YESIM SAGLAM:

Good morning, good afternoon and good evening to everyone. Welcome to the APRALO Policy Forum call taking place on Tuesday 13th of February 2024 at 6:00 UTC. On our call today we have Justine Chew, Satish Babu, Gopal Tadepalli, Amrita Choudhury, Cheryl Langdon-Orr, Mohammad Abdul Haque, Phyo Thiri, Shah Rahman, Nabeel Yasin, Fidya Shabrina, Bibek Silwal. We have not received any apologies for today's call. And from staff's side we currently have Athena Foo and myself, Yesim Saglam and I will be doing call management for today's call. Before we get started, just a kind reminder to please state your names before speaking for the transcription purposes, please. And with this, I would like to leave the floor back over to you, Satish. Thank you very much.

SATISH BABU:

Thanks very much, Yesim. Welcome to everybody who has joined this call. We appreciate your desire to kind of know more about this topic. It is admittedly a technical topic and the EPDP, as we will see, has come up with a total of 69 recommendations, which is actually humongous. So, we will look at the big picture and not get into these rabbit holes, of which there are several among these recommendations. Can we run the slide set, please? Can you make this slightly smaller? Okay, that's fine.

So, this is what we will be going through. A little bit of background, the current status, the report structure, recommendations, and their end-user impact. Open issues, and then we have two other technical things. We know how to contribute to the statement and how we should submit the APRALO statement or the APF statement, technically the

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APRALO statement. And then we have some time for questions and answers. Next.

So, I'm sure you must have heard of these points here in the previous calls and various presentations. The primary objective of the EPDP on IDNs was to create policy for activating IDN variants. And variants are strings that are equivalent for the language communities. And since the last round, several language communities have been waiting now for over 12 years for this policy. But there were several dependencies that were there, which kind of delayed this policy until now, until EPDP was commissioned in 2021.

The EPDP was based on a charter, which was created by [a separate team], and the charter had a mix of charter questions, CQs, on the top level variant labels, as well as second level variant domain names. Now, if you notice, top level variant label, and the second level is variant domain names. This is because at the top level, there's only one single label. Technically, a label is what comes between two dots like www.icann.org. So, ICANN and org are the labels here. So, because we're talking about the top level, there's only variant labels. But the second level, there is a top level and the second level also. So, those are variant domain names. We won't be discussing second level here, because phase one is all about the first level.

So, one of the first tasks for the EPDP team was to sort these questions into phase one, that is top level, and phase two, second level domain name. Now, the reason for this was that we are aware that there is a new round coming up of new gTLD. And we had to ensure that all the critical dependencies that are there for the top level should be finished

as fast as possible. So, that's the reason why phase one is prioritized and completed, so that we don't hold up the new round. Next.

So, what's the current status? The current status is that the phase one preliminary report is published for public comments during 24 April to 19 June 2023, last year. The team discussed those comments and some language changes were made, some were rejected, and we'll see some of them. After that, the EPDP team achieved what's called a full consensus. Now, GNSO defines several types of consensus, and full consensus is as high as it gets on all the six main recommendations, which also means that the ALAC team, there were three of us in that group. Justine was the vice chair during the phase one period. Then we had three of us, Hadia, Abdulkarim, and me. So, we also have agreed completely to the 69 recommendations, which means then the question comes as to what are we then doing with another statement at this point? If you have already agreed on this, why should we then talk about a statement?

But anyway, subsequently, the report was approved by the GNSO council, again unanimously, and sent to the board. And now, Sarmad tells me that the board routinely puts out these documents that come to the board for public comment before it takes action on it. Now, given all these facts, it is not very likely that there'll be significant comments on the phase one report at this point, but there could still be, and that's what we will look at. Next.

So, this is what the report looks like. We start with an executive summary. Then we have a process definition of how the EPDP team approached a fairly complicated set of topics. Then we have a glossary,

which is a very important part of the document, because there are so many technical terms that a new person would find very hard to relate to unless you have a glossary. Some of these terms are, even with the glossary, pretty hard to grasp. Then we have the actual recommendations in chapter four, phase one final recommendations. In chapter five, so one of the points that was communicated to the EPDP team was that the EPDP, GNSO EPDP should, you know, kind of synchronize with the CCPDP4, which looks at similar variants for the country code domain.

So, there were some differences in the way we treated some of these questions, and this chapter five was basically to kind of communicate what it was all about, and why there's a difference. There are some fundamental differences between gTLDs and ccTLDs, and those are the reasons for some of these differences. Then we have the next steps, and then several annexes.

Also, in the final report, the charter questions are not in their original order, because they have been rearranged more logically, at least that's what the EPDP team think. More logically, so some of the questions are not in order. So, if you're going to read the report, you'll find that, you know, there are a mixture of kind of the original charter questions, but we feel that this is a more logical way of presenting this. Next.

So, this also has been repeated several times, but four of the core foundational, you know, kind of findings of the EPDP team, and the rest of the report is basically based on these four points. The first is root zone LGR as a sole source. So, we will see what this root zone LGR is, and where is the problem with that. It will be the sole source to

determine valid top level domain labels, and the variant labels, and the disposition values. So, three things are happening here. If somebody comes with a new label, so how do we determine if this label is a valid label first? Because there are some rules that govern how labels should look like or behave like. Then, does it have variants, and are these variants allocatable or blocked? So, this is done through what is called the root zone LGR. Root zone LGR is two separate things. One is that it is a tool. It's an online tool that anybody can use, a public tool. So, you enter a label there. It will tell you whether it's a valid label, how many variants it has, and what are the disposition values, meaning whether they can, are these, each of them, are they blocked or allocatable.

The second part of the root zone LGR is that it is building on the work of several language communities, and then integrated into one single centralized kind of a database. That is done by the integration panel. So, a lot of work of different volunteer groups are getting into this root zone LGR. So, for us, it is very simple. You go to the tool, and you put it there, and it will tell you what are the variants and so on. But there are some assumptions under the hood that make a lot of difference, and we will see what are the kind of issues with that.

Second, the same entity. Now, if there are two variant labels, and the language communities consider them to be the same, then allocating them to different applicants would cause a lot of confusion, because the community thinks it's the same label, and two parties are running it. So, to avoid that, the same entity applies everywhere, even at the second level. So, same entity means, if there is a variant set, and one of them is kind of allocated for a particular applicant, then all the rest also should go to the same applicant, and they will move lockstep at every part. For

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example, the registry transfer of registry, then the entire set should go. So, the same entity is that, and integrity of the set is also related. It is that you cannot unpack a set, a variant set. Once you create a variant set by providing a primary, then that variant set is kind of immutable. It is atomic. You cannot further place it.

And finally, conservatism. This also played a role. We were advised by SSAC that you should not be too liberal, and too much of an abundance of variants could cause problems of both the resilient security kind of kind, as well as user confusion kind. So, these are the four principles which is foundational for the entire EPDP for the phase one, as well as phase two, but slightly differently. And these are the factors that drive most of the recommendations. Next.

Okay. So, we're not going to get into all the 69 recommendations, but we just look at the categorization. These are the clusters. The first is, so, and what is the end-user impact, end-user impact of these recommendations? Are there any end-user, because this is all about application for new gTLDs. So, generally speaking, in this presentation, I have considered applicants not to be the typical end-user. So, the definition of end-user is something that we have to probably be very clear about. In this case, registrant plus the average end-user has been dubbed as end-user. We can discuss this in detail if anybody has any questions. So, this high-low is actually meant for, not for applicants. For applicants, almost every point is of high importance, high impact.

So, first is root zone LGR as a sole source. This is of high importance to us, and we will see in the next slide why. Same entity, very logically, you know, that's also important, because end-users will assume that all the

variants belong to the same entity, because that is what in real life happens. All those words are identical, although they look different, but they are actually fundamentally the same for language similarities. But for the DNS system, remember, they are completely different technically. And this policy is here to kind of take the reality of the infrastructure, where every label is completely different, and take it to the end-user kind of experience, where all these labels are variants of each other. Consequently, they are the same. So, that is what we're trying to do in this policy. The rest of it, swing similarity review, objection process, string contention, contractual requirements, 4.4 to 6 are low. It is mostly for legal purposes and for the application process itself.

In the contractual requirements, we have had some feedback, and we will see what the EPDP team has done with that feedback. Variant label status is extremely technical, and it's not of much use to the average registrant or end-user. And then we have a bunch of questions, which there's no recommendation made because of various... The questions largely became redundant by the time we reached them. Next.

So, at this point, we look at some of the open issues. Now, remember, again, the first bullet point is that all the recommendations have received full consensus after the public comments were considered. So, really speaking, there is not much to kind of complain about, because all of us, including the ALAC team, have basically agreed on the recommendations. However, towards the end of the process, we have one issue that came up. It is not directly concerned with the EPDP and IDN. It's only indirectly connected. But if you look at it from a precautionary approach, then it is quite possible that such kind of edge

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cases could come up later also. And the reason why this case has come up is a process problem, which we'll see. And this is my personal opinion. There has been no consensus among the EPDP team on this. And this was the issue of .Quebec, where the language communities, they've already registered .Quebec, but these are French-speaking people. And in French, it is written with an accent, a diacritic. So, for the language communities, both are identical. But for ICANN and our current process, these are completely different things. And there's no way to tie them, unless you have some exceptional process. Now, imagine if there are more such edge cases. What would happen? Will GNSO kind of spin off an exceptional process handling to kind of handle these kind of cases? So, that is the question. This is, again, not directly connected with the EPDP and IDN. But the first recommendation of EPDP is root-zone LGR. And this is intimately connected to root-zone LGR. So, we have to look at this in a little bit more detail.

So, the root zone LGR process, the base of it is Unicode. Then you have something called MSR, which makes a short list of what are the code points in Unicode that can be used for domain names. So, these are standard, basically. Then you have the language communities, generation panels, they are called. So, they look at the set of allowable code points, and they create further rules. Because the basic idea is that the domain name should be as restricted as possible. Domain name is not literature. You do not have to have everything that is written in a language or a script in the domain name. Domain names have to be stable. The root zone cannot be destabilized. So, overall, there is a conservative approach to domain names. At every point, generation panels are advised to be conservative and not to make it too open.

Now, so, also the other thing is that there are multiple generation panels, some of which handle many languages, many scripts rather, and then they are all integrated. Now, what has happened in the case of .Quebec is that the Latin panel, generation panel, which examined this question of what are the variants, they decided, despite objections from some of the colleagues who were part of the generation panel, that E with and without an accent or a diacritic, they are not variants. Now, we are not entirely sure what is the logic behind it, because in most cases, like in the case of .Quebec, we have very clearly what the language communities think are the same.

So, and then the problem with the current structure is that the generation panels are not always existing. They are constituted, they are seated, they do their work, and then they are dismantled. There is no more generation panel. So, it is completely unclear as to what is the cadence of GPs. At what point, what triggers the seating of a new GP? Is it a process of appeal? Can somebody say, you know, look, whoever was the representative of my language in the GP, they did not understand the problem fully, and I would like to object to this, what the output of the GP. There is no way currently to, you know, kind of that appeal process, or what is the cadence of GP, and GP is outside ICANN community. It is not a part of ICANN community. They are outside the ICANN community. So, we appreciate the work that they are doing, because they are volunteers, and it is a tough work, very kind of difficult work. But where I see a gap, personally, is that we are, this is a technical group of experts. They are not DNS experts. They are language experts. They are creating policy, technical policy, through the GP's work. There is no consensus process involved. The community that is going to use

these strings, they are not consulted. There is a public comment, I think, because ICANN board finally will publish everything for public comment. But the way these things are structured, one of the problems with the generation panel going for public comment is that this thing is in many languages, many scripts. Very few of us know to read more than one or two scripts. So, overall, the degree of scrutiny that can be achieved through a public comment process, for me personally, it is dubious. But there are other ways of doing this, but I don't think there is much discussion on this. So, this is one thing that, yeah, there is a public comment, but had there been a kind of review of, by a group of community members, then they could have possibly identified that there is a problem in this. If you go forward, then the result is that Quebec can, Quebec with an accent, they won't be considered variants. And then they have to come up with an exceptional process to contain that situation.

So, in my draft comments, I have actually stated this. So, I welcome everybody to take a look. I see that somebody, Amrita and Shah have dropped in some comments. So, others are welcome to kind of, also to kind of add to that. And also to put in your suggestions on this point, or any other point.

So, next point we look at is the comment from the cross-community working party on human rights. So, this topic of human rights and the DNS, actually, personally, I find it very interesting because we had a presentation at APGSIG on this, by an expert. So, there's actually quite a large body of work, although it's not within my area of expertise. Next slide, please.

We did get some comments for multiple recommendations. I'm putting it verbatim here. We know that there are various recommendations, 7.7 to 7.13, which discuss registry transition or change of control process, and therefore, bear implications for the right to privacy. This is a central point for human rights. Right to privacy is potentially being violated. So, the example they're saying is that, suppose there is a registry transfer. So, all the details of the registrant, all the personal details are transferred to the new registry. But there is no, nowhere are we saying that it should be deleted from the old registry. So, this means that the personal data is retained in the old registry, and that might, you know, increase the exposure of this to potential, whatever, there are chances of abuse of that information. So, the working party urged us to redraft these recommendations in full accordance with applicable data protection principles, including purpose-use limitation, data retention limitation, data destruction, and secure data transfer. Okay. So, we got this comment from the public comment process, and the EPDP team discussed. But the position taken by the EPDP team, to which we all agreed. Next slide, please.

So, the EPDP team took the position that this comment was outside the scope of the EPDP's charter. So, we also had agreed to that. But the point is, the APRALO policy forum can take a different position, if enough of us feel that there is a problem here. There is a, you know, privacy problem, which is, therefore, a human rights problem, which might impact registrants. So, I'm just raising it here. I mean, I'm not saying we should take this on, but just to kind of raise this issue. Noting that the EPDP has rejected it, meaning, basically, we didn't kind of look into it, because it is out of scope. So, that is the second, you know, open

kind of a thing that we can potentially work on, if we are convinced about it. Next.

The third is, I'm mentioning it only for knowledge, I mean, for awareness. There's a kind of serious discussion on this point about, should there be a ceiling on the number of variants? Some languages permit a large number of variants, for example, Arabic. So, yeah, so I see Amrita's comment. So, there are some legal implications, that's what Amritabh is saying. So, this is something that we have to probably think a little deeper in through it. This discussion about the number of variants.

So, there are two points of view, contradictory points of view. The first was that there is no need of a ceiling. The application can decide on the number of variants that you need, or I mean, they need, based on community requirement, language community requirement, or script community requirement, market demand, and the cost. So, the cost, for example, is an automatic factor that will reduce, because up to four is free, maybe, but beyond that, you have to pay for it. So, this school of thought says there is no need of a ceiling. But the other school of thought, especially, you know, derived from SSAC's contributions and concerns, based on the principle of conservatism, is that there should be a ceiling, and because too many variants can potentially, not only potentially destabilize the DNS, but also create end-user confusion.

After a lot of discussions, the EPDP team decided that there should not be a ceiling, because any ceiling is going to be arbitrary. How do you say what the good number should be? It is not for us to decide, you know, how the language communities and registries would use this.

The second point is that only seven scripts have allocatable variants, and six of them have already taken measures to limit the number of variants. So, only Arabic is there, which has this potential to kind of have a combinatorial explosion of the number of variants. So, it is not, so, it is not such a big deal.

And finally, SSAC also said, you know, okay, you do not have to really kind of put a ceiling as a number, but we should take measures to kind of limit the number of variants, which they should demonstrate why you need so many variants. So, primary plus up to four variants have to be covered under the base application, that is the decision. And ICANN org must, during implementation, create a framework for developing non-binding guidance for the management of gTLDs and the variant labels at the top level by registries and registers.

So, this non-binding actually came later. The original recommendation did not have non-binding. Now, what is meant by non-binding? Non-binding means whatever framework we develop is optional, it is voluntary. Now, the question that comes up is, you are talking about the stability, resiliency of the root zone, and we think we should make a framework. But making that framework non-binding, and this non-binding was added during the public comment process. It came from the registry stakeholder group. I mean, we understand the problem that they have a whole lot of work to do for variants. But if you make a framework, there's a lot of effort to kind of create a framework, and if it is completely non-binding, then is there a problem that we are being too relaxed about this? So, that is, therefore, another point that I wanted to flag. So, I see a question. I'm not sure whether we should

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take the question now. It is mentioned that there is a structural problem.

Yeah. So, the point is, look at the end-user community of .Quebec or Quebec. They are the ones, as a part of, At-Large, who came up with this problem that they are not able to kind of get something that the end-user communities want, that the language communities want. So, as At-Large, our responsibility is to ensure that we provide reasonable requests of the average end-user and language community, which are part of the At-Large. But we have friends from Canada who, again, part of At-Large, who are saying that, look, we're not able to get what we want. We wanted this policy for variants, but finally, now that it's here, we are not able to get what we want. So, that is the kind of contribution that we have. Okay. Next.

So, what do we do now? So, I think we have highlighted some things. We can, during the discussions right now, others, especially Justine, who is a part of the, who is the vice chair of the phase one period, if there's anything else. And I note that ALAC is also kind of looking at a statement, and Justine has made a draft proposal there. So, if Justine wants to kind of explain that, we can do that right now. But what we propose is that any member of this group or a group of members together, you can add comments to the document over the next week. Actually, what happened was, I had put two weeks here, but then I realized that CPWG has put a limit of 21st for the submission, if you want to go through that route.

So, what I'm proposing here is that the third bullet point is where we have to decide. But if you're going by the CPWG route, then we have to

finish the work by 20th February. So, we need to decide. So, you can put a comment for the next, today's 13th, for the next one week. And after that, we will close the document and complete the finalization of the submission. And then we have to decide on, we can decide now, on how to make the final submission. The options appear to be, one is directly submit to the board in response to the call for comments. We have time until 12th March to do that.

Second is submit the APRALO statement to CPWG. CPWG may or may not agree to the concerns that we express, but it forms a part of the ALAC submission, which is good, or to do both. Now, the consequence of the first directly submitting the board, or the third, is that the board also comes to know about something called APRALO policy forum, and that we are also looking at these issues. If you give it only through, okay. Perhaps we need to agree if APRALO wants to make a submission. Okay. So, what is it? I'll open the floor here. Anybody who can, who wants to kind of respond? Yes, Amrita.

AMRITA CHOUDHURY: Thank you, Satish, and thanks for leading this. My first question is, and comments, as in, since this is going to go from APRALO, and you've kind of created certain points, the group here, or the APRALO policy forum needs to agree that we need to make an APRALO submission. And obviously, we would, while we may agree to quite a few points on ALAC, are we doing a different value add? Only then we should make a submission. As in, the points which you've listed is quite different from what is there in the ALAC draft comment statement at this point of time. So, that's one thing. And personally, I would say that while we can

share what we've done with CPWG for the consideration, but if we have certain points, we can also make a submission. I think APRALO also does their own submission. So, that would add value because the policy forum of APRALO has been working for this. So, these were my two basic points and a query to the community. Yeah.

SATISH BABU: Right. Yeah, the floor is open. Justine, please go ahead.

JUSTINE CHEW: Right. Thank you, Satish, for this. A couple of things, and I'm not dictating anything. I'm just kind of trying to point certain things out. In no particular order, the first one with the CCWG human rights comments about privacy, let me just correct the record. The EPDP didn't ignore it. We looked at it and we said that we didn't need to address it. It wasn't actually out of scope per se, but we as the EPDP on IDNs didn't need to address it specifically because there is already overarching policy on registration data protection, like whatever GDPR has hit on ICANN, and that's being dealt with outside of the remit of EPDP on IDNs. And that is why we didn't think that we needed to say or do anything about that particular comment. So, it's not an ignorant thing. We're not ignoring things. We said that it's already being addressed elsewhere, and it's not specific to the IDNs EPDP remit. So, I personally don't think we need to address that particular aspect of things. The situation with data privacy and all this registration data and all sorts of things is already complex enough without us having to throw some spanner in

the works. I don't think any comment from us is going to add any value per se on top of what is already being done everywhere else.

The second thing is I am, and I'm just sounding this out for all your consideration. It is correct that APRALO can submit. They're not bound to, you know, not submit anything. They can submit anything they want, but I would caution you to be careful to submit anything that kind of contradicts ALAC's position beforehand. Because it just doesn't bode very well, you know, when someone sees ALAC having agreed to something and then APRALO suddenly having a different position. I think if we wanted to do that, we should have picked a more opportune time, which is before the final report was finalized and before it was adopted by the GNSO Council and before it went to the board.

Now, having said that, that's not to say that we can't express any grouses, I would say. And with this thing about the Quebec issue, it is a complex issue. It is some ways, and I'm just going to say it very plainly. It is in some ways, it is having to respect the linguistic community about what is correct and what is not correct in terms of including programming into the Latin GP to determine what is a variant of what. You have to understand that with the Latin GP, they are covering hundreds and hundreds of languages which use the Latin script. So in that respect, they have to be careful about being biased towards one particular language while not detrimenting another language, if I can put that simply. And I think that is why they came to that conclusion that resulted in Quebec with a diacritic and Quebec with an accent and Quebec without an accent being not variants. Now, I'm not defending their position. I'm just explaining what I think happened. And it is unfortunate that Quebec is caught in the middle of this, but there are

also underlying circumstances why Quebec is caught. And it has to do with the fact that they applied for the ASCII version of Quebec and not the IDN version of Quebec also that comes into play.

Now, what I think is, you know, if the group here and APRALO wants to support submitting a statement or some kind to express concern about the fact that, you know, incidences of this Quebec with a diacritic and Quebec without a diacritic being considered as non-variant, we can do that. And I will tell you that GNSO Council is well aware of the situation there. In fact, the ALAC chair submitted a letter to the GNSO chair expressing concern about this particular issue. And we also noted that possibly Quebec is not the only party, entity that could be affected. There are other TLD registry operators that may fall into the same situation, which is why we asked the GNSO Council to find a better solution, a more encompassing solution that doesn't just benefit Quebec. We have to be careful that, you know, we're not in the business of creating policy just to help one particular party. We have to be careful that we are creating policy that can be applied across different parties and different circumstances. And that is what GNSO is looking into currently.

Now, unfortunately, they're taking way too much time, I believe, but I think it's also a question of staff resources, because staff at the end of the day is the one that's trying to figure out solution. So, I can tell you that that is not being ignored. There's something in the works to try and deal with the situation. I don't know what it is at the moment, because I am on GNSO Council and I have been waiting for several months for this diacritic study request to come out. And I was informed by the GNSO Council chair that the staff is still currently working on it and they need

a little bit more time to come up with what they think could be the viable solution for the situation. But having said that, okay, I would suggest that instead of APRALO submitting a comment on that situation, the Quebec situation, as a comment to this phase one report, I would suggest instead that you write directly to the board. And the reason for that is, number one, you probably get a reply from the board if you write directly to the board, rather than putting it as a submission. Number two, if you put it as a submission for the public comment, as I said, there's no guarantee that you will get a reply or get a reaction. So, if you really want to bring this matter to the attention of the board, then I suggest we put it in a letter to the board. Thank you.

SATISH BABU: Right. So, I think the letter to the board is something that Amrita has to respond to, because otherwise we are looking at the public, I mean, as a part of the public comment process. But letter to the board is actually something more, what shall I say, more serious. Can still be done, but as APRALO chair, Amrita has to kind of defer on that. Amrita, do you have any comments or do you want to take some time over it?

AMRITA CHOUDHURY: So, Satish, while I will, while you know, it is expected that I'll take a call, but it would be something which the group or the APRALO community or the policy forum has to agree upon that, okay, we will not make a submission, we will make it directly to the board. And do we agree to make it to the board? You know, that's something which, based upon, you know, what everyone thinks, I can take the call. So, I guess.

SATISH BABU: We could help you to draft such a letter, but.

AMRITA CHOUDHURY: No, no, but Satish, first of all, is there an appetite to send this letter to the board? Justine just suggested it. Do people in the call, etc., think that it makes sense to send it? That is the first question. If it makes sense, yes, it can be sent. But if people say, no, we are good with the ALAC submission, that's also good. As in, I am okay either ways, as in to send a letter or anything, but I see Cheryl.

CHERYL LANGDON-ORR: I'm going to play the devil's advocate. Exactly what do you intend to get as a result, other than an answer, which doesn't have to have any detail or action associated with it, with the letter to the Board? If you're going to do that, let's make sure we're very certain exactly what the intent is of that action. And I just want to also pick up on something. I don't want anybody on this very now, I think, emerging and vibrant group to believe that things that go into public comment are not duly considered. With some of the shorthand I heard just in the interactions in the last few minutes, I can assure you that working groups and GNSO policy staff and the leads of those working groups take it extremely seriously. And there are tracking documents and everything else. In fact, it's a laborious amount of effort and energy put into the consideration of and showing what the reaction is to all public comments received, whether they come in from AFRALO, APRALO, ALAC or your Aunt Mary. Every single one of those is considered. How much influence they have, I'm

not going to suggest that one is not weighted more than another. That definitely happens. But just make sure we all recognize that all public comment input is dealt with in a very methodical way, because that's an important part of the process. Thanks.

SATISH BABU: Thanks, Cheryl. Yeah, I completely agree. We have been doing this in the EPDP also. Every public comment received is kind of very meticulously kind of sorted and collated and presented and discussed. So what I meant, when I said it is out of scope, it is not ignored. Maybe ignore is the wrong word, but it is out of scope. The report says specifically it is out of scope. So that human rights thing. So every single public comment has been kind of presented. In fact, I have the spreadsheet with me right now. It is a very complicated spreadsheet, but that work has been done. Staff have been very diligent about it.

Now, what effect or what kind of final decision can we achieve? What can we hope to achieve? So whether it is through the public comment process or through the direct letter to the board, my personal position would be that this whole process of arriving at the root zone LGR, I mean, we have been following some precedent, but when we were going to open up now variant labels for registration, for application, there's going to be a lot of other possibility of a lot of other edge cases. So we don't want a situation that the round opens and then we have, I mean, we are aware that GNSO is actually sitting on it or working on it. So by going to the board with this in whichever way it is, we hope to kind of wake up some part of ICANN, which will kind of look at this more closely. And, you know, not just Quebec, there are possibly many more

cases. So some, you know, shining the light on this issue so that it gets a little bit more visibility. And therefore, consequently, somebody is going to act on it. That was the intention. Yeah, that's where it is. Please go ahead.

JUSTINE CHEW: Thank you, Satish. Look, I don't disagree with you about possibly needing to shine more light on this issue. Whatever we decide, whether we want to decide to draft anything or not, all I ask is you take into consideration things that have been done, right, and things that are in the works so that, you know, simply we don't seem ignorant. And number two is if you are targeting specifically how the GPs are conducted and managed, you can. You can. I'm not saying that you can't. But again, I think a letter directly to the board would work better than a comment to the EPDP on IDNs report. Because if you look strictly at the purpose of the IDNs EPDP report, right, the functioning of GPs is not within that mandate. It's not within the EPDP's mandate. So it's sort of like, you know, it sticks out as a sore thumb if you put it under there. Right. And it probably wouldn't necessarily receive as much attention as a letter directly to the board. That is my personal point of view. Thank you.

SATISH BABU: Right. Yeah. So we understand that the GPs and the IPs are not a part of the EPDP and IDN scope. That's why I said it's only indirectly connected. But we did receive it as a public comment. I mean, I'm talking about .Quebec, which is why it set off this whole process. So Justine, if you feel

that, you know, we are on the right track with handling the whole GP, IP problem, then we can drop this whole thing. You don't have to kind of break it up. But if you think there is some attention required on this, then we can use this option B to kind of work on this. Yes, Amrita.

AMRITA CHOUDHURY: So I have a question to anyone who can answer. Like, for example, the objective, if it is to raise the this panel, you know, how the structure of this panel, etc., if it is sent as a public comment, it may be looked and it may be kept as an observation that this was something which came up. Okay, and this is noted, may not be acted, but it is looked at. Even if you send it to the board, they will acknowledge it, note it. And that's it. Right. How different would be the reaction of the ICANN board or the, you know, submitting it as a policy submission? That's my question. How different would it be submitting anywhere? And what has Cheryl said, what is it which we expect will happen? It is just that we are bringing it to the notice. So I think if we are raising this issue.

SATISH BABU: Yep. Justine, go ahead.

JUSTINE CHEW: Sure. My personal opinion is if you submit something to the public comment, you may not necessarily get a reply, because it's something that is internal to the board. They just look at it and then they'll write, okay, right, we agree, we disagree, we do something about it, we don't

do something about it. If you write the board, then you can expect a reply or there would be a better chance that you can expect a reply.

SATISH BABU: Will there be any action after that reply?

JUSTINE CHEW: We have no idea because it's entirely up to the board. Right. I mean, we have no control about what happens with it. Again, it depends on how you structure your letter. I mean, if you want to just talk about grouses, maybe that's not very constructive. Right. So I noted that you may have some suggestions as to how to improve the management of GPs that can go into the letter to then it's up to the board to decide, hey, you know, okay, this makes sense. Let's try to do this or not. This is, you know, the GP is not something that we want to get into, in which case they won't want to do anything about it. And we can't do anything about it either. But I don't know, I'm not on the board, so I can't predict what they're going to do.

SATISH BABU: Cheryl.

CHERYL LANGDON-ORR: The board would very much under normal circumstances like to not be seen as an operational board but as a governance board. And they continually try to do that, obviously working within the operational aspects of what is required by the ICANN bylaws. But they have over

many years, and I'm not arguing it should be in any other way, preferred to say, "Thank you for raising this issue. We would suggest you pass it on to this party or we have passed it on to this party for you because it's this party's business." It is a very difficult line for a board that will be risking its reputation greatly if it interferes in bottom-up consensus policy and or other consensus. And I don't mean that as in picket fence consensus policy now, but consensus work done by the community. The board is often between a rock and a hard place on this. And letters are public. And public letters can be used for good or ill. I've certainly done that in the past and I'd be very surprised if others wouldn't be capable of doing the same.

You do have another option you might want to consider to raise this issue. And that is if your intent is to actually get not just a, "Oh look we've got a reply back from the board, aren't we good, we got somebody's attention" for whatever value that reply may or may not have, but to actually hopefully get some sort of thought or possible, as you put it Satish, spotlight shined on things, then why not use the line into the board that we have with seat 15? We have an ALAC-and At-Large-appointed board member. That board member, quite reasonably, can be used to bring to the board concerns from any part of our community and that's certainly something APRALO would consider. That may or may not be a winning strategy, but at least it's a strategy that will get a full frank and fearless answer back because that's what you would ask for and that's what board member for seat 15, Leon Sanchez, would have to give, especially if he wished to enjoy the continued support of the At-Large community. Thanks.

SATISH BABU: Right, thanks Cheryl, that's a very good suggestion. I was also thinking we have one more person on the board who is not only from, nominally from At-Large, but also an expert on IDNs, that's Edmon, and Edmon chairs the board working group on IDNs.

CHERYL LANGDON-ORR: Sorry, Satish, you're much better to have, if you're going to play some strategic game here, then play a good strategic game. And if Edmon opens his mouth, pounds to peanuts, it's going to be something to do with IDNs and everybody goes, "Okay, I'll just check my mail now." Sorry, but that's true. It's his raison d'etre. But yes, it's what he's good at. Yes, he's expert in the field. Imagine the advantage if another board member, without the reputation of being—well, if not a one-trick pony, certainly a fairly limited field of interest, had bought up something. And then your expert can support that, that's a much more powerful strategy. I'm just putting it out there and this is a recorded call, but people know I like to strategize. So, you know, if I was trying to get my optimum outcomes, I would have anybody but Edmon bring it up, knowing the support you would get from Edmon and his working group. That's just one person's view.

SATISH BABU: That sounds fine to me. So, that [inaudible] our remember, seat 15, and then you don't even have to inform Edmon, then let them, you know, follow whatever process that happens in the board. Amrita, please go ahead.

AMRITA CHOUDHURY: Satish, I go back to my original question. Does the APRALO Policy Forum want to raise this issue as the first question? You know, that if we want to raise it, then obviously, you know, the option which is being sought is important. So, I think this is the most important question which perhaps you need to get a consensus on. I am neutral in this thing and I'll go with whatever happens. Justine, I don't know what third issue you're saying, if you could.

JUSTINE CHEW: Yeah, sorry, Satish, if you can just remind me, I think you brought up a number of issues.

SATISH BABU: The third was the ceiling.

JUSTINE CHEW: Right, okay. So, what you're saying is, well, sorry, I missed it because I have too many things circulating in my mind. So, what is it that you are suggesting we say about the ceiling?

SATISH BABU: No, I'm not suggesting anything. I was trying to bring up the issue of that non-binding, you know, that framework.

JUSTINE CHEW: Non-binding framework. The guidelines, I will draw your attention to, if you can recall, when we had this discussion about the guidelines, I think

we kind of settled on the fact that guidelines aren't binding to begin with. So, I think, and that was the context of that discussion anyway, for that particular issue. I think that the contracted parties just wanted to make it doubly sure that it's not binding and from my perspective, I don't believe it is a problem because, you know, we need to start somewhere and I think down the line, we may have some community input into the framework anyway. So, I'm not terribly, you know, concerned about the non-binding thing.

SATISH BABU: Right. So, where we are at this point is, first of all, Amrita's question, whether we want to kind of raise this issue, especially about the root zone LGR and the, not directly .Quebec, but what follows from that as to some review of the process. So, the human rights thing, the discussions in the EPDP, we had also said that we'll add some general language at the top of the report, which will apply to all the recommendations. But I'm not sure at this point whether we have done that. So, I'll have to go back and check. The third point, I mean, the reason I'm raising these three points is that for the rest of the group, this is all new things. So, just to stimulate thinking, I've raised three arbitrary things, which I thought was important to flag. I'm not saying that the second and third are so important that we should kind of put it in a statement. But the first, I still feel that it is important, whichever route we follow to kind of, you know, to make it more visible, especially since, you know, we don't have any, apparently very low priority for GNSO. So, but it's an important thing for end users.

JUSTINE CHEW:

I wouldn't say it's a low priority for GNSO. You have to understand GNSO dynamics. They are to a certain extent, a bit like At-Large, where they have divergent views. So, GNSO doesn't act as one body. They try to, but invariably they don't. And I can tell you that even with the diacritic study, right, there are people on council that are against doing anything. And there are people on council who are, let's fix this. So that the viewpoints are that divergent. And, you know, we're kind of stuck in between and we're kind of sort of nudging from the sidelines to say, hey, you know, this, we absolutely think this is an issue, but we don't believe that it is unique to Quebec because we see it, that it will possibly affect other existing TLD registry operators. And it will certainly affect any other future applicants that experience the same circumstances as those which are being experienced by Quebec and the other TLDs. They're in the same category. So please find a way to fix it. And we will support you in that move. And that is what, you know, in short terms, what that letter that ALAC sent to the GNSO council chair actually says. So we are all waiting for this diacritic study. And as I said, you know, I've been waiting two months. I even reached out privately to the GNSO chair to ask, hey, dude, what's going on here? I know we've been waiting for this for a while. It was on the agenda for council and two months in a row, and I don't even see it on the agenda now. And then he says," yeah, I know, sorry, sorry, but it's a ..." I suspect he's trying to tell me there's a backlog in the staff. So it's not so much GNSO council not wanting to do something. It is the staff that's trying to work out what they think is the best solution to handle the situation. And that is the backlog. So the GNSO council chair has indicated to me that he wants to push the staff a little bit more, and he's going to get council to support that. So that's all I can say at this point in time. I'll have to see

what happens at the council meeting on Friday morning or Thursday night.

SATISH BABU: Right. Thank you, Justine. So our time is up now. So my last question to Justine is, will our letter to the GNSO council through maybe our board member, will it make any change or any difference to the situation that they pick it up, you know, kind of saying that there are people watching this to develop and that it is being delayed? Will that help at all?

JUSTINE CHEW: If you're not going to take the way of the letter to the board, which I suggested, which is fine, you know, I don't actually think that that is the best way to go. I'm just juxtaposing it. If you want to write something, right, it's better to write a letter to the board rather than write something and submit it by way of a public comment, right, to a call that for which it is out of remit anyway. So that's why I see the disconnect there, which is why I'm suggesting that we don't put it in the public comment.

The way that Cheryl broaches it is also interesting. I'm just wondering whether we can have a private conversation with Leon to see what might be the best way to go about this, right, and even potentially bring ALAC on board on it, because ALAC is also, you know, waiting for GNSO council to do something, right.

But having said that, right, the GNSO council's solution is a fix-it, and it's a fix-it from a policy point of view, which we control. It doesn't fix the

issues that you're bringing up with the structure of the GP. So that is the one that we want to broach with Leon about in terms of whether ICANN could do anything about. So it's two separate things, right.

SATISH BABU: Okay, so I think we have something to do next, so we can have a conversation with Leon, and then again, you know, maybe have a short meeting to decide what to do next. I don't want to hold you up any further. We are already a minute late. So thanks, everybody. Yeah, we can, during ICANN 79 is also fine. That's a good opportunity.

JUSTINE CHEW: So does that mean that there's no further work to be done on this comment? What is the conclusion here?

SATISH BABU: Yeah, so not on the APRALO part, but we still have the ALAC part, so if anybody wants to come in, we can still push it through the ALAC submission.

JUSTINE CHEW: Yeah, I mean, if you want to bring to attention anything that you want to go into the public comment, I mean, by all means, APRALO can still submit something, right, if you want to, or they can put it up in the CPWG angle, because the ALAC is putting up something. I'm proposing that ALAC puts up something.

SATISH BABU: Yeah, yeah, I saw that, [and both of us, Hadia, the pen holder is there.] Yeah, so we still have time for that. So for this particular item, the first item that was flagged, the GP and IP structure and cadence, we will have a discussion with Leon about it and see how we can take it forward. So thanks, everybody. Sorry for holding you up. It is back to you, Yesim, to close the meeting.

YESIM SAGLAM: Thank you, Satish, and thank you all for joining this meeting. It's now adjourned. Have a great rest of the day. Bye-bye.

[END OF TRANSCRIPTION]