TRANSCRIPT

Cross-Community Working Group on use of Country/Territory Names as TLDs
Singapore Meeting 27 March 2014

Attendees:

John Berard, GNSO
Chris Chaplow, GNSO
Heather Forrest, GNSO (phone)
Lise Fuhr, ccNSO
Annebeth Lange, ccNSO
Maureen Hilyard, ALAC
Gabriela Szlak, GNSO
Paul Szyndler, ccNSO

ICANN Staff:
Marika Konings, GNSO
Bart Boswinkel, ccNSO

Bart Boswinkel:	Good morning everybody. It's going to be a small group. Welcome for those who have volunteered already, or show their interest for this new Cross Community Working Group.

I don't know if you were in the room yesterday with the ccNSO, GNSO Meeting. It appears to me that Cross Community Working Groups is the new hype word, so we'd better stick to say the past step forward by people on the ccNSO, and GNSO Council, because it was a very, very lively debate. And to say, people were very keen on making Cross Community Working Groups really work, so that was a good thing.

So keeping that in the back of our minds, so that, some of you have been on some ccNSO working groups, and I think just a few CCs have been on GNSO working groups, so one of the real issues is going to be to find a working method along the way. What I wanted to do this morning is, in fact, two things. It's first, some logistical issues, the logistics of the Working Group, and secondly, I've asked Paul to just give a quick run through, through final report of the Study Group of the ccNSO.

I think if you go back to the Charter that is the starting of this Working Group. It sets out the space in which it will operate and that's, again, reflected in the Charter. We are no talking about geo names, we are talking country and territory names, of those countries and territories which are listed on the ISO3166-1, that's only real territories and countries in the sense of the ccNSO, and the ccTLD Community. |

And secondly, we are not talking about second-level, we are only talking about top-level domains, these are the two clear -- because I thought when I was at the GNSO Council Meeting on Monday, there was a bit of a misunderstanding and I know from other groups as well, there's a bit of misunderstanding what is meant by ccNSO, by country and territory names. So, in that in sense they are -- pretty good, described in the final report as well. Paul?

Paul Szyndler: And I if I may, Bart. The only point I would add to that is that it's useful to explain to people that because we are the ccNSO and we started the process, or initiative it, it only makes sense that we must be restricted to the definitions of countries and territories under ISO3166, so there had never been and never can be an expansion of scope for what our ccNSO initiated process to go beyond that, so that's why it's the way it is.

Bart Boswinkel: Just a minute. Heather says she's going to try to dial in, but we'll try to get her on the Bridge.

Heather Forrest: I should also -- I want to say that Martin Boyle--

Bart Boswinkel: Yes.

Heather Forrest: He will be attending this Working Group as well, but he had another meeting, so it's a collision. And then we hope that Olga Cavalli from the GAC, or at least some other people from the GAC will be attending as well.

Bart Boswinkel: Okay. And that was--

Paul Szyndler: Heather? Hello, Heather. It's Paul here. Can you hear me?

Heather Forrest: Hi, Paul. Thank you very much, I can.

Paul Szyndler: Okay, we are just having your volume turned up so, we haven't really started, so you've not missed anything yet.

Heather Forrest: Marvelous.

Bart Boswinkel: Good morning. Good morning, Heather.

Heather Forrest: Good morning, Bart. I apologize. They sent me over to GNSO (inaudible).

Bart Boswinkel: We were just starting, and I just explained, this more an explanation of the logistics, and that's what we -- this new Working Group needs to find is a place of its own, as you have -- as member of the study group, you know that the working methods and place of working between the CC and then the GNSO, but also with other groups it's different. And I've seen this with the DSSA as well. At one point, say that's one of the first things we need to do is probably define, especially the Co-Chairs, need to define a working method for the group itself. So it's more that the group itself that determines how they want to operate, and the charter, it does provide some guidance, but not for the internal workings.

The second point was that the starting point for this Working Group is the final report of the Study Group itself, and we explained that this is just limited to the ISO3166 countries and territories, and this is not about second levels, it's only about top-level domains, and then Paul, wanted to explain a little bit more about the scope of this Working Group.

Paul Szyndler: Sorry. Do you mean going back to the Study Group?

Bart Boswinkel: Yes.

Paul Szyndler: So, the Study Group basically works between -- May 2011, I mean, that's the date we picked. It was roughly formed back in the previous December, through to September last year, and it has three main functions. The first thing we were looking at was the way in which country and territory names represented in various ICANN processes, so what the rules are for new gTLDs, existing gTLDs, CCs, IDNs, different sets for all of them.

Secondly, we then looked at the way in which country and territory names might be reasonably represented, so we developed a cross section, a methodology that identified things like the long form use of the country name. It's ISO, three-letter code, its name in the six languages of the U.N., and it wasn't comprehensive, it was just designed to be a useful sample size of ways in which countries or other stakeholders might reasonably refer to those entities.

Then the third step was looking at what happened when we put them together, when you started applying ICANN policies to those country and territory names, was there a reasonable, consistent approach, or were they treated the same way all the time? And the quite obvious answer we've done was, "No. They are not." And there were certain examples that we highlighted in the final report that illustrated that. So that being the case it was then up to the next decision point, you know, is this a reasonable situation? Is it something that we want or can be remedied, but even the scope of that study group, that's where it had to stop? That was outside of the Group's scope. It was purely to study and identify the problem.

Our main observations related to things like the incredible complexity of this -- much of the talk around geographic names at the higher level is even more complex still, because of the greater number of permutations. But even with the country and territory names, picking a dozen representations of each, translating them into different languages and then applying them to different policies, it was a very complicated process, and something that highlighted the fallibility of lists. That if you were trying to use the definitive list, to get yourself through this, you would, inevitably, irrespective of whether they were UNG-GN, or ISO list et cetera, there were bound to be inconsistencies, and to illustrate that, we compared the different lists, and showed that there were certain countries or territories that appeared on some and not on others.

So, subsequently the Study Group wrapped up with two main recommendation; I mean it started with this Cross Constituency Working Group be established to continue the work of the study group, and it would continue to review what the study had done. So keep looking at how the representations of countries and territory names exist under ICANN policy; and the step further that the group would take is to provide advice as to whether it was feasible to develop a definitional framework that could be applied across SOs and ACs. So again, I know that there isn't an assumption, that there is, but if the wording was the feasibility of developing a uniform framework, and then if that is then feasible, so you'll do a bit of work on explaining what that's going to look like, so to propose a model for that framework.

It was intentional that the -- Oh, and of course the GNSO, ALAC and GAC be invited to participate in the Working Group. The second recommendation was to continue the existing or to recommend the existing prohibition on country and territory names to subsequent rounds of the new gTLD process. For the same reason we had that prohibition with the study group, that you would not wish to preempt the work that's going at the moment, and leave the gate and have that the horse already bolted, whatever saying you want to use, and for that to be held for the second and subsequent rounds, whenever they may be.

Those two recommendations were intentionally structured in that order, because it would be problematic for -- so even though the final recommendations of the Working Group have been adopted, and resolutions passed by the ccNSO Council, the recommendation hasn't then gone to the Board about that reservation, simply because it's more administratively expedient and probably a better process to have this Working Group going first, and then you can point to a Working Group that actually is, as opposed to one that may be in the future. So they were the two recommendations for the study group, and that's where the work concluded, Bart.

Bart Boswinkel: Yes. To follow up a bit on, say, the process, if you would look at the end game of this Working Group, and how it interacts et cetera. Assume this Working Group would come up with recommendations, the Working Group is structured in such a way, and that's why it's so important that we have the participating SOs and ACs, they present this recommendation to the participating SOs and ACs. Nothing will go out of this Working Group, only to the participating SOs and ACs, only if all of them adopt the framework with all the recommendations. Excuse me -- Only then it may be say -- if the end result is worthy, it could be sent to the Board, or it could stay within the SOs and ACs.

For example, if it would mean that the definition of meaningful representations in IDN PDP should change, so that's more an action of the participating SO and AC, than for the Board to take, but at least in this way it's secure that the participating SOs and ACs always have the final say on the outcome. And secondly, and associated with this one, there is also a kind of mechanism to -- if there is a conflict between SOs and ACs, if one doesn't adopt it, then there is room for the Working Group to amend these recommendations, if it's deemed possible. So it's finally up to the Working Group whether they want or do not want to change the recommendation if one of the SOs and ACs does not agree or does not support the final recommendations. I think that it is a bit of layout of the landscape of where we are heading.

Anything else, any questions at this stage on process and/or the reference to the final report of the ccNSO Study Group?

Chris Chaplow: Chris Chaplow from BC (ph), I've just gone one -- I'm curious. I'm just trying to just understand the reference that you were talking at top level domains here, because as soon -- that's just been decided by the ccNSO I assume, is that -- how does that sort (inaudible)?

Paul Szyndler: Do you mean the distinction we made between -- that we are top-levels only, and we are not dealing with second levels?

Chris Chaplow: Yes. That this Study Group -- this Working Group is talking of the top-levels domains--

Paul Szyndler: Yes. Correct.

Chris Chaplow: --just contacts me.

Paul Szyndler: Absolutely. And that is more importantly, that's consistent going back to the charter of the initial Study Group, that was, and again, given it was initiated by the ccNSO, that was deemed appropriate, and we are simply maintaining the same level of interesting as we did with the study groups, so yes, just at the top levels.

Bart Boswinkel: Maybe an additional word to that. Say, if you're seeing how it's embedded. The ccNSO itself does not have any say on second and lower levels. Registration policies of the individual ccTLDs, and that's what you would have been talking about, is out of scope of the ccNSO itself. It does not set registration policies, and that's one of the main

	differences, for example, between the GNSO, and the ccNSO. The ccNSO is only dealing with top-levels domains.
Paul Szyndler:	Heather, Bart, was off microphone. Did you have any questions?
Heather Forrest:	No. Well, I guess, I do, in fact. My question is this, in light of the fact that this is a Cross Constituency Working Group and it's not, let's say, and I understand the ccNSO has very ably met the draft of the charter for the Working Group. If there is scope to broaden the scope to second levels, seeing that we have cross constituency in this Working Group?
Bart Boswinkel:	I would say, no. Let me explain. If you would do this, I think the scope of this Working Group is on top-levels domains. If you would go down to second- and lower-level domains it would step outside into a regional scope. If the Working Group would decide to do so, they have to go back to the participating SOs and ACs, so my no is not a real no, but I guess, and looking at some of the ccTLD managers at the table, they would say, "Okay. If you want to do this, we'd go back or we give it a negative advice," because you go out of scope of the ccNSO itself. Does that answer your question, Heather?
Heather Forrest:	It does. Thank you, Bart. I think ultimately the reality is that the Working Group -- this scope, let's say, any decisions that are taken, any recommendations that are formulated by the Working Group, in its present scope, will ultimately have a broader impact. As to exactly what that impact will be, we don't know. I think all of us from the study group agree that the Working Group has a rather difficult task ahead of it. And I think in that sense, perhaps, it makes sense to limit the scope and that the task is already quite significant.
Bart Boswinkel:	Yeah. I fully agree. And just to add to this, say, again, assume we come up with -- this Working Group comes up with a billion solutions, nothing would stop others to use and change that solution once it's out there, and accept that even if it's not accepted. An individual SO or AC could use that for its own purposes, but it meant -- what it means is that, say, it's not the product of the Cross Community Working Group, and it's not, say, in the support of--
	Let me give you an example. Assume what comes out is very good. The GNSO really wants to use this for -- as a basis to deal with geographic names on second level and lower. I think at that stage, because it's out of scope, then it's pure and only the decision of the GNSO, and maybe of others to use it for that reason. I'd say, the ccNSO would probably retract from that point, so to make very clear that it is the decision of the GNSO, so you start using a product of the Working Group, but then it's up to the individual SOs and ACs how they want to use it further.
Paul Szyndler:	So all I'll add, Heather, is I think you've touched on both the strengths and the weaknesses of our Cross Constituency Working Group. Necessarily, there are going to be limitations on some participants, and Bart has described that particularly well. I fully expect the GNSO participants may well have second levels in mind as we are going through our work. It won't be part of our discussion, but it would be unreasonable to assume that they are not keeping a demand.
Unidentified Participant:	Thank you, Bart. (Inaudible)
Heather Forrest:	One final point in closing on this, if I may. I take onboard everything that's been said, and I really think the most compelling -- the most compelling arguments for not expanding the scope at this stage, to me, and as a participant of the Study Group, appears to be that as Bart has identified, the starting point of the Working Group is the final report of the Study Group. The Study Group had limited scope, to open the scope up and this stage, really

does seem to require going back to basics, which is the Study Group. So with that in mind, I fully support the comments that have been made.

Bart Boswinkel: Thank you. John, go ahead.

John Berard: Thank you, Bart. This is John Berard. This conversation is a mirror of the discussion that occurred in the run-up to the vote on this motion yesterday at the GNSO Council. It is, of course, illustrative of the differences between -- some of the differences between the ccNSO and the GNSO. There was an urge, I think upon first reading of this motion, that it be expanded to include those thornier, and more delightful issues that confront domain names at the second, third, fourth, fifth, ad infinitum levels. But it is really important for this Group to be successful in the parameters that it has been set, because then if it is, it will then provide a stronger base should the GNSO want to go further because it will have guidance that will not upset the CCs.

And so I think that if we look at it as the first step in a little bit longer journey, then I think that the work of this Cross Community Working Group is essential for creating a platform for what can come and might come next.

Bart Boswinkel: Yeah. I fully agree. Any other questions regarding the, say, the relation with the Study Group and a little bit around the charters as we are discussion right now?

Unidentified Participant: No.

Bart Boswinkel: Okay. Then we go into, I think into the logistics. What will happen next is probably, is we haven't decided -- Marika and I haven't worked on this yet, is how we are going to structure the staff support for this Group. I assume, as with the Study Group, is that we put the Web page of these again, on the ccNSO website, so then it's very nicely aligned, and you have a home -- fourth document, et cetera, and references, and I think that worked pretty well. Yeah, go ahead, Marika.

Marika Konings: Yeah. And this is Marika. I think in ccNSO space you don't use Wikis but I think that's really the standard, as well, on the GNSO side, so maybe an addition we can also create a Wiki page on the GNSO side, where we can also post the information.

Bart Boswinkel: So that's -- and I've seen that happen, so that's -- probably that was the mode of working of the DSSA as well. So we use both. Secondly is, and what is -- and this is again, I don't know how it works in the GNSO and at large, and with the GAC if they participate is the call for volunteers. What normally happens is, in the ccNSO space, the Secretariat prepares the call for volunteers it sends out, and then we have some volunteers and they are appointed by the ccNSO Council. That's our process. That's one of the reasons why we have that language in there in accordance with their own rules and procedures.

Marika Konings: Yeah. And this is Marika. The way it works, and the GNSO is basically the call for volunteers as well, likely to distribute it, and the only requirement that exists is that exist is that people submit a statement of interest on the GNSO side, and there's actually requirement for the GNSO to confirm or appoint members. So it's really anyone that's interested, the only requirement is submitting a statement of interest.

Bart Boswinkel: John?

John Berard: Thank you, Bart. This is John Berard. So the -- I am not here because I want to participate in this Working Group, I'm here because I'm Co-Chair with Becky Burr of a working group to create a methodology for Cross Community Working Groups. And at the ccNSO, GNSO Council Meeting last evening, we began to look at some of the higher level imperatives of a successful Cross Community Working Group, and if I could just

point out a couple of them, clearly a well described charter is essential, because that charter serves as the rails on which the work can be done. It puts a bit more of a burden on the Co-Chairs. So the Co-Chairs of this Committee are going to have to, individually or collectively, establish some of the ground rules, iron out some of the differences and present them to the Working Group, so that there are essentially two levels of agreement. The Co-Chairs agreeing and taking it to the Working Group, and modifying it, is sensible.

The third thing is there ought to be staff support from each participating SO, AC, and whatever, so that the work of the Group can be translated in the particular jargon of the SO or AC. There ought to be specific membership requirements. Who do you want to have, it's not individuals, like I want Marika, or I want Bart, but what should the spread be? And then that falls, again, I think to the Co-Chairs to recruit. So it isn't just a clarion call for participants, it's like here is who we want, we need to go get them, because the validity of decision-making of the Cross Community Working Group, at the end, will be judged through the lens of who participated, and so you will want to make sure that that's as tight as possible.

Then the last thing is to maintain the word Mikey used yesterday with (inaudible) cover, but what he meant was, to make sure that each of our supporting organizations, or individual supporting organizations, are aware of what we are up to. So, don't let the Working Group get too far ahead of the understanding of what the Working Group is up to, but the SO or AC, and I think, is the content on the GNSO and ccNSO website is exactly the same. Then that's a step forward, right, because most communication at ICANN is a synchronism, relying on the (inaudible).

Having said that, I will just sit back and watch how you guys manage to successfully navigate all this, and we will -- and Becky and I will take up every lesson learned into the other working groups. So, thank you.

Bart Boswinkel:	Moving forward, I think what we just said is taking your wise words into account. But we go back to each of the SOs. Maureen, yes, go ahead.
Maureen Hilyard:	Thank you. I'm just following on with the selection process, for example. For the ALAC, because I am the ALAC, ccNSO liaison person, I was just -- it came up, and also there was actually part of the end of the previous day, I came into that process. So, Olivier was quite happy that, you know, we were going, they were making -- we were making selection from the ALAC, that Sheryl and I, as the liaison people, would be representing the ALAC, if that's okay. But, you know, so the selection process is part of procedure anyway, because of the liaison role. And I must admit, I'm certainly enjoying the involvement with ccNSO. Thank you.
Bart Boswinkel:	Thank you, Maureen. So, going back to the process; we have to take this up, and it will take probably, my guess is a month, one-and-a-half month, until we've got the membership settled. That's my experience at least. Second is, as we certainly say Paul is a Interim Co-Chair, just to kick this off, and because he was the Chair of the Study Group, that as soon as we, say, maybe, before we announce, or before the membership has been settled, that leaves the intended Chairs, and including Paul as the hands of, to get together to discuss some of the working procedures moving forward. Yeah, go ahead.
Marika Konings:	It is Marika. So, from the GNSO side we currently have two candidates for the Co-Chair position, and Heather being on the phone, is one of them, and Jin Chou (ph) has also volunteered. I think we do -- or we have it as an item, I think, for the wrap-up session today, with the GNSO, and I'm not sure if a decision will be taken there. I think, otherwise, it will be at the next Council Meeting. I think we need to decide, indeed, whether -- how the selection is done or whether, indeed, the two candidates are still interested, or whether we have two Co-Chairs fro9m our side, if that would even be an

	option, but again, I think that's something the GNSO needs to further discussion, and get back to all of you, I think shortly, because--
Bart Boswinkel:	The assumption we will not have a Co-Chair Meeting this week. So, plenty of time. So, once this has been settled, then you will see the normal procedures setting up email lists, et cetera, Web page Wiki. We will get clarity who will do the support side, at least, say, it will be a joint -- say both from The Secretariat point of view and, say, from staff support. Say, with staff support it's fairly easy, it's going to be me from the CC side, but who from the GNSO side is to be decided, is my guess. I hope we could have a really constituency meeting, you know, a couple of weeks before the London Meeting. That's my guess, it will take one-and-a-half, two months before this really set up and, you know, London is fairly close. So, if we could have one call and then a face-to-face meeting in London, then -- Yeah. Go ahead.
Marika Konings:	This is Marika. I think that's probably that needs to be discussed as well, because I think the pace of GNSO Working Groups is quite different. I think normally when -- indeed we form a working group, call for volunteers, we'll go out like in a two-week time period, and we typically immediately meetings, and often on a weekly basis. And I know that's very different, so I think that's actually something for the Co-Chairs as well to discuss what pace they are going to meet and what the ultimate goal, and make that there's alignment, indeed, with the Working Group members and the SOs.
Bart Boswinkel:	Let's go back. That's the probably -- there you see already a difference, because we say in the CC world, members are appointed the Council, we have to wait for a Council meeting. So that will set the pace on one end, and as soon as we got the Co-Chair and say, Paul will be in it as a hand-off, maybe on the first Co-Chair, to take people again into the Study Group Report in a more detailed fashion. My guess is really -- what I've seen with the Study Group, although the pace all the time, the duration was, you know, quite long, its CCs have the tendency to do their real work at face-to-face meetings. They find it difficult of calling because they are not very geared into ICANN space, they have a day-to-day job. Yeah, Go ahead, John.
John Berard:	So I assume that the Co-Chair appointment won't be made until a meeting, to this, yes?
Bart Boswinkel:	I would foresee it being it's something that the ccNSO Council will make before London, so they could--
Unidentified Participant:	They are actually meeting?
Bart Boswinkel:	Yes.
John Berard:	Right. And that's the benefit of -- I mean another difference between the two Councils is that CCs meet for an hour each month, so they are more regularly convening, whether they get a quorum or not is another matter. But they are more regularly convening, whereas the GNSO meetings are spread out a little bit more so the -- once a month.
Marika Konings:	This is Marika. The GNSO Council Meetings are once a month, apart from August.
John Berard:	Apart from August?
Marika Konings:	I think it's probably the same for the ccNSO--
John Berard:	All right. Well, it's fair for me -- Okay. My calendar may be as (inaudible). But we shouldn't let those idiosyncrasies stop the train.

Bart Boswinkel:	No, but it -- they determine at the base hold or the time where you can really start working.
Marika Konings:	The ALAC Leadership Team meets twice a month, every fortnight, so decision-making is pretty quick.
Paul Szyndler:	So, just to restate what Bart said, to make sure everybody is clear. There is a decision point, so that break point is whether we have ccNSO propose people before the upcoming Council Call, or the one after that. That is the only pressure point that we have to wait for. Once that decision is taken, I'd give an idea of what I'd like to -- yes, that call, however long it is before London, it's the same setting one, and there would already be representative, so identified for that call, with me just guiding through the process from the study group. And then perhaps one job would be to set their agenda and discussion topics for London, and then away we go. It would actually be a working meeting, the first one, by London.
Bart Boswinkel:	And one of the first things they have to do is come up with a kind f work plan that defines the deliverables, et cetera, so you have agreement on this one, and then you can really start diving into it. Okay. I think that we've touched upon all the aspects right now from creating and setting up this Cross Community Working Group. Any other questions, Heather?
Heather Forrest:	No questions from me, Barth, Thank you.
Bart Boswinkel:	Okay. Anybody in the room? No. Thank you. Thank you, for attending at this early hour, to extend your day.
Paul Szyndler:	Bye, Heather.
Heather Forrest:	Bye, now
Bart Boswinkel:	Bye, Heather