you, Chair.

I just want to echo a number of the points that my colleague from Iran said. I agree with many of the things that was stated, but also as the GAC works to refine and improve how we participate in PDP processes, I wanted to also thank you for the opportunities that you provide us that provide additional input that are outside or in addition to GAC advice. I think this is very helpful to us when we work at issues early on rather than at the end of these processes.

With regard to the CC2, if I got the acronym correct, without going into all of the questions that are being asked, topically, will this include geographic names and early warning issues? And if so, are there drafts available, perhaps, for us to consider as we work within the GAC as plenary as well as in our working groups? That would be really helpful.

Thank you.

JEFF NEUMAN:

Thanks. This is Jeff Neuman.

So on the geographic names issue, that is something that CC2 does not address because there's ongoing work with the CCWG on use of country and territory names. That's something we are planning, and I'll announce it here and definitely follow-up on that, is that we want -- we would like, our request would be to

have a joint session or a community-wide session on geographic names so that we could all get into a room or multiple rooms and discuss specific issues with regards to geographic names. And prior to that, prior to that in-person meeting, we intend to host a Webinar in between sessions, so an intersessional Webinar on geographic names, all of the different interests in geographic names and the different policy positions on geographic names.

Our hope is to do that sometime in late April, early May so that we can all be prepared with all of the background information and be ready to go into Johannesburg with a face-to-face session without needing to go into all of that background material again.

So that is our hope. We would love to have and encourage full participation from the GAC and from the entire community so that we can all air out these issues as early as possible so that we don't find ourselves in a position of having to deal with inconsistent advice. So that we all know where everybody stands.

So that's something we intend to have. And again, we'd love your participation in that endeavor.

And I believe there was another question on the early warnings. And while early warnings may not be specifically called out,

there are questions that relate to advice and objections where -- where information can be provided on early warnings or comments can be provided on things like early warnings and GAC advice.

AVRI DORIA:

This is Avri. I just wanted to add one point to that. It's not that they are not on our list of topics to be worked on. It's that they're not part of our questions at the moment because it's one where we're waiting for the output of the UCTN group to give us the -- their output as our input. And from there, we take over on the issue. And so that's why we're doing all this in terms of the Johannesburg meeting of having that joint kind of session, so -- because we will have their output by then. We'll know what's missing. We'll know what we need to do beyond that.

So -- But there are no questions on it in this questionnaire.

CHAIR SCHNEIDER:

Thank you.

Next is Brazil.

BRAZIL:

Thank you, Mr. Chair. And thank you for the co-chairs.

When Canada asked the question whether the lessons learned from the first round were being taken into account, I was thinking about not intervening. However, I must say I was a bit confused by the answer because it was said that the first track that you -- first approach is to collect all GAC advice and consider it as part of the PDP. But at the same time that the advice was at very high level, sometimes was inconsistent. So it was not clear, because I think as I read the first paragraph of the GAC communique and the advice to this process was that the starting point for development on policy on further releases of new gTLDs should first take into consideration the results of all relevant reviews of the new gTLD round and determine which aspects and developments need adjustment. And it goes on.

So I think the message here was that before initiating, some work should be done with regard to assessment of what had taken place before. So if I understood correctly, you took into account that concern, but not exactly what was recommended or advised, that that should precede the four tracks you are following now.

And this is part of the question. And I also would like to add that from the perspective of governments, there are some -- and I think it's a bit out of order. I hope the chairman will not call me to order, but there are other issues, other things that are happening that have some concern to us in regard to new gTLDs.

Particularly the decision that was taken by the board to delegate the country code, the two letter for delegation to assign it for registration. We think this adds a new layer of complexity in discussing new gTLDs. I hope this will be discussed at some later stage, but when we are urging some new elements on the new gTLDs that were just delegated and we think about new rounds without having that kind of thorough assessment of what just having taken place, it is -- it is a bit of concern to us.

So I would like to maybe have a more clear answer and guidance on your part in regard to what kind of assessment was made, if any, and if there is any document we could maybe have access to to better understand where you're coming from.

Thank you.

JEFF NEUMAN:

Yes. Jeff Neuman. And thank you for the question.

So the clear answer is, yes, we are completely taking in input on lessons learned. That is the way we start each one of our subjects that we talk about. As we break down each of the work tracks -- you know, for example, if we talk about reserved names, putting aside geographic for a minute but other types of reserved names, the first thing we ask the group is, you know, what -- what went right about the process the last time, what

went wrong about the process, and how can we fix what went wrong?

And that usually kicks off all of the discussions, and that's just one example. With every specific subtopic, that's the way we approach it. So it's incredibly important to consider the lessons learned in moving forward.

The other thing that we did, in addition to collecting all the advice that's provided from the different areas in the community -- so it wasn't just GAC advice we collected but SSAC advice and GNSO policy and ALAC advice. You know, the entire community. We also then talked to each of the groups that are currently doing work that would have an effect on subsequent procedures, on what we're doing, and we found areas that didn't intersect with those groups. So some of them Iran had mentioned when they were talking about examples. So there was no previous advice on whether we should do this in rounds versus first come, first served, versus an approach where you open up an application window for three months and then you collect public comments on it. There was no or there is no current advice on that.

So a lot of the subjects that we're looking at, there is nothing in the past to look at in terms of advice other than lessons learned during this 2012 round.

So I hope that was clear. We are -- We are looking towards lessons learned and it's an incredibly important aspect of our work.

AVRI DORIA:

And just to add a little bit. This is Avri again. In terms of, you know, the recommendation, there were some interpretations that basically said we should not start a PDP until all the roost had ended. That was something that the GNSO discussed for a while and decided instead for a notion of parallelism but in that parallelism, anything that is being covered in a review has been put on essential hold until we get that review.

So -- So as Jeff was saying, there are topics that aren't the subject of ongoing reviews at the moment, and those we're working on. Many of them are mechanical. They have to do with how various pieces worked. On anything where there is an ongoing review on, while we may have done a little work in terms of scoping what it may look like and some of the questions to ask, we have actually not started on it but, for example, on the use of country names and country and territory names. That's basically that's something held in abeyance. So basically try to balance the drive against waiting two, three years to start the PDP versus starting the PDP to deal with -- with that set of pressures, but on anything where we -- where there was a

pending review, then hold that particular subject until. And that was sort of the way of taking. And also in a sort of engineering schedule manner, sort of saying that there's absolutely no way that the PDP can end until all those things have ended previously to it.

So it was a slight taking of the advice, but putting it in a sort of parallel implementation.

CHAIR SCHNEIDER:

Thank you. We're actually approaching or we're, basically, at the so-called transition break. But I have three more requests for the floor. Switzerland, Thailand, and Argentina. I suppose we get the three together and then give you a final chance to respond. And then we break for transition. I hope there's coffee in the transition. We'll see. Okay. Switzerland, Thailand, and Argentina.

SWITZERLAND:

Okay. Thank you for giving me the floor. I'll try to be very brief as many other things have already been said. But, first of all, I would like to really thank and commend Jeff and Avri for the spirit of collaboration in this PDP and vis-a-vis the GAC. This is the third time in a row they've come to a plenary to discuss with

us this PDP and sometimes on very short notice. So thank you. Thank you very much.

I think this is really very constructive.

And it's also very constructive and how they receive people from the GAC in the PDP working group calls. So you really get the feeling that you're listened to. I think that's very important.

And I would, repeating what Kavouss has said before and others, really urge the colleagues in the GAC to take time and to participate therein. Really it's a comfortable room where you're there. And Jeff and Avri are really very agreeable hosts, very friendly and forthcoming.

So it's a perfect opportunity to cooperate and to work together.

Second thing is that we, of course, Switzerland is all for drafting common ground inputs to the ongoing discussions of the PDP working group and to other community efforts. We did so. We helped with answers to the overarching questions where I could afterwards personally see that they were being really taken into account. So I'm all for that. And, if we get the things right during the PDP, there's no need for the fear to lend GAC advice at the end of the process.

And third -- and I think this overlaps a little bit with what Jeff was proposing before on the specific topic of geo names. I

would like to make the proposal that in future meetings we really try to carve out some time where we organize joint working sessions between the PDP working group and the GAC members during our schedules so that this really fits into your schedule, our schedule, and we don't have like in this meeting the unfortunate situation that we have to be in this room and we cannot be in the PDP working group room. And we prepare, as Jeff was proposing for the geographic names, we can prepare two, three topics and really work them through in those sessions. And probably we are, hopefully, in time to organize that for Johannesburg on geo names or on other topics of common interest where we know that there might be different positions but where it would be most helpful to really have that discussion and to see how much common ground we can find.

So with that, thank you so much. And that's it for the time being.

CHAIR SCHNEIDER: Thank you, Switzerland. Thailand.

THAILAND: Yes. Thank you, Chair. So I address specifically on the topic that we -- looking at that challenge to GAC, not to mention like Iran mentioned. I look around the room. Not many of us have the experience starting from Beijing. So it's not only limited to the

GAC representative sitting here. We might need to, going back to the GAC representative of your country that participates since the Beijing rounds, we quite made a organization compared to the other SO and AC because we keep changing our people, including me. I do not know whether I'm coming back in a GAC meeting any more. And then the issue is the objections, the linkage between the early warning all the way to the advice. I remember in the Beijing round we're coming up almost 500 domains. And we had to generate a safeguard or whatever issues we address in generics. And I do see what Avri is saying that the issues on interpretations, especially in that case, is missing. And in this room how we go from the early warning to the advice and coming up with several mechanisms that we categorize the domains in several categories and have specific safeguards on each of the domain names.

So I don't go into detail. But I think that the challenge is on objections, working group -- I think it's working group 3. I think that challenge for us how could we bring back the knowledge we have in our time to reflect the lesson learned. Thank you.

CHAIR SCHNEIDER: Thank you, Thailand. Argentina.

ARGENTINA:

Thank you, Chair. And thank you, Avri and Jeff, for coming and visiting us with the openness of the PDP process. You mentioned that the geographic names issue is on hold until the country and territory names comments are finalized. This is my understanding.

But that is a working group which is focused on names which are in formal lists. So we -- in the GAC we have a working group that we are dealing with the idea of they're not in lists. As we know we had some objections and some problems in the first round. So we're trying to find ways to avoid that in this new round. So, if you could be so kind to include us in these webinars or joint sessions you'll do in the future, I think that would be very helpful for all of us.

I would like to support what Jorge said about joint sessions perhaps in the next ICANN meeting and also our friend from Thailand mentioned about the complexity of the objections process for the GAC it was very complex, extremely difficult. So, focusing on that, making it easier for countries, especially countries which are not so much involved within the ICANN process, that would be very, very useful in the next round. Thank you very much.

CHAIR SCHNEIDER: Thank you. A final quick word from the two of you before we go to the transition break.

AVRI DORIA: Okay. Thank you. I want to thank several of the people that spoke for their participation. They've been helping us out all along, especially Iran and Switzerland and other countries. So I want to thank you.

I think the idea of having joint sessions on common interest is a fantastic idea. So I really think that we need to bring those together for Johannesburg and certainly will include the people that, you know, want to be included on the list and such. So I don't have that much more to add other than thank you for inviting us back a third time

And giving us a chance.

And I guess we have one more session at least planned at the moment for later in the week after you guys have gotten into stuff. So this is not really a ---

JEFF NEUMAN: -- as well so can check it off and move it along. Thanks for inviting us again. And we'll come back as long as you invite us and want to have us. Thank you.

[Coffee break]