ICANN
Transcription ICANN Copenhagen
New gTLD Subsequent Procedures
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James Bladel: Okay good to go, thank you. All right, next session is an update from the PDP
                  on New gTLD Subsequent Procedures and we have at the table Jeff
                  Neuman. Jeff. Take it away.

Jeff Neuman: Thanks. This is Jeff Neuman. And Avri Doria is the other cochair with me and
                  so I will start and then if Avri's got any updates or anything else to add she
                  will add it. Our presentation is pretty brief because I want to use this time for
                  questions from you all. And I know you got our newsletter on your Council list
                  and I've seen some of the positive comments, so I want to thank Emily and
                  Steve from ICANN staff in particular for not only their work on the newsletter
                  but also sending it around and making sure you all got it.

                  So like I said I really want to use this opportunity to just give you a quick
                  update on timeline and not delve into substance, unless that's the nature of
                  your questions.

                  So just starting out, this is a copy of our current timeline that we intend to
                  meet. So we have a document that we call CC2, which is Community
                  Comment 2. A number of pages of questions - very specific questions in
                  relation to the four work tracks that we set up on new gTLDs. And, you know,

we would ask that you all go back to your constituencies, stakeholder groups, advisory committees to encourage participation in this.

I will note that for Community Comment Number 1, I will thank the IPC, and the Registries in particular, for responding. I'm not going to say anything else but you can figure out who didn't respond from who I left out. So I would expect full participation in this next community comment. Again questions, very specific questions from detailed questions on objections to whether we have a registry service provider approval program.

So that will go out in March after the ICANN meeting. It's actually available now on the wiki, and I believe has been sent or at least you all have been sent a notice of it. It's not out for public comment yet but it will be out after the ICANN meeting and go for at least a 40 day comment period so presumably that's around May 1 or so at the due date.

We will then take that information, compile that, make some recommendations and come out hopefully with an initial report by the end of this year out for public comment with a target of publishing a summary of comments in February 2018, and a final report in September 2018.

You want to just go onto the next five?

Paul McGrady: Can we ask questions as we go?

Jeff Neuman: Please, this is more for questions than me presenting so, yes.

Paul McGrady: Can we go back to the previous slide? This is Paul McGrady for the record, apologies for jumping in. So this always reminds me of that Austin Powers movie where there's the henchmen standing in front of the steamroller screaming oh, although he's got plenty of time to get out of the way. December 2017, that looks to me like it will be a 30 day comment if you're going to summarize them by February 2018, so that looks like a 30 day

comment instead of a 60 day comment, which everybody will be unhappy about. They're going to want at least 45 days for something this big.

And it will also fall during Christmas holiday and New Year's for a lot of people. And it just seems like it's, you know, maybe we could avoid this particular steamroller and just adjust that date for a due date such that the public summary could be done in March 2018 but still hold the September '18 final report to.

Jeff Neuman: Thanks Paul. You know, I'd actually go the other way. Why do we say an initial report in November? Either way, we understand the point. Obviously when this comes out for public comment we will do at least the mandated public comment period which I believe is 42 days, 40 days now I think. So it will at least be for the mandated period. And of course, we will do our best to avoid major holidays. As Heather would say, it's her summer holidays so we would avoid her summer holidays. So trying to be a little sensitive here.

But yes, thank you, Paul. And again, these are just estimates and I would love to move back timeline up as much as, or instead of moving it back but thank you.

Avri.

Avri Doria: Yes, just wanted to add a comment. First of all, the steamroller notion isn't one we've been using. We've been using more than notion of a forced march. And we've been basically applying that to the whole group. In order to make the schedule we will be putting the many people that are working on this through a week after week forced march.

One of the things though that we are doing to hopefully help is when we are in the last bit of review for something like the CC2 comments, we are putting it out and we are saying here's what's coming. So basically always try to take that as a warning. We could try to do that with our other work too, that when

it's in draft form it'll come out. You know it's coming for a review, perhaps you can actually start to look at it while it's in draft form.

Jeff Neuman: Yes, thanks Avri. And another thing we are doing as part of this PEP is publishing our schedule of meetings and topics to be addressed at meetings at least a month in advance. There are, just like as Chuck was saying, for the Whois – or sorry the RDS PDP, there are - there is over 130, 150 participants between that and observers and so obviously not everyone is interested in every single topic.

So we have a published schedule of a least a month in advance of what topics are going to be addressed and when so that those that are interested in those topics can join in that there should be no excuse for not knowing a specific subject was on the table to be discussed.

Now sometimes obviously schedules have to be adjusted, but we do our best to make sure that we actually meet the topics. And I do want to give a special acknowledgment to the number of work track leaders that we have, two for each of the work tracks. And so for Work Track 1, Sara Bockey and Kristin Taylor; Work Track 2, we have Michael Flemming and Phil Buckingham; Work Track 3, Karen Day and Robin Gross; and Work Track 4, Cheryl Langdon-Orr and Rubens Kuhl, so right next to each other. So they are doing a massive – what's that?

((Crosstalk))

Jeff Neuman: Oh, okay. They do a massive amount of work. And we have -- literally we have a leadership call every week. We have at least two work track meetings every week, and then every other week we also have a full group called. So for the leadership team that means often there are either three or four calls a week. So this is something that we have been moving on. And like Avri said, we are moving forward; we are in a forced march. We are getting through

everything we are supposed to get through and trying to get as much notice as we can.

If we want to go to the next slide? And again I know I'm standing in the way of coffee. Really what I want to say - and we've covered this, there are a number of topics that we are not covering because other PDPs are addressing those issues. At some point however, that will come to an end.

So there are things like geographic names, which are being addressed by the community working group on use of country and territory names at the top level, it's a mouthful. They have a report out now out for comments. And so what I want to announce here, which I announced at the GAC meeting yesterday and got significant support, is for a session in Johannesburg, a joint session with GNSO, GAC, ccNSO, that will participate, a several hour session.

We will request and hopefully required that there are no conflicts with other meetings, since it is a policy meeting. And it has gotten some significant support from a number of GAC members with also an intercessional webinar in late April where each of the different positions on geographic names will present a position paper, position statement, and background information will be presented at that webinar so that when we get to Johannesburg we are not talking about background issues, we are not starting at square zero and we can actually make it a working session.

So again, announced it yesterday at the GAC, got significant support. And I would love your support and endorsement as the Council for this process moving forward so that we avoid, yes, so that we avoid any conflicts or anything else, so getting your support would be fantastic for this and we avoid the IGO issue that we have now.

James Bladel: We have Heather and then Donna.

Heather Forrest: Thanks, Jeff, very much for that helpful announcement. Just a very quick question, can you tell us what the, let's say hopeful outcome of the session in Joberg would be? Thanks.

Jeff Neuman: Well a hopeful outcome would be progress on the geographic names issue, and coming up with a position that the community can live with on geographic names specifically at the top level. You know, obviously it's something that's a very contentious issue between the organizations. But, you know, what we are hoping to avoid is a situation where we don't have that input and we come out with a final recommendation of the PDP, we sent it up to the Board, and then we have the GAC providing advice, or for that matter any advisory committee providing advice that doesn't - that is in conflict with it.

At least we can then say we've tried to work with each of the groups, we've gotten input from each of the groups, and we've worked to come up with as much of a consensus position as possible.

James Bladel: So we have Donna, Paul and Marilia. And Heather, is that…

((Crosstalk))

James Bladel: That's another topic?

((Crosstalk))

James Bladel: Okay so we have Heather at the end and then we'll break for coffee. Donna.

Donna Austin: Thanks, James. And this is more of a public announcement in response to something that Jeff has just said. Though the planning for Johannesburg, my understanding is a use of policy meeting, though the focus will be on policy, so obviously I would hope that the GNSO has a strong input to the development of that schedule. And we will be looking for non-conflicted sessions. And to the other PDP working group leaders, you know, it would be

good to understand how much time you'd like on that schedule because there is an initial kickoff meeting on Thursday to start planning. So if you've got some ideas please let us know what they are. Thanks.

James Bladel: Thanks, Donna. Marilia.

Marilia Maciel: Thank you, James. This is Marilia speaking. My question is about the questionnaire. Overall I think that the questions are, some of them very hard and very good. But I think that the questionnaire should not be advertised as a document that goes through a normal public comment period, because this is a key moment I think for the development of the shaping of the conclusions of the working group.

So I think that maybe we need at this point some more targeted advertisement of the questionnaire reaching out for instance, to the people that were community applicants. There is a whole session on community applications. But if you are looking at the process, you may get a little bit lost in the bulk of the questions. To understand the particular questions that are of concern to you, or reaching out to the people, for instance, that could have applied from developing countries that did not apply in the first round or did not take opportunity enough to apply in the first round.

These people are usually not the people that participate in the public comment period, so maybe, and this is a suggestion we could use ICANN structure such as the stakeholder engagement team to really reach out and speak to these people, and that are documents that give us indications such as (Veregut)'s good study that has been published on the DNS marketplace in Latin America that shows up for instance that if you look at the market itself there is a shrinking of the number of registrars.

And if we are thinking about improving registries, these registries need to have registrars to resell their domain names. So if the market is shrinking then who is going to sell them? The registrars in Europe, they don't want to

sell because they don't think many times that their market is relevant enough for Latin America TLDs. So there is a whole problem that kind of percolate through the whole market chain that I think we should look at. Because if we look at the application and if we try to correct the Applicant Guidebook only without looking at the market and having the input from these actors, then maybe we will not be successful in correcting the problem.

So my suggestion specifically would be to try to do this targeted advertising, and not wait for them to come to us, and to find the questions that are relevant to them in the bulk of questions, maybe two separate the questions to different audiences, and make use of ICANN structure to really spread the questions to the people that we should hear from, including community applicants and so one.

And I understand that this may impact the calendar that you initially envisioned, maybe we need to give these people little bit more time to answer the questions. But if you think that this is a particular moment to shape the outcome, maybe we should assigned us a little bit more time right now and maybe other phases can be a little bit reshaped and shrink in order to give more time to people to answer these questions because the more input we have at this moment I think the better decisions and recommendations we will have again.

Jeff Neuman: Thanks. This is Jeff Neuman. Just a quick response. I think this stage a lot of the questions are very detailed, and most of them relate to past experiences in the process itself. So agreed that we should make sure that all applicants, whether successful or not, try to respond to these questions. I think the more appropriate time for the more extensive outreach is around the initial report timeframe where ICANN structures are much more suited to do outreach.

But nothing prevents any of you all to do outreach to your own communities to make sure we get responses as well. Thanks.

James Bladel: Thank you. We have Heather and Avri and then the queue is closed after
                  Avri. Heather, go ahead.

Heather Forrest: Thanks, James, very much. I want to make a general comment about the
                  initiative that Jeff announced, and maybe a more specific one as well. I think
                  it's fantastic that the PDP is taking an active leadership role on this difficult
                  question of geographic names. And I feel that way for a number of reasons,
                  not least of which the bylaws put a very heavy responsibility on us as the
                  GNSO to manage the process of policy development in relation to gTLDs.

                  And my experience as cochair of the – as Jeff has rightfully said - long-
                  windedly named, CWG UCTN, suggests that the stasis there and that failure
                  for that group to come to any agreement as to what should happen next is
                  somewhat leaning towards the creation of another cross community working
                  group. And that has significant risks, in a sense that we all know that the
                  CCWGs are not empowered under the bylaws to create policy; they cannot
                  create consensus policy.

                  And to the extent that we go down that road and we as a GNSO sit still and
                  let that stasis in that vacuum happen, we will also suffer in the community
                  when this only delays our work. So I think it's an excellent initiative that we
                  are taking and I think it's one that we ought to consider. We have a number of
                  other bubbling controversial issues, let's say, in the scope of the subsequent
                  procedures charter. And if this - maybe this is a pilot, if you like, for how we
                  deal with these things.

                  I made the comment yesterday in the context of our Red Cross discussions
                  when Bruce sort of outlined the timeline of things and said, you know, the
                  PDP working group submits its final report and then that goes to the GAC for
                  comment about public policy. And I got very, very nervous at that point
                  because if that's the case we're really rewriting the snake diagram, if you like,
                  we're putting another step into the PDP. And not only that, we're taking these
                  very lengthy PDP efforts and adding on all hold other circle back, let's say.

So to the extent that this works, I'd like to think that we as a GNSO can use this as a model for how we might deal with some of these topics that have been kicked around for the last 20 years and not answered. So I think this is a fantastic initiative and I'm grateful to Jeff and Avri for pushing it through. Thanks.

James Bladel: Thanks, Heather. I have Avri and then, Marilia, are you back in the queue because we closed it off, it's – okay, I'll give you 30 seconds after Avri.

Avri Doria: Thank you. Avri Doria speaking. A couple comments, one I wanted to comment on Marilia's suggestion, while I agree with Jeff, we do not want to lengthen the question of the CC2 call, I actually think that there probably is something worth looking out in terms of getting GSE involved in starting to take some of these topics out in sort of the longer - the longer-term and getting people involved in it and kind of feeds into our community participation.

And perhaps adding another element to community participation – it means more work for Jeff and I and others, but basically a little bit more of socializing this outside of our normal confines, outside of that. So trying to put that into the review period at this point would probably be both late and difficult, but in terms of going forward, so that by the time we get to the draft we have them.

The other thing I wanted - two other things I wanted to point out, we got an offer from Columbia yesterday that, you know, to translate our questions into Spanish so that there starts to be - because when I was asked, well what about the translations, I went, oops, budget, don't know if we have it – oh okay, well, so I think that will happen. I don't know about the timetable on it.

And the other thing I really wanted to make a point on is community participation from the GNSO, we had a conversation on that. We do not have good diverse stakeholder group constituency group participation at the

moment. We've got some that are very present, some that are sort of present and some that are hard to find at all.

So I really do want to encourage the – all of your stakeholder groups and constituencies to actually make sure you've got at least one or two people. You know, we do have a rotating schedule, some of us make most of the rotating schedule, in fact we really shouldn't think of it as the hard times or the easy times, because it's a rotating schedule.

But if you can get at least two people from each group so that you're always covered in the rotating schedule because you don't have diehards that make every meeting at three o'clock in the morning or whenever, I really want to encourage that because we will get to the end of the day and then we will have stakeholder group X saying oh, man, what was going on there? You know, missed it. Yes, let's think about this some.

So really, I wanted to put a plug in for make sure that your group is represented in the work going on.

James Bladel: Thanks, Avri. And thanks for the call to encourage additional participation. Marilia, you have the last word.

Marilia Maciel: I agree with Avri so I just need 20 seconds. So when the issues report is out, and I agree that there is this - a space for comments, usually the main issues are already laid out. And from my personal experience it's hard to include new views, completely new when the issues report is out. So I think at the moment to collect the views are now, and if we can take a look at these studies that have been produced like the domain name marketplace in Latin America, I think that this secondhand information could be useful to the working group.

James Bladel: Thank you. So thank you, Jeff, Avri and all of the other folks involved in that as a leadership and the PDP itself. And like the other one before it, it's quite a commitment. And for that we will pause the recording and we will…

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