

**ICANN
Transcription
Cross-Community Working Group on Use of Country/Territory Names as TLDs
meeting
Monday, 3 October 2016 at 12:00 UTC**

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Attendees:

ccNSO:

Annebeth Lange, .no
Mirjana Tasic, .rs

GNSO

Carlos Raul Gutierrez, NPOC (co-Chair)
Alexander Schubert, RySG
Griffin Barnett, IPC
Maxim Alzoba, NTAG (GNSO)
Susan Payne (IPC)

ALAC:

Cheryl Langdon-Orr

GAC:

Mzia Gogilashvili

Additional Members:

Apologies:

Jaap Akkerhuis (ISO 3166 Expert)
Jacqueline Morris
Laura Watkins

Joke Braecken (Staff)

ICANN staff:
Bart Boswinkel
Steve Chan
Emily Barabas
Nathalie Peregrine

Coordinator: The recordings have started. You may now proceed.

Nathalie Peregrine: Thank you very much, (Cynthia). Good morning, good afternoon and good evening, everybody, and welcome to the CWG on Use and Country Territory Names as TLDs call on the 3rd of October, 2016.

On the call today we have Carlos Raul Gutierrez, Maxim Alzoba, Cheryl Langdon-Orr, Annabeth Lange, Susan Payne Alexander Schubert, Mirjana Tasic and Griffin Barnett. Jacqueline Morris has announced that she will arrive late on the call. We received apologies from Jaap Akkerhuis and Joke Braecken from staff. From staff we have Bart Boswinkel, Steve Chan, Emily Barabas and myself, Nathalie Peregrine.

I'd like to remind you all to please state your names before speaking for transcription purposes. Thank you ever so much and over to you, Bart.

Bart Boswinkel: Thank you, Nathalie. This is Bart for the record. And go ahead, Carlos, over to you.

Carlos Raul Gutierrez: Yes, thank you very much, Nathalie. We take the list of participants in the Adobe room for the roll call. Last call we were discussing how to prepare for our next steps in Hyderabad. We have two documents pending for the meeting in November. One is the progress report; the other one is the compilation of two and three letter codes.

Last time we agreed that we should work them through one by one. And as you can see in the agenda for today we want to go through the progress

report first. And with that I would ask Bart or whoever from staff is in charge to walk us through please.

Bart Boswinkel: Yes, thank you, Carlos. This is Bart again. I say last Friday I sent to the working group an updated version. We waited for feedback from the members. We haven't received any, so there are two comments, say, that has changed is first I've introduced a comment reading through it again with a question maybe for discussion. It's on the screen. And what's also done, what staff has done, is update the recommendations based on the discussions two weeks ago. So I'll run through that first.

Let me run first through the topic which is on the screen right now. I hope you can see it all. This is with respect to the, say, the examples, the outcome of inconsistencies in the framework. And, yes, leaving aside the way – the second one is formulated. So what I do not understand, and after reading it more closely I still don't understand is bullet point Number 4. Let me scroll down a little bit, or make it scrollable for you. That's just as easy isn't it?

Around the, say, the one that's marked in bullet point 4, existing reserve name restrictions operate or prevent the use of TLDs of certain three-letter codes on the ISO list. Say, it's my understanding that the existing reserve name restrictions operate as a general restriction and not just for certain three-letter codes on the ISO list.

And if you frame it this way and maybe that's something for the future as well. If you look – think it through, and maybe I'm just daft, but it's, say, if you look at the reserve name restriction, especially the NIC one for NIC and for Nicaragua, say, assume these three letter codes could be used. And the Nicaraguan government would allow either as a ccTLD or as a gTLD that's not an issue at this stage. But the Nicaraguan government would support an application which would be required under whatever set of rules probably.

Now then you'll have a conflict of rules between the existing reserve names list and this list around the ISO 3166 three-letter codes. And I wonder whether we want to introduce this already at this stage in – or as a (unintelligible) implied issue or should we, yes, just re, say, reframe, rephrase this existing bullet point, existing reserve names restrictions operator prevent or, yes, prevent certain TLDs. And there may be a conflict or may they be overlapping with other restrictions.

I see Carlos and I see Annebeth. And, Carlos, you were first. And I see alexander as well. Carlos, go ahead.

Carlos Raul Gutierrez: Yes, thank you very much, Bart. The way I remember the discussion is this is one issue where we had different positions in our survey on three-letter codes. But you correct me. I mean, there were some people suggesting that, but there were other people who said no way we're going to start with another list of reserve names. But I need clarification here.

Bart Boswinkel: I can't recall. I just read this in the report and the way it's framed I found it odd the way it was. And especially, say, jointly with the example of dotNIC. Annebeth, over to you.

Annebeth Lange: Annebeth Lange here. I understood this – that is marked blue – that dotNIC – this is some special three-letter code that's reserved of special reasons.

Bart Boswinkel: Yes, I fully agree...

((Crosstalk))

Bart Boswinkel: I fully agree.

Annebeth Lange: Yes. And when Joke is in her comment, right, that two – bullet point 2 and 4 are equal, I can't see the connection there because it's what they say in

Number 2 is different from what they say in Number 4. Or have I misunderstood everything?

Bart Boswinkel: No, no, in the sense is if you look at say the alpha three codes is they could be, the way I understood it, could be, say, there could be of interest to countries for – and local communities. So that's – dotNIC is one example. And...

((Crosstalk))

Annebeth Lange: Yes.

Bart Boswinkel: Yes.

Annebeth Lange: Okay. Go ahead.

Bart Boswinkel: And what's she's noticed is an overlap with, I need to scroll up again, there is an overlap with the existing reserves. So it's the current list, existing reserve names list, dotNIC. So what you see is you've got – and that's the interesting thing in my view, and that's why I've raised it as such, say, you've got dotNIC or NIC, NIC, and it's either – it's both on the existing reserve names list and it's an abbreviation as far as I know for Network Information Center. And I know, again, this is my ccTLD bias, I know a lot of ccTLD manager somewhere do have in their names NIC as an old name. And that's why maybe one of the reasons why it's considered a reserve name.

But at the same time, it is being used by the – it's assigned as a three-letter code to Nicaragua. So this is where you can see there is overlap and differences in rules. And if it would take out one of the limitation there still would be another one. So the – and especially if it remains to be on the reserve names restriction, say, if you would look at a hierarchy of rules, that would be the higher level rule because if that one would go away, then ISO list would or would not.

But if it was still, say, the ISO list would be liberalized or people could apply or entities could apply for the three letter codes, then still the reserve names list would limit this and therefore would limit the potential for Nicaragua. And that was more the issue. So this is, again, an example of collision of rules.

Annebeth Lange: Yes, I totally agree. But because dotNIC is a special case and that is only one of the – all the alpha three country codes. And it's...

((Crosstalk))

Bart Boswinkel: Yes.

Annebeth Lange: ...reserved not because it's a country code, but mostly because it's the technical thing.

Bart Boswinkel: Yes, yes, no that's...

((Crosstalk))

Bart Boswinkel: No, that's very clear. But say it's because of this you see there is say you've got a collision of rules.

((Crosstalk))

Alexander Schubert: This is Alexander.

Annebeth Lange: Yes.

Alexander Schubert: Yes, this is alexander. So I don't see any conflict here. There is a list of names that we have exempted for technical reasons, one of them is dotNIC. And you can't apply for it. And that's the end of the story. So if Nicaragua wants another TLD then they can apply for dotNicaragua or for whatever, but

not for dotNIC. But I don't see a conflict of rules here. There is simply a rule that says you cannot apply for dotNIC.

((Crosstalk))

Alexander Schubert: ...that's bad for Nicaragua, maybe, if they want another TLD. But how is it conflicting? It doesn't conflict.

((Crosstalk))

Bart Boswinkel: In the sense of say you would allow three letter codes for countries.

Alexander Schubert: Yes.

Bart Boswinkel: And then say...

((Crosstalk))

Bart Boswinkel: ...and a sovereign country like Nicaragua is excluded.

Annebeth Lange: Yes.

Alexander Schubert: Yes, they cannot apply, yes, so what – they have a name that is excluded in another rule. So where is the problem? I mean, (unintelligible) cannot apply for dotCom; Nicaragua cannot apply for dotNIC, that's kind of bad for them but should we now say, okay, no one can apply for such a name because Nicaragua cannot apply? That doesn't make sense.

Bart Boswinkel: No, or the other way around. Why have something like the existing reserve names and exclude them. But it doesn't – it's – the way it's framed so that triggered my thought. Susan, your hand is up and you're on mute. Yes, now you're not on mute.

Susan Payne: Yes, thank you.

Bart Boswinkel: Go ahead, Susan.

Susan Payne: Yes, I was going to just – I'm speaking (unintelligible). Hi, it's Susan. Yes, I was just going to – I think I agree with Alexander. I don't necessarily see it as a conflict of rules. I think it's just another example like the dotCom example of where there are some terms which have multiple, you know, more than one meaning or, you know, so they may be a country (unintelligible) under the list but they also have some other meaning. And therefore it's just an example, I think, which is a very valid example in the same way as the dotCom one is a good example.

It's possible that maybe it could be phrased slightly differently. Maybe to be a bit more clear. I think, I mean, there are existing reserve names restrictions and they prevent the use of TLDs of certain words or certain combination of letters which, you know, which might include three letter codes. But, I mean, they're not all three-letter, so some of the reserve names...

Bart Boswinkel: Yes.

Susan Payne: ...are other names. So maybe we could make that slight clarification and that might help a little?

Bart Boswinkel: No, that was the purpose because reading through it that – it just struck me and maybe I'm seeing too much. But that's why I've raised it, say, on this one. And so if you agree I'll update it slightly to make – try to make it a little bit more clearer and then I want to leave this point as it is. Carlos, any...

Carlos Raul Gutierrez: Yes, in my view, we have no agreement. It has been discussed but we have no agreement.

Bart Boswinkel: Okay.

Carlos Raul Gutierrez: That it should be reserved or not, that's what I recall from the three letter codes...

Bart Boswinkel: Yes.

((Crosstalk))

Bart Boswinkel: We'll try to capture that as well. Shall we move on to the – probably the heart of the discussion, that's the bit around the recommendations. And that's on – if you have it in front of you that's on Page 5. And if you recall from the last call we had it was clear that, say, the former recommendations 1 and 3 was supported unanimously at the time on the call. And, say, to finalize this one say probably we need a – share it with the full list and have a call for -- the document is scrollable for everybody. So you have to go to Page 5.

So then the second point – so this Recommendations 1 and 2, were agreed unanimously last – say, last call. Then there was a discussion on Recommendation 2 at the time which is now included on the future – and it read, "Future work should take place with the authority of a policy development process under ICANN's bylaws with the clearly drafted charter or scope of work that sets out how conclusions, recommendations will inform that policy development process. This addresses a key deficiency of this CWG as it's not been made clear how the group's work can or will be incorporated in policy making pursuant to ICANN's bylaws."

Now, as you may recall, and there was a comment from – especially from Annebeth but also others, around the issue that, say, and this was a bit of an indication, the one on the overlap, is that you have, say, issues and topic that need to be addressed under two policy development processes in order to create such a harmonized framework. Say, it needs to be addressed under a policy development by GNSO policy development and the ccNSO policy development to ensure there is no overlap.

And a good, say, the – on the call last week the last call Annebeth introduced some elements to it. And there was a reluctance of some of the ccTLD representatives on this working group to relieve everything up to a GNSO policy development process for various reasons. So it was clear, say, that Recommendation 2 when it was read in that way, was not, say, adopted unanimously.

So going through it, say, Heather made the suggestion to separate the two out in the sense of what was adopted unanimously and what would be agreed by, I would say, a majority of the working group. An alternative was that, say, tried to combine the two different viewpoints and that was an alternative for the – for Recommendation 3, so former Recommendation 2.

And it doesn't – and which now is included in – as an alternative, which reads, "To ensure the conclusions and recommendations of this or a comparable CWG will at one point have the authority of a policy developed through the processes under ICANN's bylaws. Future work should take place with a clear view on how the output that work relates and input is provided will – slash – will inform formal policy development processes," so plural, "This may be achieved through a clearly drafted charter or scope of works that sets out how policy development processes will be informed."

"And this addresses a key deficiency of the CWG and has not been made clear how – as it has not been made clear how the group's work can or will be incorporated in policy making pursuant to ICANN's bylaws." So that's alternative, yes, alternative language for Recommendation 2.

Any comments on either way forward with respect to the recommendations, questions, remarks? Carlos, go ahead.

Carlos Raul Gutierrez: Yes, just one comment. There seems to be at least one section of one or two that are repeated. So it's not very clear on the first reading what

the difference between the first and the second is. And the second comment I want to make is that Steve Chan has been working on a discussion in the GNSO Council on how to answer – how to answer a request – a question that the Board said to the Council on when and how and under what conditions new gTLDs can be delegated.

And you can rest assured that there is a clear message there that geographic names have to be dealt with before or there is a few groups, and I consider it a very strong position that sat this is one of the issues that has to be solved before anything else happens.

So if that is through a PDP or a new PDP or an individual PDP I leave it for the group to think about. But it's very clear that the rest of the community is – the first one, the first bullet here or bullet Number 1, in my view, is a very clear message. And I don't know exactly what Number 2 adds to the first one. I don't know if I made myself clear, Bart, maybe you can untangle that.

Bart Boswinkel: It's – say, Number 1 and 2 are the original, say, let me try to explain before we move forward and answer your question. Number 1 and 2 are the, say, are from the original process – progress report, sorry. So and Number 2, future policy development process work must facilitate all-inclusive was the original Number 3.

If you would, and I don't know if you can see it, say, what the – could not agree unanimously on the following, future work should take place with the authority of a policy development process. That was the original Recommendation Number 2 which caused a lot of discussions on the call two weeks ago. And so I've included, and the only difference here is that 1 and 2 were agreed unanimously and 3 was an issue or 2 – the original 2 was an issue, this one.

As an alternative, we could either – the working group could either say do something like this, like say, the working group could not agree that it should

be one policy development process. Or could agree upon an alternative recommendations, which is now Recommendation 3 to ensure, etcetera, that at least that both if we talk about country and territory names if necessary they be addressed through the relevant policy development processes. So it's not just a GNSO but also a ccNSO policy development process. And this is particularly relevant for IDNs.

That's the background. Does that clarify...

Carlos Raul Gutierrez: Thank you very much.

Bart Boswinkel: ...your point?

Carlos Raul Gutierrez: Yes. Yes, it does, thank you very much.

Bart Boswinkel: Okay. Alexander, over to you.

Alexander Schubert: Yes, hi. It's Alexander. I just wanted to kind of introduce kind of like a historical view into this. In 2012 there had been exception of certain names, the territory names and the ISO 3166 codes. And it was that, well, we will deal later with it in the next round, except them now to start the 2012 round to not further delay it.

And then 2012 round kind of commenced and soon thereafter, this working group started their work way ahead of the PDP for the next round, so the – you worked already on the problem and the PDP for the next round hadn't started yet.

It started, I don't know, a couple of months ago. And the – mostly it's obviously GNSO and the GAC who had to deal with that problem. So what do we do with territory names? What do we do with ISO 3166 (unintelligible)? And in both of those groups, I mean, I'm participating on both of those or I'm involved in the progress. And both (unintelligible) and GNSO said wait, we

don't have to think too much about it because there is a working group and we don't – we want to avoid duplication of work. Let's see what they find out.

And this is kind of still today the case. Even the draft there, the reason GNSO working group Track 2 I think it was, a phone call, people kind of said, oh yes, we are waiting for the outcome of this working group. And that's what I hear from GAC members too. So very soon the GNSO and the GAC will learn that there will be no – there will be no real input from us. We will not bring kind of a policy white paper to them also.

And what they will do then is they will start – to start their own work. They will try to find their own solution. They will of course look into what we are developing over time and they will factor this in but we will not be the only ones who is working on that problem. And then, and right now we have the ownership of the solution to that problem. But not for very long time anymore I'm afraid.

((Crosstalk))

Bart Boswinkel: Thank you, Alexander. Annebeth, go ahead.

Annebeth Lange: Annebeth here. I agree with you, Alexander, that what we are facing now is that we have been working in this working group for a long time and the work has shown that it's very, very difficult to find this common framework that we were trying to find. And the work with all the different stakeholders in the same group shows that we have so different opinions. So it's been almost impossible to find a way forward.

At the same time, this is a working group, and not a PDP so even if we had found a result it is not the same as the rules according to the bylaws. So we have to just tell the PDP afterwards what we have found. So my fright now is that if we continue with the working group the same form that we have today we will still be struggling around the different meanings or opinions of the

different stakeholders. And what we can tell is that it is impossible to find a common framework.

So I'm not sure which way we should go forward. But it's absolutely different interests for, perhaps, at least some gTLDs and ccTLDs and the GAC. And if we have especially for the country and territory names and the ISO list. So what we are suggesting here in this recommendation is to treat all the geographical names together as like in Recommendation 1. And I'm afraid that we will have a big problem with doing everything at the same time because it's different (unintelligible) behind all geographic related names and the ISO – those who come out from the ISO list.

Bart Boswinkel: Thank you, Annebeth. Carlos, Alexander, I assume this is an old hand?
Okay, thank you. Carlos.

Carlos Raul Gutierrez: Yes, unless Alexander wants to respond to Annebeth. Alexander, I want to clarify a little bit your statement. From my perspective only and to make it more complete because I think I agree with what Annebeth just said. I mean, just creating an exception for the two-letter codes and the three-letter codes is not a policy. I mean, it's putting the problem aside for the time being. So for me the three-letter – two-letter codes and the three-letter codes were set aside as reserve names. We cannot touch them. So let's leave it on a drawer and let's continue and we'll come back to that.

And as Annebeth said, the problem is much bigger than the two-letter codes and the three-letter codes because in the process of application and delegation of new codes we were surprised, there were much more geographic issues than we thought there were conflicts of geographic issues with trademarks. There were (unintelligible) two-letter codes at the second level. There were procedures for solving other geographic names that nobody envisioned like the cities of (Spar) and (Bar) and everything. So I think it's very important to underline what Annebeth just said that the community has stepped back, has taken a much broader definition, which is geographic, and

we all realized that we have no framework for geographic, that we need to have a discussion on geographic.

That one of the results might be that within geography the two-letter codes and three-letter codes of the ISO list will remain frozen forever, or not. The other position is there is no protection of geographic names under international law, etcetera. We have wide, wide divergent positions, but I think the most important thing is that our narrow group, our narrow definition was, A, limited to two and three-letter codes and, B, we recognize now that the problem is much bigger and that this path under this charter is probably going nowhere.

And we have to think very hard what our general recommendation is in a few weeks to the community on this narrow remit of two and three-letter codes and we have to come with some positive recommendations how to move forward if not in two and three-letter codes, at least in the geography discussion and maybe if a full PDP the only solution. Thank you.

Bart Boswinkel: Thank you, Carlos. Annebeth.

Annebeth Lange: Yes, it's Annebeth here again. I just wanted to comment on one of the things that Carlos said about the – and protection under international law. I agree that there is no protection or nobody has the right to these names that we are discussing. But that doesn't mean when ICANN enters into a private contract with those who apply for a name they don't have to offer everything if the consequences of offering these special names will have political implications and other implications. So that's up to ICANN to decide even if it's not – no one the has a right to keep it for themselves.

Bart Boswinkel: Thank you, Annebeth. So let's go back, say, if you – and I see there are some real concerns around how to move forward and that was the if you recall the whole purpose of having a progress report taking into account the Helsinki meeting and the result today of the working group. And based on,

say, and that is captured in the substance of this document. We're still struggling with the recommendations and how to move forward.

As I recall from the last meeting and the meeting before and the document say, sorry, and the document as presented to the working group, say, the first two recommendations and especially Number 1, the ICANN community consolidate all policy efforts, was a, say, was agreed.

Do I understand correctly and I think that's important we know, in the second reading of this recommendation, is this or let me rephrase it, is this recommendation still supported by the members of this working group? So that's Recommendation Number 1. The ICANN community consolidate all policy efforts. As you can see, there is no change from the previous language in that one.

So assuming I have no comments and I do see people agreeing, so I would say that the – say, that's the core one. If we would go to, say, Recommendation 2, and again, to repeat this is from the previous documents, which is – so which is marked change, again, this – there's no change in the language and it was agreed at the last call. Just to confirm is anybody opposed or has any issues with Recommendation 2 as it stands right here? Or do you think it's superfluous so we can delete it in the context of the other one? So future policy development work must facilitate all-inclusive dialogue. That was to address some of the concerns raised by some on this call.

Alexander, go ahead.

Alexander Schubert: Yes, hi. Alexander. So, well, I think we always have to keep in mind our viewpoint on how we view our self and our involvement with the ICANN community. And separately from that, the PDP for the next round. And our viewpoint quite clear I mean, we are writing about at length on this document. But if you look at the viewpoint of the people who are preparing the next

round it's much more narrow. They, for example, don't even talk about two letter strings for the simple reason that they will never up for registration.

I mean, we have an Applicant Guidebook and there is no mentioning whatsoever that two-letter codes could be registered or maybe in the future or at all. They are exempted per se because of – probably because of RFC 1591. So we are dealing with it and we are talking about it but the people who are creating the PDP are not even interested in that thing because they are not up for registration per se.

And when we talk about the Recommendation Number 2, for example, the people who are creating the PDP, GNSO and GAC, know that we are working on something and when we deliver something they will look at this and factor it in. But as Anne said that – Annebeth said that rightly, we are not going to create policy anyway; we will just have some recommendations in the end of the day. And they know, I mean, the GNSO and GAC know that they have to create the policy for territory names and 3166 codes.

And that's the only thing they're really looking at because everything else is already in the Applicant Guidebook. So the – our scope and our viewpoint at the entire issue is very different from the people who will – who are currently dealing with the problem and will create a policy out of it.

Bart Boswinkel: Alexander...

((Crosstalk))

Alexander Schubert: ...any sense for you.

Bart Boswinkel: Alexander, may I ask you another question? If you would look at the interim report, I don't know if you had the chance to read it, say, one of the interesting aspects going through it and in preparing it is the evolution of the definition of country and territory names in the Applicant Guidebook.

Say, if you see the first Applicant Guidebook versions 1 and 2 in particular, it talks about meaningful representation of country and territory names. And that's a definition taken from the ccNSO Fast Track progress dealing with country and territory names and the overall policy development.

And using that one, one of the criticisms, and probably rightfully so, especially in terms of the Applicant Guidebook, it was not specific enough and therefore, you will see that the Applicant Guidebook and the definitions included evolved, but it also shows you, and that's the reason for raising it, that, say, no, say if we are not very careful and if the community in general is not very careful, they will be treading on territory that's both within the remit of the ccNSO policy development process and the GNSO policy development process.

And I think that's one of the core issues and that's one of the reasons why we talk about this whole issue around country and territory names because it's in the remit of the two policy development areas. So I think, say, from that perspective the work of this working group...

((Crosstalk))

Bart Boswinkel: Yes, go ahead.

Alexander Schubert: Yes, Alexander again. And I think the work of this group is very important. I just say if we look at real world outcome, especially concerning the PDP for the next round, if we are not really, really fast and come up with something very concrete, they will – they will not even listen to us. I mean, they will look at whatever we deliver if we deliver anything within the next year. But otherwise they will now sit down and will start to create their own PDP.

And if we want to impact in any way the Applicant Guidebook for the next round, we have to come up with something very concrete that they can

implement into the PDP. And I recognize that our work does not specifically developing the PDP for the next round, I mean, the work of this group is obviously much broader and has a much wider time horizon and not only for the next new gTLD round but kind of like for eternity and all kinds of scenarios and not just for new gTLDs obviously. But just if we want to influence the PDPs for the next round, we have to know this year probably.

Bart Boswinkel: Okay. Thank you. It's full concern. Susan.

Susan Payne: Yes, thank you. It's Susan here. I wanted to respond to Alexander, but in a way it was more of a request for clarification because I – when you first were speaking, Alexander, I thought I was understanding you to be saying that these issues in relation to say, two and three characters are not being dealt with by the Subsequent Procedures PDP and so that essentially if we do not deal with them, no one will.

But your later comments didn't seem to be saying that. And so my – when I put my hand up it was to respond to that point, which I'm not sure was your point or not. But I just wanted to say that within the charter of the Subsequent Procedures PDP, within the section called Group 2, it is very clear that the reserve names, including the geographical names requirements, are within scope for that PDP to look at.

And although there is a comment that says that there is this CCWG working on this issue, that focuses particularly on the country and territory names, and you know, making sure that therefore the PDP working group makes an effort to avoid duplication, but I think, you know, if there – if there is advice from this working group then it will go into that PDP and they will take it into consideration.

It doesn't necessarily mean even that they will follow it but they would take it into consideration. And if there is no advice or if the advice is that we, you know, unable to reach a conclusion on three characters or whatever, then the

Subsequent Procedures PDP will start to consider the point. But in relation to the two characters, I think we are making a recommendation. I think that's still our intention, which is that we are recommending, you know, maintaining the position that they should continue to be reserved for the reasons that are discussed in the...

Bart Boswinkel: Yes.

Susan Payne: ...the draft report.

((Crosstalk))

Alexander Schubert: Alexander again. Well, yes, I'm – yes?

Bart Boswinkel: Yes, go ahead, Alexander.

Alexander Schubert: What?

Bart Boswinkel: Yes, go ahead.

Alexander Schubert: I'm totally in agreement. If – do you hear me? If we come up with something...

((Crosstalk))

Bart Boswinkel: Yes, yes, I can hear you.

Alexander Schubert: ...then they will take those in. If we don't come up – if we don't come up with something they will not take that in. And so either we speed up and create something or it will not be part of the next PDP.

Bart Boswinkel: I think, say, let me first – this is Bart again. Let me first address, say, what Susan said. And I apologize if I create any confusion. What I intended to say

it's, there is no question about the Subsequent Procedures is addressing something – the topic about geographic names and it's very clearly within the remit of the PDP.

The only concern I wanted to flag and that was raised by others, is that this is not just a remit of the GNSO, it's also the remit of the ccNSO especially if you talk about country and territory names and it's not just the RFC 1591, it's also to do with IDN ccTLDs and that created the issue originally, say, from a ccNSO perspective.

So that was the – and that's, I think that the was the concern of some of the people on this group of what they expressed last week – or the last call. So that was what was raised here. Susan, I see your hand is up again. Go ahead.

Susan Payne: Yes, it was really just briefly in relation to the point about if we do not – if this working group does not give some recommendations then we won't have input. I mean, I agree in the sense that we, this working group, in our currently formed group, wouldn't have input. But it – the PDP that is currently chartered and could be considering these issues is open to all and so it is possible for all of us to participate in that. And indeed many of us already are.

So it is not as though we lose the opportunity to have a voice. We still have the exact same voice. But I – my personal perspective is that I think it would be more helpful for Recommendation 1, you know, for all of these policy issues on geographic names to be dealt with together rather than for the Subsequent Procedures to be clearly dealing with other geographic names, and then but leaving aside these particular ones because they think they're being dealt with somewhere else.

Bart Boswinkel: No, no, I think say – and this is Bart again for the record – go as far as, say, and that's what staff tried to capture, say, at the – in this paper but also in the interim paper. And, say, is to capture that drift of the arguments by the

working group is that, say, based on the discussions to date around the country and territory names, knowing other exist, say, other efforts exist as well in the community, especially the, say, the GAC working group on geographic names but also the PDP, that it's, say, it's impossible to create a harmonized framework around geographic names unless it is a consolidated and coordinated effort.

And the only way to ensure this is – and that it really is impactful is under a PDP. Otherwise, you see all these efforts springing up and jumping up. So that was the background of, say, the progress report and the recommendations as they contained in.

And alternative Recommendation 3 is just to address and just to ensure to clarify that some issues cannot be dealt with in under one PDP because of, say, the scope of the issues involved, especially around country and territory names. So I would say the core of the recommendations would be Recommendation 1 and 2 and 3 as they stand are more or less qualifications around the policy development efforts.

Carlos, go ahead.

Carlos Raul Gutierrez: Yes, Bart, I think your last sentence is a very good summary. I think, Number 1 stands. We haven't received any comment. Maxim was suggesting that participation was very low. I don't know if we can just send the approved draft out and give people another chance on the next call to object if necessary. In terms of 2 and 3 as qualifications, I don't know qualifications or just areas where there seems to be no agreement within the group. So I would ask you to think how we phrase it exactly. But in general terms I agree with you, we stand by Number 1 and we have two areas, Number 2 and Number 3 where there is, I don't know, less agreement or not a clear path, etcetera, just how to wrap up this progress report because it's just a progress report. Is a snapshot so doesn't mean it goes as a recommendation?

So that for the next call we can jump into the meat of the combined strawman, straw woman document which is the legacy of the group if we decide just to hand it over to the PDP (unintelligible) this overview because we are just five minutes.

Bart Boswinkel: Thank you. Annebeth, please go ahead.

Annebeth Lange: Yes, Annebeth here. Could I just ask for a clarification first? We have 1 and 2 and then the next section is that an alternative to the what's below? So the first section is to deliver everything to a PDP – to the existing PDP on the subsequent rounds in the GNSO and if we go for alternative to Recommendation 3, then it could be these special things that has to do with country and territory names, should be treated in another PDP in the ccNSO since the IDN question comes into it? Is that what you mean?

Bart Boswinkel: Yes. What I, say, the language would be, say, I forgot to say, if you would go the sentence starting the CWG could not agree unanimously on the following, that should be, say, Recommendation 3. And then Recommendation – Alternative 1 and Recommendation 3, Alternative 2 should read, “To ensure the conclusions and recommendations,” blah, blah and moving forward. So you talk about two alternatives for Recommendation 3.

Annebeth Lange: I understand it correctly, yes.

Bart Boswinkel: And based on the conversations today and that's – because this is the second reading, say, based on the – today's conversation, I would say Recommendation 1 stands. So it's been after two readings so that means four weeks in total people had a chance to read it, go over it, has been agreed by this – at this call and the previous call.

Recommendation 2 is under discussion and Recommendation 3 alternative is under discussion as well. And maybe, say, in the – for the next week in two

weeks on mail I will make clarified so – and send it out as quickly as possible so you all can have a look at it so the progress report can be adopted at the next call in two weeks.

Carlos, may I get back to you with regard to your point on the, say, on the function of the progress report. The progress report was – if I recall correctly, and that's why it includes a recommendation, was to report to the community in Hyderabad that this working group will finalize its works in accordance to its charter but this is the direction of travel, to indicate that, say, in future this working group is not able to come with a harmonized framework with respect to the country and territory names because it's a – that was the outcome of the work on the three letter codes or, say, on the feasibility of such – for such a framework.

That's recorded in the progress report. And therefore it's, yes, the community needs to be informed as rather sooner rather than later.

Carlos Raul Gutierrez: Okay.

Bart Boswinkel: Carlos, you – yes, you were on mute. Go ahead.

Carlos Raul Gutierrez: Yes, okay thank you very much for the explanation. I understand it that – but in the end these recommendation will go out in another document or repeated in another document or in a final document the way I understand it. So I fully agree with your suggestion that we have two readings and we should send it out without the changes, without all the – as final round to see if we can wrap it up for the next meeting and we can continue with the other document. If people agree? Annebeth has another comment to make.

Annebeth Lange: Yes, it's Annebeth here. Yes, I agree with you. I think this is a good way forward. The only thing that it would say that even if we haven't decided or managed to decide a common framework from three letter codes and in full or short names – of country and territory names – I think we could flag that

we have more or less agreed on the – we should do with the two-letter codes in the future. Because even in – at least we should say that.

Bart Boswinkel: Yes. It should be included.

Carlos Raul Gutierrez: Okay then I think we have made the round on the document so let it – let's get all the changes out and then – and threaten the people with finishing and sending it as-is and let's talk. I don't know, in the agenda, is it a suggestion or we have agreed what the next – that the next meeting is on October 17.

Bart Boswinkel: At the last call we agreed to have – have a call every two weeks. The only thing is time is not set yet. But I suggest we go back to 2100 – yes, depends a bit because there is a bit of overlap. There appears to be overlap with the PDP on subsequent rounds or another GNSO PDP. I don't have it – I don't have any idea which one it is. But...

((Crosstalk))

Carlos Raul Gutierrez: ...on the subsequent rounds PDP starts at 20 UTC but it goes over for two hours. That was the comment. I have no problem in moving back to 15 hours see if we can save our Australian friends because today we meet both cochairs from Australia so maybe we should check if everybody agrees we would go for October 17, 15 hours again so we can cover that part of the world.

Bart Boswinkel: Yes, so that's 2000 UTC.

Carlos Raul Gutierrez: Susan has (unintelligible)...

Susan Payne: I was just going to say that this week the Subsequent Procedures is at 2000 UTC but it – there is a call this evening for my time. And it may be that I would expect at the end of that call that they will be – there'll be some clarity

on when the next call is. I mean, I think those calls are rotating time so I would hope that next time it wouldn't be 2000, it should be a different time hopefully.

Bart Boswinkel: Yes. So...

((Crosstalk))

Carlos Raul Gutierrez: Okay very good. Thank you, sir.

Bart Boswinkel: We'll check again as soon as possible, say, with the cochairs the time and we'll get back early, say, in one or two days with a suggested time for the next call for this working group but it's in, say, in two weeks or around two weeks from now...

Susan Payne: Yes.

((Crosstalk))

Bart Boswinkel: And to finalize it. And I'll update the document. So according to Steve, he's on both, it should work at 2100 UTC next – in two weeks. So my suggestion is that we go – we just go for 2000 UTC on the 17th. And we'll send a calendar invite to that.

Susan Payne: Okay.

Bart Boswinkel: Yes.

Carlos Raul Gutierrez: Great. Thank you very much, Bart.

Bart Boswinkel: Yes, you can see it...

((Crosstalk))

Carlos Raul Gutierrez: If there are no other comments, I would suggest to wrap it up and thank everybody for making it today.

Bart Boswinkel: Yes, thank you, Carlos.

Susan Payne: Thank you very much.

Bart Boswinkel: Bye-bye.

Susan Payne: Thank you, Carlos. Bye-bye.

Nathalie Peregrine: Thank you very much, (Jennifer). You may now stop the recordings. This concludes today's call.

END