

YEŞİM SAĞLAM:

Good morning, good afternoon, and good evening to everyone. Welcome to At-Large Consolidated Policy Working Group call taking place on Wednesday 7th of December 2022 at 13:00 UTC. We will not be doing the roll call due to the increased number of attendees, as well as for the sake of time. However, all attendees, both on the Zoom Room and on the phone bridge, will be recorded after the call.

And just to go over our apologies, we have received apologies from Cheryl Langdon-Orr, Bill Jouris, Satish Babu, Sébastien Bachollet, Claire Craig, and Mouloud Khelif. From staff side, we have Chantelle Doerksen, and myself, Yeşim Sağlam present on today's call at the moment, and I'll also be doing call management for this call. And just to cover our interpretation service provided for this call, just a heads up that unfortunately we do not have French interpretation for today's call. However, we do have Spanish interpretation as usual, and our interpreters are marina and David.

And before we get started, another reminder is to please state your names before speaking, not only for the transcription, but also for the interpretation purposes. And my final reminder will be as usual for the real time transcription service provided on this call. And I'll just share the link with you. Please do check the service. And with this, I would like to leave the floor back over to Olivier. Thank you very much.

OLIVIER CRÉPIN-LEBLOND:

Thank you very much, Yeşim. And welcome, everyone, to this week's Consolidated Policy Working Group call. I'm Olivier Crépin-Leblond.

---

*Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.*

---

Hadia Elminiawi is joining me to co-chair this call. And today, after our review of action items, we have our usual updates of work group, then small team, transfer policy review, etc. And then there's the policy comment update, and that will actually have an in-depth further work regarding the ccPDP review mechanism, which is the initial report of the ccNSO policy development process review mechanism. So we'll have an extensive look at this with some draft, etc.

And then after that, At-Large policy priorities for ICANN76, the follow-up from Jonathan Zuck, following up from last week. And then other business after this, specifically speaking about the Subsequent Procedures Operational Design Phase Assistant. Are there any changes to the agenda as it currently is on the screen? Now the time to make some suggestions. I'm giving it a couple of 10 seconds. No hands up. So the agenda is adopted today as it is listed on your screen.

And it means we can go through our action items from last week, all of which are completed except for one, of course, the postponed item for 7th December call after the CPWG should discuss options, a close group of people that we should discuss with Tijani Ben Jemaa and Sarah Kiden. Bearing in mind that both were at the IGF last week and have probably just made it back home.

I think this is likely to be pushed back, perhaps another weekend and arranging the background. And then we'll have an update next when Tijani and Sarah are in action. And of course, when the working group on the work relating to the applicant support restarts. But a part of this, everything else is completed. Any comments or questions on the action items. I'm not seeing any hands either. Sarah Kiden.

---

SARAH KIDEN: Hi, everyone. This is Sarah for the record. I think Tijani and I we have a small update. So, yeah, I hope it is on the agenda, but we will have an update. I don't know if Tijani wants to say anything, but you'll have an update today.

OLIVIER CRÉPIN-LEBLOND: Okay. Thanks. We will see when we reach that level. Yes. That's the small update. Okay. When we reach that item in the agenda, which is likely to be pretty soon. I'm not seeing any other hands up, so let's proceed forward with our agenda being adopted in the action items been complete. And the first one of our work groups is the transfer policy review policy development process. And for this today, we have the ALAC alternate, Lutz Donnerhacke, who should be able to have an update on this week call and developments. Lutz, you have the floor.

LUTZ DONNERHACKE: Lutz Donnerhacke for the record. The call was yesterday evening. So it was a very short call. It was so short but it was able to form a small team for special issues and had to discuss the small team within the same timeframe, simply because we finished the call by half the time we expected.

The content of this call was about reasons why a transfer must be rejected. There are a lot of reasons in the current policy. Most of them are unchanged. They will persist as they are. And the important or the most interesting point is it was a discussion about what will happen if

---

losing registrar, so the current registrar, like the domain owner, the registrant knows about is no longer obligated to send notification, then the registrant will not get information that transfers then progress and can't stop the transfer because he doesn't know about it.

There are a lot of procedures which may replace the losing FOA notification, but they are not in place, so the discussion was a little bit fruitless. The other point is, not at the moment. Yes, a discussion about how to detect fraud if a person is trying to transfer domain erroneously but failed. That's a discussion where we do not have any information how to detect this. This is part of the registrar behavior. And that's why there was a small team formed which discussed it afterwards and we get the results tomorrow or next week. I don't know exactly.

So basically, that's all. For me, the interesting point was that there is a possibility for the registrar to track that the transfer authorization code, TUCK is correct or not, even without using it. So there is in the back office system of the registry, there are often an API call, which allows the registrar to test. This TUCK can be used or it's valid for the transfer to be done. Of course, it sounds interesting because it looks like a possibility for proposed attack. But the registry that this AP is closely monitored and they will detect if there's somebody is trying to find the valid code without authorization. Thanks. That's all.

OLIVIER CRÉPIN-LEBLOND: Thanks very much for this update, Lutz. Let's open the floor for comments and questions. I see Steinar Grøtterød.

---

STEINAR GRØTTERØD: Yes. Hi. This is Steinar for the record. And thank you very much, Lutz, for being my proxy yesterday. It was very good. Thank you very much. The way I also understand is that there will be a final version of the comments from the initial Phase 1a being distributed shortly before Christmas. So we will have some sort of paperwork for over Christmas reading, and thereby also responding back early in the next year, I guess. I hope you have the same understanding Lutz. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks for this Steinar. Okay. I'm not seeing any of your hands up. So that's the update for the TPR TDP. Thank you, gentlemen. And we can therefore move to the next one and that's the EPDP on IDN. And my screen has just frozen. So let me just check on that. And there is no, as far as I understand, there's no significant update on this. It doesn't show any time allocation to it. There will be an update in the future. Of course, there is an item about the ccNSO further down, but nothing specific on the EPDP on IDNs. The next one is the Registration Directory Accuracy Scoping Team that's currently held until further notice.

The one after that is the System for Standardized Access and Disclosure Operational Design Assessment, the SSAD ODA. That also appears not to have had much progress this week. But then we have a small allocation of time for the fascinated dialogue on closed generics, a process that is just about staffing. And I'm not sure who was going to do the update of this. Is Greg with us, Greg Shatan? I don't see him in the list. So I guess then we'll have to turn to Alan Greenberg.

---

ALAN GREENBERG:

Consider yourself turned. There was a meeting this week. We continued to work on the participant commitments. We spent a fair amount of time looking at or starting working on a Jamboard on what is referred to as needs. And needs is a very generic term. It can be translated as desires, questions, fears, concerns. Essentially, what are the issues surrounding any that we have to consider surrounding any future allowance of closed generics and the process associated with it? So we just started working on that.

There is work that is continuing on try to identify how each of the meeting participants or the group participants view what might be a, how do you recognize a good post generic TLD versus the, what do we want to worry about. That essentially is fed into the Jamboard. There is a new piece of work that has just been announced and that one is essentially, what are the opportunities, challenges and characteristics for closed generics.

We are looking for business cases, what are the reasons we may want to consider that close generics are good and therefore build the message the process. Again, there's no agreement. These are just brainstorming activities. At this point, I am still participating. At some point, I presume the axe will come down and be told that I'm no longer an active participant, but that hasn't happened at this point.

And the last point to note is the group unanimously agreed that I could participate in Washington meeting. So I will be traveling to Washington. That doesn't mean I can speak unless Greg is actually absent at the table. But it means the two of us can consult on a regular basis going forward. Thank you.

---

OLIVIER CRÉPIN-LEBLOND: Thanks for this update, Alan. Let's open the floor for comments and questions. When did you say you were traveling, Alan? Was that next week?

ALAN GREENBERG: No. No. It's the end of January 28th or 29th, or something like that. Essentially the last two business days of January.

OLIVIER CRÉPIN-LEBLOND: Okay. So we're still far away from the crunch at such.

ALAN GREENBERG: Well, the intent is that that meeting is going to be the place at which we largely come to agreement on what we're going to do. So there's a lot of background work that has to be done first.

OLIVIER CRÉPIN-LEBLOND: Until then. Yeah. Okay. I'm not seeing any hands up. So we can therefore -- No there is a hand.

ALAN GREENBERG: And I'm really, really looking forward to a trip to Washington DC in January.

---

OLIVIER CRÉPIN-LEBLOND: It's nice and sunny and warm and swimming. [00:16:06 crosstalk]

ALAN GREENBERG: Compared to my place that normally is, but--

OLIVIER CRÉPIN-LEBLOND: Justin, you're muted.

JUSTINE CHEW: Okay. I'm going to speak. This is Justine. I had a question for Alan since Greg is not here, which is do you foresee a way in which to cross this scope, what is going to be discussed for consultation with CPW at some point in time?

ALAN GREENBERG: Sorry. I don't even think at this point we can share the documents because most of them are closed. So I don't think there's a lot of substance we can share at this point, perhaps sometime in the near future. I will check, either Greg, or I will check to see to what extent we can easily, I mean, obviously, we can surreptitiously copy things and make copies available, but that was the intent. At this point, it's still brainstorming. So we have a lot of things on the table that are individual's opinions.

It's not at all clear that that's the direction we'll go. For instance, there are a number of us, I'm one of them, the GAC people, some of the GAC people or the others, that are saying a global interest, sorry, a public



---

interest is not sufficient because there are competing public interests. You know, what you believe is in the public interest may not be what I believe is in the public interest. And the example I gave is one large and prominent religion might want the term .church, and they believe certainly in the public interest for them to have it. But there are competing churches and other ones who might disagree.

So what we would want is a global public interest satisfied, which is of course a much steeper target. And how do you achieve that? And how do you recognize it as a different question? So these are ideas that have been thrown out. At this point, it's just ideas and there's nothing resembling any agreement that this is a direction we're going to go in. So until we start having something concrete to say this is the direction we're going in, what do you guys think about it, I don't think there's really a lot of point. I have a whole bunch of hands now.

OLIVIER CRÉPIN-LEBLOND: Thanks very much for this, Alan. I hope that you can hear me. Yes, it works. Next in the queue is Jonathan Zuck.

JONATHAN ZUCK: Hi. Thanks, Alan, for the update. Jonathan Zuck for the record. I feel like what Justine may be getting at is the idea of just more discussion on substance in this group to help the two of you with a sense of temperature of the room kind of in terms of where folks are and ideas and then just reacting to where the group is headed might feel late.

---

I mean, I wonder if there's a way for you and Greg to lead a discussion, more thorough discussion and some of the possibilities even if it's hypothetically based as opposed to where the group is so that you have as much information as possible about what the whole group feels as you continue to explore these different substantive halfway in the conversation.

ALAN GREENBERG:

Yeah. At this point, this week is the first time that the people in the group have really even expressed opinions of where they are. I mean, you can guess where some of them are based on where they come from. But that's as far as it goes. So this is, we're just at the very start of that process. There is nowhere where the group is at right now. What we're trying to communicate is where the individuals are at.

JONATHAN ZUCK:

But that even would be valuable information for us just to know where our individuals are at.

ALAN GREENBERG:

I will certainly look into to what extent can we present the information that we have.

JONATHAN ZUCK:

So it's not group information that I guess I'm trying to prioritize. You're in Greg's thoughts and then the degree is to which we might be able to

---

influence them before this gets too far down the path. I think that's the idea.

ALAN GREENBERG: I will get back to you.

JONATHAN ZUCK: Thank you.

ALAN GREENBERG: I see Hadia's hand up.

HADIA ELMINIAWI: Yes. Thank you, Alan. This is Hadia for the record. So you mentioned the global public interest and how do you think actually you would define this global public interest? And is it even within the scope of this group to identify what the global public interest is?

ALAN GREENBERG: Good questions. I have no answer. In my mind, the only way you end up doing that is individuals or a group doing a judgment call. The need for predictability means you really have to set the parameters out for that really well, and we have never been able to do that. So, I mean, even the algorithm that is currently being used by the Board for recognizing public interest is very much a subjective issue. It's not something you can feed into a program, the program that I'm aware of and recognize the answer.

---

And yet a definitive answer owed and predictability is one of the core values of the Subsequent Procedures overall framework. So I don't know how to do that. If you ask me, when I've been asked before, my answer is simple. You've sent it up to the Board and let the Board decide. They're not likely to do that, we know. So I don't have a good answer to that. Justine?

JUSTINE CHEW:

Yeah. Thanks. This is Justin again. So based on what Jonathan was saying and what I was saying earlier, and adding on to what Hadia is saying. So I would be very appreciative if Greg and yourself could at least come up with a some kind of broad framework by which to guide the conversation. We understand that there are some things that are still up in the air. I for one appreciate that very much.

But I'm also fearful that by the time you get to end of January, where all the substance are actually happening and they happen very quickly, you won't have a chance to consult with the CPWG or the ALAC or whatever to set your positions that you want to take in the group itself. So perhaps approaching it from a broad framework or some sort of guardrails by which the two of you can operate might be helpful. Just do think about it. Thank you.

ALAN GREENBERG:

My only comment is to remember that although we're not forbidden from talking about this and there was some discussion at the beginning of the group that we are forbidden from talking about it, that we are there in very much in a brainstorming mode. So it's not necessarily

---

clear that what is being talked about today or tomorrow is what will come out of it.

So it's not the carefully structured thing that a PDP is, that you're moving along in what should be a uniform direction. It's much closer to a brownie and walk at this point than anything that we've seen before. So I don't know to what extent it is possible to do what you're asking for. But Greg and I will talk about it and we'll go back.

OLIVIER CRÉPIN-LEBLOND: I'm not seeing any other hands up. So thanks very much for this update. And I think that we can move on then to the next one, which is the closed generics. And have I just lost the track on here? Sorry about this [CROSSTALK].

ALAN GREENBERG: We can do it all over yet if you'd like.

OLIVIER CRÉPIN-LEBLOND: No. No. I just pressed the wrong thing and it came out and I just said it. How unbelievable. All right. We've got a quite an update today on the applicant support GNSO guidance process. And for this, Tijani Ben Jemaa and Sarah Kiden are going to have their updates. So I hand the floor over to I think it was Tijani who's moved forward. So Tijani, you have the floor. Freshly back from the IGS.

---

TIJANI BEN JEMAA:

Thank you very much Olivier, Tijani speaking. Yes, we just come back from the IGS. We had a call on Monday with the GGP working group. And we started by having a brief review of this new process, the GGP process. We work through the manual of the GGP. And if you don't need to summarize what is the most important, the most important thing is that the GGP is not about to make policy recommendation, but guidance recommendation. Guidance about policy or guidance for the implementation of policies. This is the summary that I can give from this process.

And then we addressed the draft work plan and the timeline. And from the timeline I noted that there is a conflict, a lot of conflicts with my duty as NomCom delegate. And I asked that this timeline be more flexible so that I can do both. But they said, no, it's not a problem. You can be absent and read the transcript.

You understand that reading the transcript and participating in the deliberation is something very different. So that's why I will tell you at the end that I will resign from this group because I will not be efficient. Because we have a lot of work at the NomCom and I cannot be absent in the NomCom. It is compulsory, it is my duty. That's why I prefer to resign so that another person can be more efficient on this group.

After that, the work plan and the timeline were adopted and it is now adopted. And then we started by task one. And since the task one, we, Rafik and myself, who were in the [00:29:24 –inaudible] Working Group, we're supposed to give more gravitation, but input from the experience of the [00:29:33 –inaudible]. But since we didn't participate in the implementation, we asked for a briefing from the staff who did the

---

implementation so that everyone will be more informed about that and this will help in the work and the future. And it was adopted that there will be a briefing from the staff.

And then we went to task two. Task two you know it is to look for subject matter experts to help in the notification of the criteria etc. And there is a long discussion about that, especially as other experts should be from the community or out of the community and the first response was it could be from the community first. And if we need later, we may look for people from outside the community. In this regard, there will be a document that may be circulated. It is the task two input request document. As it would be sent to the SO/ACs asking them to identify experts in the community.

After that, we address the -- I think that's all. After that, we finished the meeting. Of course, we have homework to work on the task three, four and five, which are all related to this issue of experts. And that will [00:31:42 –inaudible] the meeting like this. So this is my update. Sarah, can continue. You can add something if you want.

SARAH KIDEN:

Okay. Thank you, Tijani. So to continue from that. Tijani has gone through task one and two. If you remember from our update last week, we have six tasks to complete. So we were given homework to look at task three, four, and five, and then give feedback in our next meeting in two weeks. So I think we will send this around to all of you. And then you can take a look and give feedback. But maybe if I may just go through the tasks.

---

Task three was around looking at the set of adjusted metrics in implementation guidance 17.9. So the reason I want to send it around is so that you have a chance to look at implementation guidance 17.9. And what we are supposed to do with this task is look at metrics and try to prioritize them. I don't know if maybe stuff could give me right to share my screen, I can just share for the purpose of this discussion.

YEŞİM SAĞLAM: Sure, Sarah. This is Yeşim speaking. Just once seconds, please. So let's see. Okay. You do have cohost rights now.

SARAH KIDEN: Okay. I hope you can see my screen. So can you see the word document?

YEŞİM SAĞLAM: Yes.

SARAH KIDEN: Okay. So basically, for task three, I don't think it's possible to look through tax four and five. But for task three, we are supposed to look at these metrics that have been identified below and sort of prioritize them. I think we can handle task three and four together because task three basically say that the things that were identified in implementation guidance 17.9 it's not limited to that. So we have an opportunity as a working group or as the At-Large community to give our feedback about other metrics that can help us measure our success.



---

So maybe I can take you through some of the metrics. The first one is around awareness and education. The other one is around other elements of program implementation. And the third one is around the success of launched gTLD. So awareness and education is somewhere I think we may be interested in looking at.

So basically, the first one is around the number of outreach events and follow-up communications with potential applicants. So for example, if there's an outreach event, you just look at how many people responded or try to ask for more information from that outreach event. So that's one major success from the point of view of awareness and education.

Let me go through awareness and then maybe we can discuss and then go to the next one. The next one is around the level of awareness about the new gTLD program and the applicant support program. Personally, I think this one is a bit vague. I don't know what other people in the working group think, but I think this is a bit vague. Because how do you engage how aware people are, basically. I don't know what you think.

Then the tagline is around the number of inquiries that have been made about the program, the level of interest. So basically, the staff that are supporting the program will actually take a look and see how many people are sort of showing interest in the new gTLD program.

The next one is around the number of applicants. So how many are first time applicants versus how many are repeat applicants, how many applicants are submitting a single application for lots of portfolio applicants. The portfolio applicants are people who are applying for more than one gTLD. So it could be 8, 10, 50 or whichever number.

---

Then the other one is around application based on preexisting trademarks. I think we will discuss this in the CPWG. And finally, the diversity and distribution of the applicant pool. So looking at geographic diversity, languages and script.

So, yeah, I think maybe we can take a look at awareness and education and move on to the next one. So just to remind you that with task three, we are supposed to look at the implementation guidance 17.9 and try to prioritize there, which one do we think should be given more priority over others? And I see Hadia has her hand up. So Hadia you have the floor.

HADIA ELMINIAWI:

Thank you so much, Sarah. This is Hadia for the record. Thank you for this update. And my quest is in relation to the potential applicants. So how do you define potential applicants? And would this also be a metric? No. Right?

SARAH KIDEN:

So you're talking about the second bullet point, right? This one, level of awareness.

HADIA ELMINIAWI:

Even the number of outreach events and follow-up communication with potential applicants, it all depends that you actually have identified potential applicants.

---

SARAH KIDEN: Yes. So if you remember, I actually mentioned that I feel, for example, one and two, like how do you actually measure how aware people are about the program. So I think maybe we need to give feedback and say that we need to make this more granular, like try to break it down and describe what this really means. That's something I think we can do, but I'm happy to receive comments.

HADIA ELMINIAWI: I think also it is important to define potential applicants. Like define who they are because that will actually also contribute to the success of the program.

SARAH KIDEN: Okay. That's noted. I see, Jonathan has his hand raised.

JONATHAN ZUCK: Thanks, Sarah. Jonathan Zuck here for the record. I thank you for this presentation and there's a lot of work going into this. I'm concerned that it's headed toward a kind of a neutral view of the metric. In other words, instead of based on some particular objectives, it's just a measure that can measure things after the fact and this is why our advice included the need to set objectives because when we had our session, it was clear the majority of the folks in the room, the virtual room at the time would rather see one successful applicant i.e.a delegated string that came through the applicant support program, than see increased awareness of the program. And so as measures of success as opposed to simply arbitrary measures. I feel like this still

---

needs to be objective based, and there has to be metrics about actually making it all the way through the process and being delegated.

SARAH KIDEN:

Okay. That is noted. I can take this back to the working group in two weeks when we have our meeting. And I see three hands. But actually, I can't see. So maybe Olivier, you can help me go through the queue because I can't see it on my end.

OLIVIER CRÉPIN-LEBLOND:

Yeah. Absolutely, Sarah. The next person in the queue if I have the right window opened up. Can you hear me? I keep on breaking up. Next is Justin Chew and then we have Christopher Wilkinson. So first is Justin Chew. Thank you for this, Hadia.

JUSTINE CHEW:

Yes. Thank you, Olivier. Thanks, Sarah. This is Justine for the record. A couple of things. I also want to reiterate what Jonathan was saying in terms of perhaps that we should approach this from the point of view of the objectives that we want to see achieved for the applicant support program. So if we look at it from that point of view, then I think some of these metrics will be clearer because now you're just looking at metrics kind of like in the vacuum. That's number one.

So number two, I think this discussion has to take place before you go back to the working group. Because otherwise, I don't know how you're going to present any possible coherent feedback. Number three is many of these bullet points you see in terms of metrics were actually

---

propose by the At-Large and ALAC in our comments back to the final report SubPro and probably not so much in terms of detailed granularity in the advice to the Board, but I think there's some overlap there.

So perhaps we could look at some of the notes that we have in place for when we did the work on writing up the comments for applicant support and see whether we can pull out some useful nuggets from there. And, also, you have access to people who had considered ethical support from a quality point of view within SubPro. So I'm thinking of people like Tijani, obviously, he's a rep, Christopher Wilkinson, also Marita Moll, I believe, and possibly Yrjö if I could. I'll need to check the list, but those names come to mind. So just a few things for you to consider. Thanks.

SARAH KIDEN:

Thank you, Justine. I think what I will do is maybe send the task and the implementation guidance to the mailing list so that we can have discussion on the mailing list before our next CPWG meeting next week, and maybe that will help us get some sort of discussions, that is. And yeah, maybe I'll reach out to Tijani and Marita and Yrjö as well. So I see Christopher has his hand up. So Christopher, you have the floor.

CHRISTOPHER WILKINSON:

Thank you very much. Christopher Wilkinson for the record. I apologize for joining the call late, though I was otherwise detained. I just wanted to comment as a matter of history on the second black bullets under the number of applicants. During the work of the SubPro, I proposed that ICANN should have a cap on the numbers of applications that could be

---

accepted from individual applicants. As you will know from elsewhere, that I think the accumulation of large numbers of registries in single organizations poses in the longer term a serious problem of fair competition.

But be that as it may, just as a matter of history at the time when I made this proposal, it was explicitly shot down by a voice who said that this was totally unacceptable. And it turned out the voice was representing the company of doughnuts. Just for the record, I'm still seriously concerned about the effects of very large well-funded applicants applying for large numbers of TLDs, sometimes frankly on a speculative basis but essentially in order to ensure that nobody else can apply for them. I think this is wrong and it will lead to abusive competition in the long term and it should be taken into consideration.

And I've said in a recent posting that I think ICANN should make it clear that there are policy issues that lie behind these metrics and those policy issues should be clarified first. That being said, I fully support what Justine and Jonathan have just said. And I think Justine is right that Marita Moll and Yrjö Lansipuro have an interest in these matters as well. I noticed that Yrjö has just left the call, but I'm sure we'll come back to that as you suggested next week. Thank you.

SARAH KIDEN:

Thank you, Christopher. So maybe what we can take back to GGP is to give feedback about the portfolio applicants and try to ask how many applications this would be. So, yeah. I see Alan and Tijani have their

---

hands raised. I don't know if Tijani wants to respond first. Maybe he's responding to what Christopher has just stated.

TIJANI BEN JEMAA: No. Let Alan speak first.

SARAH KIDEN: Okay Alan you have the floor.

ALAN GREENBERG: Thank you very much. I am responding to what Christopher said. There would surely be an objection from some potential registrants' applicants who want to hold large number of domains. There's no question they're going to object and say, no, I don't like that. However, the concept of trying to limit the number of domains a single applicant has requested is a very complex process, and the mechanism to do it is not clear. For instance, there were some applicants, and I think doughnuts was one of them, but I may be wrong of that, where each application in the 2012 round was done by a separate corporation.

They actually incorporated an organization to apply. So although you can do forensic analysis of the lineage of corporations and how they're linked, that is often very, very difficult to do because of numbered corporations and things like that. And it's not intuitively obvious just looking at an application to say it's coming from the same root company as in other applications. So just be aware of any discussions like this. It's not just a matter of will. It's a matter of ability. Thank you.

---

SARAH KIDEN: Thank you, Alain. Tijani, you have the floor.

TIJANI BEN JEMAA: Thank you very much, Sarah. I would like to highlight that all Sarah spoke about, we didn't work on yet. It is a homework for the group. Second, it is very clear that this working group is not about policy development. It isn't not about policy recommendation. So I am afraid Christopher that we cannot do anything about that. It is not we can't touch the policy. We only recommend guidance for implementation. That's all. Thank you.

SARAH KIDEN: Thank you, Tijani. So maybe I think for today, we can stop there. And I think I may reach out to Jonathan because if Tijani has resigned, then maybe we need to identify someone else that I can work with. So I'll send an email after this call. Thank you everyone.

OLIVIER CRÉPIN-LEBLOND: Thank you very much for this, Sarah. No more people in the queue. It Olivier speaking. So we've now finished the work group and small team update. And we can move swiftly to the policy comment updates with Chantelle Doerksen and Hadia Elminiawi.



---

CHANTELLE DOERKSEN: Thank you, Olivier. This is Chantelle Doerksen. The open public comments that we currently have are still the same two as last week. The first is the EPDP on the specific curative rights protections for IGOs, and we'll be hearing an update on that next week. It'll be a short one since nothing has really changed, but we'll hear more from Justine Chew and Yrjö next week. The second one is the initial report on the ccNSO, PDP review mechanism, and we're going to do a deep dive on that today with Lianna and Hadia. We'll turn to that shortly.

Just to flag, there are several that are still pending as going or expected to open this December. The most prominent being the draft IANA. Sorry. It is going to be the Draft FY24-28 Operating & Financial Plan and Draft FY24 Operating Plan & Budget. That's always open. They're typically open before the ICANN office is closed. So that is the big one that's coming. And that's obviously more for the OFB working group. But if you're interested, please stay tuned. With that, I'll turn it over to Hadia for a deep dive and to kick off the presentation. Thank you.

HADIA ELMINIAWI: Thank you so much, Chantelle. This is Hadia from the record. So upcoming also, we have two proceedings. One is the second level reference label generation rule and that concerns the tables of the second level, which the registries are requested to submit them. That's a technical one. And the other technical one is the technical check review. So ICANN contacts the set of technical checks for each zone change like the root zone, and all current types are fully automated. And this public command proceeding is in relation to these check reviews, which are a result of a previous public comment. Then

---

currently now, we have opened the initiative report on the ccNSO PDP review mechanism. I will give the floor to Lianna, because Lianna actually prepared a report for us. So, Lianna, I give you the floor. Thank you.

LIANNA GALSTYAN:

Thank you very much, Hadia. This is Lianna speaking. The report is presented here in the agenda. Okay. It's on the screen. And, actually, there was a webinar hosted by the ccNSO review mechanism that the working group that develop the initial report and they hosted webinar. And the second one will be in 12 hours, almost. And we will give you the link for participation. They developed a slide deck as well. So that was also very useful actually in terms of presentation. This one that I prepared is more like a text and giving the background an idea. But I will go. Yeah, 20:00 UTC will be the second webinar. Thank you, Hadia, for sharing that information in the chat.

So with the summary of the initial report on the proposed policy for review mechanism, for the IANA Function Operator Decision, which applied to ccTLDs, the work that has started was in 2017, the cc Council decided that they need to have this working group for the retirement actually of the ccTLDs. And that was initially one group. And the work was supposed to be in two phases. Well, for the first part to complete for the retirement, and then only after having a substantial work done to go to the second part for the review mechanism itself.

So the first part of the retirement the work started in 2017 and they finish their report, initial report early 2020. Then with the work started

---

for the second part for the review mechanism in March. Actually, in June 2021, ccNSO Council decided to split these groups. And immediately, almost immediately after they split it, the first part, which was concerned with the retirement policy that went, that policy, that work has been completed and finished and that went to the ICANN Board of Directors.

And the Board, they update this actually in the ICANN75, the very last one in September 2022. So with that, the work started from June 2017 and finished in September 2022. But as for the review mechanism itself, so they continued and they now finished the initial report, which is really good.

And we are reviewing now this document. So this is just still the background. The group started with the exploratory phase and then they identify those decisions that interview of working group may be subject to review. And then in the next phase, they focus on identifying the basic elements and principles for the review mechanism to be developed.

We're just giving the credit of the working group that had their meeting, as of the ICANN76, they're working at 58 times. And this work included participation of ICANN legal staff at a number of these meetings. And also the work being presented to the community and large known this ICANN three meeting, the place that was ICANN71, ICANN74, and ICANN75 sessions.

And with the working group, they prepared the initial report as SSAD, and there is a guideline actually how to read the document itself. And it

---

has a lot of parts that the policy, many annexes explaining and helping the information that is included there. And the part of the development of the policy has created and, yeah, as I said, the background information. So the objective of the policy is to offer ccTLD managers and applicants for new ccTLDs as being the direct customers the IANA naming function, an independent review mechanism for especially identifying the IFO, that is IANA naming function operator decisions. And such mechanism would be a logical independence step following the IFO customer service compliance resolution process and IFO mediation process.

The review mechanism for IFO decision, which applied to ccTLDs, and now we have the terms, the ccRM. That is available to ccTLD managers, or applicants of new ccTLD of this decision. And for the process, processes at delegation of new ccTLD and transfer, relocations, refusal to grant an extension for the retirement deadline for the ccNSO retirement policy, notice of retirement for too little latches ccTLDs, for which does not correspond then to the ISO from the country code, alpha two code element. And the articles are developed there by the ccNSO and adopted by ICANN Board, which can still be appealed for this decision.

The process itself that has been identified, that is if IFO takes a decision that is subject to review. And ccTLD manager or applicant for a new ccTLD applies for review. The ccRM manager accept the application. Reviewers then complete the review. If no significant issues were found by the reviewers, the review process is concluded, and the IFO decision is confirmed.

---

If significant issues were found, then the reviewers has three options. The IFO has three options actually. Accepts the results and adjust these decisions. The second one, IFO accept the results, but opts to redo the process. And then the third one, the IFO rejects the results. And it has all these details of their decision and the mechanism, what will happen in each case.

For a couple of words about the ccRM manager, that is really important that the manager must be a non-conflicted individual, but who is a subject matter expert with respect to ccTLDs. And the other, like, extensive document representing the requirement, it should be an experience of at least 10 years. And it's mentioned, non-conflicted. And the office of the ccRM Manager will be funded and managed by ICANN. The applicant and claimant to ccRM must be a ccTLD manager.

Of course, except in the case of delegation of a new ccTLD where any applicant for the new ccTLD is eligible. And there are the details that for the launch of ccRM, it should be submitted the application to the special website. And that should be done in English. That is also an important detail to mention within 30 days for the procedures over there.

And for those cases where there is a potential for more than one claimant, there should be more than one application, the details are presented there. And by submitting an application, the claimant will agree for the rules. This is also something to pay attention to the rules for the independent ccRM, which will include a clause preventing the applicant from checking the ccRM manager, reviewers, ccNSO, or ICANN support with respect to the ccRM process of findings.

---

So that what is basically said, the findings are final and the decision that has been by final, but also it says that working group recognizes that this is no way prevents the claimant from taking the IFO or ICANN to the court if it's something they do not agree with. And who are the reviewers?

The reviewers also will be certified, managed and supported by the ccRM manager. They will be paid by ICANN or IFO. The reviewers must be impartial and the certification requirements will include a minimum of 10 years of practical experience, as I mentioned. And the findings from the reviews cannot be appealed. Here is a part that I highlighted.

The IFO will maintain a good working relationship with the ccRM. There are a lot of requirements here for the IFO as well. And after reaching the decision on ccTLD request, which can be reviewed, the IFO will advise those parties who could apply for the review mechanism for the ccRM of the decision as well as the timeline to doing so. And they did the other two points. That the IFO will make it available for the reviewers to present details of the case or answer the questions and if IFO fails to comply with the requirements of the review policy, the ccRM manager will advise the ICANN CEO and ccNSO Council of the situation and then request for the ICANN CEO promptly correct situation.

And for the oversight of the document that we have in the initial report, the policy is directed, as it is written in the ICANN and the IFO as the entity that performs for the IANA naming function. And the policy is not intended and should not be interpreted to amend the way in which ICANN interact with the IFO and the delineation of their roles and responsibilities. And the proposed policy will not change or amend the

---

rule that ICANN Board of the directors has with respect to the individual cases of ccTLD delegation, transfer, retirement, revocation or any other policy developed by the ccNSO and adopted by the ICANN.

And as regards to the changes in the bylaws, ICANN bylaws, there was recommendation. And one of which is to change actually some of the wordings that needs to be done in the ICANN bylaw itself. There are recommendations for that in the report. So for the public comment that is open from the November 29th till January 24th, there is a possibility to make comments on this.

And as I already mentioned, there would be another webinar hosted today for those questions or comments that can be clarifying to the working group is still a possibility to participate. And I for one did not have a chance to take for the first one for this time challenge. I will be for the webinar of the second one in the 21:00 UTC. And you are all invited to be here. That is all, I think. And if we need to do then make comments or for the statement from the ALAC, we do have time for this. And back to you, Hadia.

HADIA ELMINIAWI:

Thank you so much, Lianna, for this extensive document and presentation. And I think what we are looking for here is an end user perspective. I also guess what we need to care about is that domain names are not impacted by the review mechanism in a manner that affect users of the domain name.

For example, if a country is in a conflict, we want to make sure that domain names are not impacted because of the conflict that is going on.

---

We always want to ensure that ccTLD organization or managers have the ability to perform their work and thus there is no negative impact on domain name users. So, Shiva, I see your hand up. Please go ahead.

SIVASUBRAMANIAN MUTHUSAMY: Apologies. I'm not quite sure if my question is entirely in tune with the topics that were discussed today. But there is the separation between ccTLDs and gTLDs. And when new ccTLDs are delegated, and especially, IDN ccTLDs are delegated or some of the new ccTLDs are delegated, are these TLDs, newly delegated TLDs considered to be subject to the ccTLD policies or gTLD policies? It's called ccTLDs, yes, but when something new is delegated like an IDN ccTLD, can it be considered under new policy, under new gTLD policy? Thank you.

HADIA ELMINIAMI: Thank you. I'll take this quickly and then give the floor to Lianna. So if it's an IDN ccTLD, it follows the ccTLD policies. However, this policy is only concerned with latent ccTLDs and not IDN ccTLD. There is another policy that's under development that actually addresses IDN ccTLD. And we need to remember that each country called top level domain is operated by an independent registry operator. So each country called top level domain ccTLD, which is operated independently sets its own policies to govern the registration and use of a particular ccTLD. Nevertheless, again, IDN ccTLDs follow the policy of these ccTLDs, but not this policy, different one. Lianna, would you like to take this? Thank you.



---

LIANNA GALSTYAN: Thank you, Hadia. This is Lianna speaking. You mentioned it correctly. And just to confirm that for the ccTLD, it is two letter codes for the Latin script. And for the IDN ccTLDs, if that has been delegated, it still is managed by the individual and by the country top level domain manager and they set their own policies. So it does not go with the GNSO policy. This is for the ccNSO and the working group plan has developed. So that is clearly a separate track. But thank you for the question.

HADIA ELMINIAWI: Thank you, Lianna. This is Hadia for the record. I don't see any more hands up. So as Lianna mentioned, we invite you to join today's webinar if you have the time. And then if you don't, we will also post the link where you can find the recordings and presentations. Also linked to the agenda today is the slide deck that was presented earlier today. You could also click on it and go through the slides. Thank you so much. And I now give the floor. We have the At-Large policy priorities for ICANN76. We have Jonathan Zuck for that. Jonathan, I give you the floor.

JONATHAN ZUCK: Thanks a lot, Hadia. There's a lot of overlap obviously between this committee and the ICANN76 planning committee. But just by way of update, we continue to go through the planning process for ICANN76. The schedule continues to get filled in and it's a little bit of a chicken and egg to make sure and figure out what sessions are happening around ICANN with which we might not want to conflict.

---

And so as other groups add their sessions to the schedule, we're hoping that the issue shepherds are able to go back and look at those meetings to see if they're worth attending or if it's enough to listen to the recording or if they can be ignored altogether, to really try to figure out where we want folks to be during the meeting and therefore not have them sitting in the ALAC room when something more interesting is happening.

So we have a couple of big meetings that were planned for this Saturday before the ICANN meeting begins. One on Subsequent Procedures and one on Strategic Planning, but there may be a conflict with some important GNSO sessions on IDNs. So we continue to go through the process of figuring out which sessions of which we don't want to conflict. So that's ongoing. Hopefully, someone from staff can host the current schedule as it currently stands. So you can see where we are, but that's the process in front of us. And that's really all there is for an update, Hadia. Thank you.

HADIA ELMINIAWI: Thank you so much, Jonathan. If you have any questions with Jonathan. I don't see any hands up. So we go to any other business. Olivier?

OLIVIER CRÉPIN-LEBLOND: Thanks very much, Hadia. It Olivier Crépin-Leblond speaking. And the any other business has an announcement regarding the Subsequent Procedures Operational Design Phase Assessment, the SubPro ODA that's on Wednesday, the 14th of December. That's the next Wednesday. And there are two such sessions. One at 13:00 UTC and

---

one at 21:00 UTC. You have to register. The link is in the chat for this. I think that Justine has already left, so she won't be able to speak on this, but we've already mentioned it, I think earlier. And it'll be interesting to see where we go on this. I don't know if anybody wishes to comment on that. A bit of an advanced notice. I'm not seeing any hand.

CHANTELLE DOERKSEN: Olivier, this is Chantelle. I can jump in.

OLIVIER CRÉPIN-LEBLOND: Yeah. Go ahead, Chantelle. You have the floor, Chantelle Doerksen.

CHANTELLE DOERKSEN: Thank you, Olivier. One of the considerations was for the next week CPWD call to be reduced to 60 minutes instead of 90. And so that anyone who is interested in coming the second SubPro ODA webinar can do so. So I just wanted to flag that if that's something you just want to consider.

OLIVIER CRÉPIN-LEBLOND: I think that this might need to be the case. It's Olivier speaking. So I'm not sure how much we'll have next week, but we probably we should be able to arrange for this. I can't foresee a huge thing next week. So hopefully, we can do it in a way that will get us to go a little faster than we do at the moment and be a little more efficient. I'm not seeing any hands up, so I think that that's a good proposal, Chantelle.

---

CHANTELLE DOERKSEN: Thank you. We'll make note of that.

OLIVIER CRÉPIN-LEBLOND: And Shiva asks for the sharing of the link to the ODA registration. My understanding is that this is in the agenda itself. Register here. Completely on the right-hand side after the address. Okay. Any other other business? I'm not seeing any hands up. So thanks very much for everyone who has contributed to this week's meeting. So our call next week, Chantelle, just to be sure, please.

CHANTELLE DOERKSEN: Hi, Olivier. The call next week would then be at 19:00 UTC for 60 minutes.

OLIVIER CRÉPIN-LEBLOND: On Wednesday, the 14th of December. Thank you very much. Thanks to everyone who has participated in today's call and provided update. And of course, thanks to our interpreters and the real time text transcription, which is always very helpful when time drops out. And we've got our next meeting. Hadia, is there anything else we need to cover or we're good for today?

HADIA ELMINIAWI: Good for today. Thank you so much.

---

OLIVIER CRÉPIN-LEBLOND: Thanks, everyone. Have a very good morning, afternoon, evening, or night wherever you are. Take care and goodbye.

YEŞİM SAĞLAM: Thank you all. This meeting is now adjourned. Have a great rest of the day. Bye-bye.

**[END OF TRANSCRIPTION]**