

**ICANN
Transcription
GNSO New gTLD Subsequent Procedures Sub Team –Work Track 5 – Webinar on
the History of Geographic Names at the Top Level at ICANN
08 February 2018 at 19:00 UTC**

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Attendance is located on agenda wiki page: <https://community.icann.org/x/6g28B>

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Terri Agnew: Good morning, good afternoon and good evening, and welcome to Work Track 5 Webinar on the History of Geographic Names at Top Level at ICANN, taking place on Thursday, the 8th of February 2018.

In the interest of time, there'll be no roll call. Attendance will be taken by the Adobe Connect room. If you are only on the audio bridge, could you please let yourself be known now?

And actually I do have visual. I do apologize. Those on the audio bridge are muted but I do have visual and your names will be recorded as well.

I would like to remind all participants to please state your name before speaking for transcription purpose and to please keep your phones and microphones on mute when not speaking to avoid any background noise.

With this, I'll turn it back over to our co-leader, Annebeth Lange.

Please begin.

Annebeth Lange: Thank you and welcome again to the Webinar of the History of Geographic Names at the Top Level at ICANN.

So we go on and we will start with the review of the history and an overview. So the relative geographic names started already back in 1984 when IETF, Internet Engineering Task Force, developed the request for Comment 920.

They used the ISO 3166 list of two-letter codes for the representation of names of countries and their subdivisions as opposed to the generic TLDs with three letters and more, such as .com, .mail, et cetera. This system was reinforced in RFC 1591 in 1994.

RFC 1591 stated that IANA was not in the business of deciding what is and what is not the country. It was needed as a basis for the country code's top level domain and ISO, which is under the UN, has a procedure for determining which entities should be and should not be on that list.

So when ICANN started in 2000, I would like you to take over now for the early history, (Jeff). Could you do that?

Put two slides ahead.

(Jeff): Absolutely. Can you guys hear me okay, hopefully? I'm assuming I'm unmuted.

Annebeth Lange: Yes. Yes we can.

(Jeff): Great.

Annebeth Lange: We can hear you.

(Jeff): Yes. Okay. So the first time that we really experienced an intersection between country names and geographic names was when ICANN decided to expand the number of top level domains in 2000 to do what they call a proof of concept round to add between what they wanted to do with that between seven and ten new generic top level domains.

And so October, November 2000, ICANN selected seven new generic top level domains, .aero, .biz, .coop, .info, .museum, .name and .pro. And after we selected those seven top level domains, the Government Advisory Committee -- the GAC as we say that abbreviation a lot -- issued a communiqué about less than a year later expressing concerns about the use of country names, particularly in the .info top level domain.

So the GAC issued a communiqué asking for the reservation of 327 country names that were on the ISO 3166 list in .info due to the - and they used words "very special nature" of .info.

Now, this is at the second level, so we're not talking about top level yet but we're talking of the first time that really the governments issued some concerns about the intersection of country names and generic top level domains.

And as a result of that communiqué, the ICANN board approved that GAC advice and asked affiliates who was and still is the top level domain registry for .info to reserve those names and then formed a small committee that discussed the - how to issue or how to allocate the second level domains, those 327 second level domains, in .info and ultimately a process was selected that was overseen by the GAC at that time. So that's the first time that really these two issues intersected.

You can go to the next slide. And I think, Annebeth, you want to take over here?

Annebeth Lange: You can take that one and then I go ahead with the rest.

(Jeff): All right. Great. So then, in 2003, we saw another expansion of what was called sponsored top level domains. And these sponsored top level domains were unique. They're very much like what we think of as community these days. But basically, the policymaking body of those top level domains are actually the registry operators themselves. And so they get to set the unique policies within their space.

And two of those examples actually - of the ones that apply in that small rounded 2003, two of them were, in fact, for geographic designations. One of those was .cat for Catalonia and .Asia for the Asian region.

And these are the first times that two geographic top level domains were approved and they did have policies, unique policies, within those top level domains that were geared towards the allocation of names within that particular geographic area.

You can go on to the next slide.

Back to you, Annebeth.

Annebeth Lange: Okay. The next page here was the IDN, the International Domain Names, and the working group's outcome report in 2007. In 2006, the discussions on the IDN TLDs, TLDs with known Latin letter started. The working group on internationalized domains was started by the GNSO and the result presented here in 2007.

The members reached an agreement regarding treatment of geographic names that it might be necessary with consultation with the Government Advisory Committee and that suitable process for consultation, also with the relevant language communities, was needed.

The same year, several things happened that had impact on geographic names. In 2007, the GAC published their principles regarding new gTLDs. The main message regarding geographical names was that the new gTLDs should respect the sensitivities regarding terms with national total geographic and - sorry?

Terri Agnew: This is Terri from staff. I do apologize. It does appear Annebeth Lange's telephone line did just disconnect. One moment, please, while we try to get her back online.

Cheryl Langdon-Orr: (Jeff), Cheryl here. Do you want to pick up this slide on the working group or I?

(Olga): Terri, maybe you can go - this is (Olga). Maybe you can go to the previous slide because I think Annebeth was not finish with that one.

(Jeff): Why don't you take over?

Cheryl Langdon-Orr: Sure. Okay. In the - Cheryl Langdon-Orr for the record. The internationalized domains working group published its Ascom report in the year 2007 and some of the highlights from it in this slide. Basically, to short version this, there was an agreement within the purchase of the new gTLDs, there must be a method for geopolitical impact to be considered and...

Annebeth Lange: Hello?

Cheryl Langdon-Orr: ...complemented by...

Annebeth Lange: Hi, it's Annebeth again.

Cheryl Langdon-Orr: ...consultation might be necessary. I'll just finish this slide, Annebeth, and you can take it after that.

Annebeth Lange: Yes, great.

Cheryl Langdon-Orr: Cheryl here. And then as an outcome of this report that there needed to be agreement that its usual process for consultation including relevant language community was needed when considering IDN in new gTLD string.

And, of course, just as a side point before we move to the next slide, additional work on this, which simply reinforced this agreement, was also around doing the fast track for IDN country code names almost in parallel to the end of this work.

Next slide, please, and back to you, Annebeth.

Annebeth Lange: Thank you, Cheryl, for taking over. Suddenly something happened here.

Okay, next. The same year, several things happened, as I said. It was - and the Government Advisory Committee published their principles regarding the new gTLDs.

And the main message regarding their geographical names was that the new gTLD should respect the sensitivities regarding terms with national, cultural, geographic and religious significance and should avoid country territorial place names and country territorial regional language and people descriptions, unless in agreement with the relevant government or public authority and to avoid confusion with ccTLDs and also to follow RFC 1591, no two-letter gTLDs should be introduced.

So this is the first time where I can see that the option of consulting with the government which ends up later on in support non-objection comment came on the table.

The next stage here was the reserved names working group. The GNSO council, the same year initiated the reserved names working group to find out

if there should be any reserved names. And the main message there regarding their geographical names was all two-letter strings should be only for ccTLDs of the geographical name. There should be no reserved names but a challenge mechanism for government.

I won't go through all the texts here because it's much - you can read that afterwards. This will be published.

In addition, the applicant should be advised of the GAC principle from new gTLDs and be made aware of the advisory role that GAC had in the ICANN bylaws.

Then we have - and then in PDP on the introduction of the new gTLDs, then we probably see processes started.

So text from recommendations of the reserved name working group were then integrated into the GNSO PDP on the introduction of new gTLDs. And in - when we're talking about the geographical names, its Recommendation 5, 10 and 20 that was included in the brand new report a string must not be a reserved word.

However, the applicant should be made aware of the GAC principles on new gTLDs and the proposed challenge mechanism would allow the government to initiate an objection.

And so the work with the applicant guidebook started. The next step then was the first version of the applicant guidebook in 2008. And it required that applied for strings must consist of three letters or more. Consequently, two letters should be left for the ccTLD space.

Government supports a non-affiliation was required for meaningful representation of a country or territory name listed in the ISO 3166-1

standard. Several national place names, city names when used in geographical capacity and confidence of - or UN regions.

The first version respected the GAC principles step forward in 2007. Up until now, it was mainly stakeholders from GNSO that had been active in the discussion. But when the initial draft was published, the rest of the stakeholder groups broke up and things began to happen.

The ATB went through a series of comment periods, discussion meetings and provisions. And the second version in 2009 was mostly unchanged but the description of country and territory names at the draft was expanded and refined and included capital city names in the consent or non-objection regime.

However, after the GAC sent letters to ICANN board both in March and August 2009 that stated that meaningful representations or abbreviations of a country and territory name listed in the ISO 3166-1 standard in any script should not be allowed in the gTLD space. This sort of changed from the earlier notion.

So the ICANN board, at this urging of the GAC supported by the ccNSO in November 2009, directed the staff to exclude country and territory names from delegation in Version 4 of the ATB. Country and territory names will not be available for delegation in the first round of a new gTLD process.

And this changed from support or non-objection for country and territory names in all forms to not available for delegation continued through the subsequent versions, including the one in 2012 applicant guidebook.

An interesting detail is that two-letter ASCII string has, through all these different working groups and principles and PDP, not been permitted to avoid conflicting recurrent and future ccTLDs.

On Slide 14 and 15, we can go through the rules of the applicant guidebook as it was in 2012.

The first paragraph here is if the strings ineligible for application, first, the two-letter, the two-character ASCII string not permitted. And then we went to the next that was strings ineligible for application as well and these are as a three-quote; short and long form name listed in ISO 3166; translation, short and long form, in any language.

And if it's a short or long form name in association with the code that has been designed as exceptional reserve by the ISO 3166 maintenance agency, it is a separable component of a country name designated on the separable country name's list or is a translation of a name appearing on the list in any language.

As an example there, I could say for example Veuve Island. Then you couldn't just take Veuve instead. It's something like that.

Also, when it's a permutation or transposition of a country or a territory name and it is a name by which a country are commonly known. An example here could, for example, be Holland or The Netherlands which is not the official name.

Then it was then produced the application for strings requiring governmental support.

Capital city names of countries or territories in any language, city names if it's used for processes associated with the city name, certain national places in ISO 3162 list such as a county, province or state, regions on UNESCO list of composition or macro geographical continental regions, geographical sub-regions and elected economic and other groupings list (unintelligible). Quite complicated.

So what (unintelligible) when it was - this round was implemented. On these slides, we can find some of the results from the 2012 round. It was 66 self-identified applicants that identified their applications as geo names.

A geographic panel that was established determined that six of these did not fall within the criteria for a geographic name as defined in the ATB.

The panel also found three applications that did not self-identify geo names but aware of the category that needed support non-objection. And 56 of the applicants needing support non-objection had acceptable documentation and today, 54 of those have been delegated. So that's system seemed to quite work quite well.

Eighteen strings were subject of GAC early warnings with concerns and some of these were not on any list in the ATB. Some were permitted to move forward, some needed an arrangement for the territory in question and some were not allowed or are still in the subject of dispute for which the most famous perhaps is .amazon.

So where are we now? There have been new additional policy developed into PDP in 2007 on the introduction on new gTLDs. And the applicant guidebook is the implementation of the first round of new gTLDs but not a policy as such a GNSO policy and this implementation remained inconsistent.

There has been some subsequent work on geographic names at the top level after 2012. And worth mentioning is the cross-community working group on the use of country and territory names established in 2014, concluded in 2017, and representatives from GNSO, GAC, ALAC and ccNSO, and the purpose was to see if it was possible to develop a framework for this group of geo names that all state groups could accrue.

And the reason why this, first and foremost, for the country and territory names was that these were not ineligible at all. So the others had support

non-objection that work quite well that this group that are not applicable at all in the 2012.

Two-letter and three-letter codes were discussed. And we reached preliminary consensus in support of reserving all two-letter strings for ccTLDs. So we followed up what had been on all the other exercises before.

To obtain consensus on how to use three-letter codes in ISO 3166 list, that was not feasible. There were many reasons why we did not succeed and some of them you see in this list here. One of these reasons was that geo names, the TLDs, were discussed all over the place in all-stakeholder groups and with different mandates. So it's - would be good to try to get all these together.

So in - and, yes, we delivered that - them report in 2007. One of the other groups discussing geo names is still ongoing. So, (Olga), can you take over and describe your work here in the GAC?

(Olga): Yes, Annebeth. Can you hear me?

Annebeth Lange: Yes, we can hear you.

(Olga): Thank you. Thank you very much. Thank you for all the detailed explanation that you have been giving to our audience about the geo names.

As you have seen during the explanation made by (Jeff) and by Annebeth, the Governmental Advisory Committee has been always involved and very interested in the issue of the use of geographic names or names that have geographic significance as a new TLD.

So you may remember the Slide 8 with the GAC principles of our new gTLDs. It took us some time to develop and issue GAC consensus but finally, we got to that document. But in that document, there is a request that consultations

are made between the applicant and the relevant government in the case that there is a doubt or concern that may arise.

But the experience showed that in the first round, there were conflicts. There were conflicts, as you saw recently in the other slide, that they were mentioned early warnings and then some of the conflicts are still ongoing with names that were not in any of the list that were described in the presentation made by Annebeth. So that is - there still is a concern.

So what happened within the GAC we established internal GAC working group to analyze this issue with those names that are not in any list. So we have been trying to develop practical options to establish a communication in between of the applicant and the relevant government, practical suggestions or best practice rules. So we have done - if you're interested, we can share them with you.

The issue is that for the moment, these documents don't have full GAC consensus agreement. You know, the GAC issues a bias when all the GAC is in agreement. So this has been an exercise, a very interesting exercise. But for the moment, we don't have consensus decision about this document.

One of the documents were open - was open as a very kind of new thing. It was open for public comments and we shared - we received more than 100 comments from all of the community. We presented them in one of the meetings in Singapore. I think it was 2014.

And since then, we have been working on this. One of the ideas that came up lately, a suggestion by our colleagues from Switzerland, that it is something that has been going on in our mind is, for example, to have a report of names with geographic significance. This has - can be extremely challenging to maintain but at the same time, some of us - be a good reference. This is, as I said, only ideas that we are still working with and

trying to - the idea to diminish the uncertainty for both, for the government and for the applicant. So the community is happy with the full process.

So I will stop here and if there are any questions, I'm happy to address them. Thank you.

Annebeth Lange: Thank you, (Olga). We go on to the end and then we start questions and answers.

So the current status, what do we do now? So as you all know, we have started to work a Work Track 5 and - which is exactly to try to get all the different work together even if we discuss in our - each of our stakeholder groups, just as (Olga) said in the Governmental Advisory Committee, when they need. They discussed especially those names that were not on the list in the last round.

So under the GNSO new gTLD subsequent procedure PDP, there were order report subteams or work tracks and geo names were discussed in all. And to avoid confusion and double work, the leadership established Work Track 5 after the cross-community public forum on geo names in Johannesburg in March 2017.

And the work track began their work in November 2017, has 145 members by now and 82 of service from the ICANN community and four co-leaders representing ALAC, ccNSO, GAC and GNSO.

We have now recently agreed on the terms of reference which you can read when you have time. There, the process is described, goals, objectives, et cetera. And now, the substantive discussions have begun, namely which of the terms listed in 2214 in the applicant guidebook should be considered geographic, followed by outlining a work plan with (unintelligible), et cetera.

And the rechallenge will then be to agree on how to treat these names in this next round and perhaps especially these names that were not on the list in the 2012 round.

So I think this concludes the history up until now. So over to questions.

Terri Agnew: Thank you. And this is Terri from staff. Before we start questions, microphones are now active in the Adobe Connect. Please remember to mute at this time since microphones will be activated.

Also, if you're on the telephone, all telephone lines have been unmuted as well at this time.

I'll go ahead and turn it over to everyone for their question.

Annebeth Lange: Thank you.

(Olga): Annebeth, this is (Olga).

Annebeth Lange: Hi, (Olga).

(Olga): Maybe to break the ice, we can comment on the question that is made in the chat about what means commonly known. I think (Jeff) and you made some comments. So maybe...

Annebeth Lange: Yes.

(Olga): ...for the rest of the audience.

Annebeth Lange: Yes. I'll do that. That - so there were some comments about cities that this decision or the said rule in the applicant guidebook was only for countries as countries are commonly known.

It's a lot of countries all over the world that use a name on their country that's not official name and what I - the example I gave was The Netherlands. And most people, Dutch people, call their name for Holland, especially older people. So that's one example. But it's not about the city. It was about the country.

Woman: Now you have the queue for me.

Annebeth Lange: Now we have (Javier).

Martin Sutton: Hi, this is Martin. And just to give Annebeth a break from talking, I noticed we got a couple of people in the queue. So I'll take over the Q&A and give Annebeth a breather.

So I got (Javier) and Marita in the queue. So, (Javier), please go ahead.

(Javier): Yes, hi. One of the slides mentioned the concept language communities. Is there a definition for that or is this just a term in passing? Is there an official definition of "language communities?" That's the question.

Annebeth Lange: And which slide do you refer to?

(Javier): I don't remember, one of the first slides. There's reference to respect for language communities or - I don't know if that's - if there's - if that's a term of art or is that just, you know, a way to refer to, you know, geographic communities.

I mean, is there a distinction between geographic area and a language area or is there any definition for language communities or - that's the question.

Martin Sutton: So I think that - it's Martin Sutton here just for the record. I think that might be referring back to the early stages of discussions regarding the IDN working group which is one of the early slides in the pack. So...

Cheryl Langdon-Orr: Martin, Cheryl here. I can make a small effort responding to (Javier).

Martin Sutton: Thank you, Cheryl.

Cheryl Langdon-Orr: Not a problem. Cheryl Langdon-Orr for the record.

Martin, it is, in fact, a term of ours but it's a term of ours that can be subject to review and interpretation. The established state of play with what we mean by "language communities" is both that geographically bounded by any, you know, specific country or region that is purely identified with a language but that is, in fact, an extraordinarily rare thing in the modern world as I'm sure you recognize.

Therefore, it has also always, since the 2007 work, included those speakers of a language which are not necessarily tied to permanent residency within that geography.

So when you have a lookup table being established, for example, an internationalized domain name, the characters and you're looking at a specific language - the Thai language, for example, or one of the other Asian languages, the - it's full of people, the expertise but it's called on to agree on, for example, the details of that set script will be both that is bound in Thailand and those speaking that language outside of the country known as Thailand.

This is important, of course, when you look at things like languages, such as Arabic, which cross across many geographically bound by differently nine areas. Hopefully, that helps.

Woman: Yes.

Martin Sutton: Thank you, Cheryl. And that was great. We could move to Marita, please.

Marita Moll: Thank you. Hi, Marita Moll for the record. I'm looking at Slide 16. The second bullet point talks about six geographic names or that words that were not definable as geographic names. One of them is (Zulu Scott).

And then I'm looking at a slide, the next one, in which something that looks similar to me like (Swiss) was a subject of early warnings. So can you explain that because they seem to me like to be in the same category. I see (Zulu) is also - oh, I see (Zulu) here is also as early warning.

Martin Sutton: That's right. So...

Marita Moll: Am I reading this wrong?

Martin Sutton: ...it wasn't on any of the list, and therefore, was self-declared themselves as a geographic term. It didn't correspond with any of those pre-described in the applicant guidebook. However, there was then a subsequent GAC early warning that's reflected on (Zulu). Does that make sense?

Marita Moll: Okay. Yes. So these were two things that happened one after the other. So (Zulu) did end up being put on hold, so to speak. But then let's look at (Scott) which is also sort of in - through the people designation. That never ended up on the early warnings? I'm just trying to figure out like those depend on the government entirely to issue an early warning on some of these words or how does that happen?

Martin Sutton: Government early warning, yes, it would have been via the GAC; whereas, there could be other objections still from outside of the ICANN community for certain terms, whether they'd be geographic or otherwise. So in this case, for (Scott), again, they self-described themselves as geographic term.

The review panel or the geographic names panel determined that it wasn't included in any of the list, and therefore, did not need to go through that

process and no other objection from the Government Advisory Committee followed either.

Marita Moll: Okay. So that's entirely you can on government taking up the bat for the particular words.

Martin Sutton: Yes, unless there's other interested groups that may want to raise an objection.

Marita Moll: Thank you.

Martin Sutton: Okay. So do we have any other questions from the audience?

Marita, is that an old hand?

Okay. So I've not seen any more in the chat regarding questions framed.
Okay. None in the queue.

Oh, one more. (Olga), please go ahead.

(Olga): Thank you.

Just to reflect on the issue of the early warnings and the lists, I think that one of the biggest challenge that we found in the first round was this issue of the definition. And those names that were not in list - and we, government, understand that the applicant needs to have a certainty about what it is and what is not a geo name.

So this is why the lists are useful. But then, it comes to the fact that they're names that are relevant for the communities or for a country or for a group of countries which, for example, what happened Patagonia which is a region in the south of Chile and Argentina.

So this is extremely challenging because then the applicant don't know because it's not in the list to go to the relevant government. This is why the idea of a repository came up just to have a reference and to - how to promote the early contact in between the applicant and the relevant authorities in order to diminish the conflicts and lower uncertainties.

And you have a new queue. You have Marita in the queue.

Martin Sutton: Thanks, (Olga).

And I'll just tag on to that point perhaps that at that time, 2012, there were probably less members of the Government Advisory Committee as well. So that's grown...

(Olga): Yes.

Martin Sutton: ...quite considerably since the new gTLDs were implemented so that there's more interest and more visibility from different governments.

Marita, back again, please. Ask your question.

Marita Moll: Okay, thank you.

In the case of Amazon, is it the case then that looks as though governments can put an early warning on a name but the applicant still has a right to challenge that. Is that correct?

Martin Sutton: Yes. There is the ability to challenge.

((Crosstalk))

Martin Sutton: I think in that particular case, if you look at the history which is available on the GAC Web site, the whole dispute and objection processes have been

followed through. So there's a number of stages that can follow on after an early warning is given.

Marita Moll: And that's where we are now with that one, is that right?

Martin Sutton: There's been - well, there has been a panel decision. So there was an objection process followed through. A panel decision has been made. And that is still being assessed by the ICANN board. And I think, currently, they're looking for further information from the GAC by the March ICANN meeting.

Marita Moll: Okay. Thank you.

Martin Sutton: Thanks, Marita.

(Alan), I've got you in the queue. Please go ahead.

(Alan): Thank you.

(Jeff) just said part of what I was going to say. My recollection is an early warning is just that it's an early warning. It can be issued on geographic grounds. It could be issue on cultural grounds or anything else.

And it doesn't have any effect other than to warn the applicant that somebody might object in the future. The government may follow through with trying to make it into - trying to have the GAC give advice on it or it might be dropped altogether.

So I don't think we should put too much import on the early warning other than it was an opportunity for government to say there might be a concern going forward with it. It certainly didn't have the power of "law" -- you know, sort of law in quotes -- for ICANN to take any specific action.

But it was a red flag that was raised that the applicant might choose to take some action on or not. Thank you. Or at least that's my recollection.

Martin Sutton: Thank you, (Alan). That's a great clarification there.

And, (Olga)?

(Olga): Yes, to agree with (Alan) about the meaning of the early warning, just to flag in some concern. And then about the Amazon process, just to add some information, there was a GAC advice to the board not to release - not to also - Amazon new TLD that was in the Durban meeting in 2013.

So it was not delegated. And now there is at the Amazon company has requested - I don't know exactly the legal details. I don't have them at hand now. But as Martin rightly said, there is a panel evaluating that and the GAC is analyzing the present situation.

Martin Sutton: Thank you, (Olga).

So, okay, we have a little longer settled for the call. But if there is no other questions, we...

Annebeth Lange: Martin, it's Annebeth here again. I see that it's the question from Bruna Santos about more information about the early warning and the GAC advice. I think it's a little - so perhaps (Olga) could say a little more about this because I agree with (Alan) that early warning, the way I have thought about that, is it is a warning to all applicants that they should be a little aware that here something can happen and that is different from the GAC advice. (Olga) knows this better than all of us. So, (Olga), could you elaborate a little?

(Olga): Sure. Yes. Early warning was - and to be honest, at the time some of us did issue an early warning, it was not very clear how to do it because GAC advice is when there is a full consensus among the GAC in issuing advice.

So the whole GAC which now comprises more than 170-plus countries agree in something, that's advice. And that's an advice to the board. Then the board analyzes the advice if they will proceed or not. But that's the second stage outside the GAC.

Annebeth Lange: Yes.

(Olga): Early warning was just a procedure to - just to say that there was a warning, there was a concern. As far as I can recall, Argentina issued an early warning for Patagonia. And finally, they're just a warning. It didn't impact much in the full process. Maybe I'm forgetting something but I don't think that it was an issue to say something to the applicant.

Finally, what really meant something was the advice that was, in the case of Amazon, done in the Durban communiqué. You can see that there. In the case of Patagonia, Patagonia withdraw the application.

Annebeth Lange: Yes.

Martin Sutton: (Olga), it's Martin. Just to...

(Olga): Yes.

Martin Sutton: ...carry on slightly from that, just to - and to clarify, on the GAC early warnings, that could be undertaken by an individual government or more than one but it didn't need the backing of the whole of the GAC before GAC advice was put forward. Is that correct?

(Olga): That's how we did it.

Martin Sutton: Yes.

(Olga): In the case of Patagonia, it was done by Chile and Argentina. Yes.

So I find it as a warning, not as a GAC advice. GAC advice has a different meaning in the bylaws. It is like advice to - issued by the full GAC and with full consensus. So it's totally different kind of information to the board.

Martin Sutton: Yes. Thank you, (Olga). Thanks for that clarification.

(Javier), I noticed your question in there and I think it would be very difficult for us to comment on where the process is with .amazon. But you can find out the whole history. It is with all other processes that ICANN deals with in terms of objections, clearly detailed on the Web site, and we can send you the link.

(Olga): If I may, I can give you some of this about Amazon. There was a session in the Abu Dhabi meeting where the Amazon company made a proposal to the countries which are - Argentina is not Amazonian country but to the countries that are interested in - that are part of the Amazonian region and that is being analyzed by the relevant countries. And there will be also an open session about that in the next meeting in Puerto Rico.

Martin Sutton: Thank you, (Olga).

We have a few in the queue. We've got Marita.

Please go ahead.

Marita Moll: Sorry. I'm fascinated by this. Am I understanding correctly that the GAC has to be completely unanimous in order to really oppose any particular word? Is that right? I mean, there's the early warning which doesn't have to be unanimous. But GAC has to be totally unanimous if they're going to oppose .africa as top level domain. Is that right?

Martin Sutton: (Olga), may I refer back to you just to clarify...

(Olga): Yes. I'm not sure if I understand the question.

Martin Sutton: ...at this point.

(Olga): I'm not sure if I get the question.

((Crosstalk))

Martin Sutton: If I try and relay back, if you can just check me, Marita, with GAC advice being offered in objection to an - applied for string, is it the entire GAC that must object to that application, that string, for the GAC advice to be submitted?

(Olga): Yes. Yes, the full GAC.

Marita Moll: And then that advice will be submitted to the board and it's the board that eventually makes the decision. Is that correct?

Martin Sutton: That is correct, Marita.

(Olga): The GAC advises the board. The role of the GAC is an advisory board to - sorry, it's an advisory committee that gives advice to the board. That's the mission of the GAC. Then the board is - has its own mission within the organization.

Martin Sutton: Okay.

Marita Moll: Thank you. So...

Martin Sutton: Just to...

Marita Moll: ...each one of these would have to go to that similar process, each one of these words. Not to get hung up on Amazon.

(Olga): Sorry. I cannot hear you very well.

Marita Moll: I'm just saying any words...

Martin Sutton: I'll try and answer that, Marita. And then I think (Jeff) can also add some color to this as well.

I think it would be - once it gets to GAC advice and then the board has taken that advice and considered it and made a decision, depending on that decision, that might lead to other stages of, you know, a review panel, an independent review panel being instigated, or somebody might just back off from the application altogether and leave it. So I think there could be various steps after that.

And, (Jeff), I'll let you jump here. I've got (Alan) in the queue as well. But if this is on the same topic, I'm grateful if you could...

(Jeff): Yes.

Martin Sutton: ...add.

(Jeff): Yes, I'm not commenting on any individual case, just the term like "GAC advice." GAC advice is a term of art in the ICANN world. If something gets GAC advice, then the board has to adopt that advice unless a certain percentage of the board oppose that and decide to send it back.

The GAC could always express its views to the board without that presumption of being adopted, without unanimous approval. But it takes that unanimous approval to have that special status of being GAC advice and requiring a certain percentage of a board to overturn it.

So that's all I wanted to comment on and that it's also - what's also very important, it's not that every GAC member has to agree with the advice. It's just that there's no opposition from any GAC member which is - it's subtle but it is important that just because GAC issues advice, it doesn't mean that every single government agrees with that advice.

It's just that there's no government that objects to that advice. I know that sounds a little strange but it is an important distinction. Thanks.

Martin Sutton: Thanks, (Jeff). And I did see some comments in the chat as well confirming that.

Marita, I hope that helps clarify.

I'll move on to (Alan) who's in the queue.

(Alan): Thank you.

Again, (Jeff) covered largely what I was - part of what I was going to say in any case. ICANN - GAC advice is GAC-consensus advice. And ICANN is an interesting organization and that we use the same word in multiple different ways.

GAC-consensus advice, as (Jeff) said, is the request from some GAC member or members that something be said to the board and nobody objects to it. Consensus within the GNSO is quite a different thing.

Consensus within the ALAC is quite a different thing. In both of those cases, it requires some percentage and it varies depending on the decision of the members actively saying "I support it" as opposed to no one saying they object. So the term is used quite confusingly, different ways in different groups.

To answer the - one of the original questions of where are we in Amazon, my recollection is that Amazon requested an independent review. The independent review is empowered to say not what the right answer is but, certainly under the previous terms, to indicate that the review panel believes that ICANN did not follow its bylaws in making the decision and taking the action. And that was the result of the review panel.

And now ICANN, either through action of the board or action of whoever, now has to resolve that issue and take some action to make sure that ICANN is in alignment with - ICANN actions are in alignment with their bylaws.

Exactly what's going on, I'm not privy to right now. But that's where it sits at the moment. Thank you.

Martin Sutton: Thank you, (Alan).

Marita, is that an old hand or do you have a further question?

Okay. Thank you.

(Olga), please go ahead.

(Olga): Yes. I would like to stress the comment made by Ashley Heineman from the United States government. Not every GAC member is supporting the objection to .amazon. She is right. And as far as I can remember, the United States government did not object.

But I don't exactly remember the - I think they just - maybe Ashley can help me. They just didn't give an opinion or they just remained silent. So they - nobody else rejected the decision. So it is - that's what happened. So her comment is of importance to understand the process.

Martin Sutton: Thank you, (Olga).

(Olga): And she's saying, for example, the United States abstained, that's the word, abstained with the statement abstention did not require to - us to maintain the abstention in the future. That's exactly - thank you, Ashley, for pointing that out. That's exactly what the United States government did.

So there was no opposition to it. One (unintelligible) the GAC agreed. And that was in Durban, the GAC communiqué in Durban.

Martin Sutton: Thank you.

So I know it's an interesting case and relevant for the Work Track 5. So if you do want to find out further information, more specific information, that is contained within the objection process recordings and data storage on the ICANN Web site.

Okay. So we're nearly coming up to the hour. I'll do one more call for last questions.

I'm seeing none. I'll wait for the chat box.

Okay. I'm not seeing anymore. So thank you very much. Thank you so much, Annebeth, (Olga), (Jeff) and Cheryl, for talking us through the history. That's been really useful. And I'm sure everybody in the audience has found that helpful to bring them up to speed.

Thank you very much, everybody, and have a good day.

(Olga): Thank you all. Have a good day.

((Crosstalk))

Woman: Bye-bye.

(Olga): Bye-bye.

Thank you. Chao.

((Crosstalk))

Woman: Bye-bye. Bye-bye.

Terri Agnew: Thank you. Once again, the Webinar has been adjourned.

Woman: Thank you. Bye-bye.

Woman: Bye.

((Crosstalk))

Terri Agnew: ...if you could please stop all recordings.

Everyone else, please remember to disconnect all remaining lines and have a wonderful rest of your day.

END