ICANN
Transcription
GNSO New gTLD Subsequent Procedures PDP WG Work Track 5 (Geographic Names at the top-level)
Wednesday, 29 May 2019 at 20:00 UTC

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https://gnso.icann.org/sites/default/files/policy/2019/audio/audio-sub-pro-track5-geo-names-top-level-29may19-en.m4a
Zoom recording: **https://icann.zoom.us/recording/play/vPTUXzs9-7yFqLxb4SwP6UA6liyMX1uzQ4hVn37laxThnF9b3Vlu_9fOBFL9xwW7** [icann.zoom.us]
Attendance of the call is posted on agenda wiki page:
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ANDREA GLANDON:	Good morning, good afternoon, and good evening. Welcome to the New gTLD Subsequent Procedures Sub-Team Track 5 Geographic Names at the Top Level Call held on Wednesday, the 19th of May 2019 at 20:00 UTC. In the interest of time, there will be no roll call. Attendance will be taken by the Zoom room. If you are only on the audio bridge, could you please let yourselves be known now? Thank you. Hearing no names, I would like to remind all participants to please state your name before speaking for transcription purposes and to please keep your phones and microphones on mute when not speaking to avoid any background noise.

At this time, I do see a phone number ending in 459 and a phone number ending in 240. If you could please put your name in the chat so I can relabel your line for the attendance list. And I will turn it over now to Martin Sutton. Please begin.

MARTIN SUTTON: Thank you, Andrea. Welcome, everybody, from myself and the other co-leads. I'm hoping you enjoyed a break from meetings last week and are eager to reconvene today. So, without further ado, we've got the agenda that was issued and circulated and is in front of you now, if you're looking at the screen. So, we'll be going through an approach for next steps and starting the review of the summary document which I'll talk about in a short while. And then AOB, I think one of the items there we'll probably look at is just preparation for ICANN 65. But if anybody else has got any questions or additions for AOB, for instance, for the agenda, please raise your hand now and let us know. I don't see any.

So, just for our regular formalities, and if there's any exciting news to share and you've updated your statement of interest recently, this is the time to make sure everybody else is aware. So, please, if anybody has got anything to talk about, please raise your hand. I'm getting some background noise. If you're not speaking, if you could just mute please. Christopher, we've got your video on, if you can switch on the video. Excellent. Thank you. Almost. That's it. Thanks very much.

Okay. So, moving forward then. Just to outline the approach that we're looking at now, which is really just sort of funneling all of the data that we've had from the discussions in work track 5 over the last year-and-a-

half which culminated in the issuance of the supplemental initial reports with preliminary recommendations to which we recently completed a first review or categorization of all the comments that we had back in [inaudible] from a broad array of the ICANN community. So, we'll take some time to go through that and make sure that we've understood those comments and summarize them in a way we think is reasonable or interpret them in a way that is reasonable and acceptable for us to proceed.

So, what we have been doing is trying to work through what was quite a lot of not just preliminary recommendations and feedback for those but also the ideas and proposals from within work track 5 that were put out into the initial report along with questions. A lot of those relate to specific or multiple recommendations in the document or other things outside of those recommendations. So, what we've done is gone through. Staff have created a mind map so that we could actually work out which proposals or questions related to which and that's helped us to formulate, or start to formulate, a consolidated document that again you should have had sight of from the link that was circulated with the agenda.

And in that document, what we're looking to do is to follow very much what is happening within the overall working group where we're looking at referring to all of the background documentation that's been prepared and created, looking at what are our goals. What are we seeking to accomplish within the working track? And then looking at summarizing those public comments that we've been through so far. And from that, can we tease out anything that's an issue or new idea

that needs further substantive discussion within the group. So, those are the things that we will be exploring now.

So, I hope you've, one, had a chance to at least familiarize yourself with the content of the document. I will have talked through some of this, although it is high level, before we start our substantive discussions.

And then obviously the intention then is as we go through any of this summarization consolidation of the information that we've had to hand, this will start leading us towards what output we want to give to the working group. So, any recommendations that we want to push through then to the working group, then they'll be decisions made as to what gets incorporated into the overall final report that's submitted to the GNSO Council.

So, that gives you a very quick overview of the approach. Is there any questions, first of all, just on the approach that I've outlined there or anything to add from any of the other co-leads or staff that I may have overlooked? I'm not seeing or hearing anything, so I shall carry on.

So, as you'll see, on the document that's presented to you or if it's easier to read it in the actual Google Docs, please use the link. Thanks, Steve. He's just posted it into the chat if you want to make it easier to read.

So, in the first section, it covers the background documentation so we've always got something to refer back to from all of the conversations within the work track with the public comments that we received as well and the review document that we've been going through for the previous number of meetings.

So, moving down here, we've then got the policy goals and what are we trying to accomplish here. This is basically pulled from the set of principles at I can't remember which ICANN meeting it was that we move forward with this. But this outlines four particular points in alignment with principle C from the GNSO recommendations in 2007 on new gTLDs. The program should allow for the introduction of new gTLDs.

Number two was in alignment with principle A from those same recommendations to enhance the predictability for parties.

Thirdly, to reduce the likelihood of conflicts within the process as well as after the process concludes and TLDs are delegated.

And finally, policies and process should be simple to the extent possible.

So, those are thing that we discussed previously in the work track and hence we've pulled them out to headline this document.

Before I go any further, is there any questions on that or is there anything that people feel that we should add or amend on that list? I've got Christopher with his hand up. Please go ahead. Can't hear you yet, Christopher. You appear to be on mute.

CHRISTOPHER WILKINSON: Thank you. Thank you for this introduction and thank you for the staff's last-minute reminder as to the details for this call which somehow got lost in the inbox. I welcome the reminder of those four points. I noticed that predictability is supposed to refer to all parties concerned, whereas, as I've said before, much of what we've done to date is about

predictability for the applicants, where particularly for geographical names the most important thing is predictability for the third parties and particularly the populations communities and governments in the areas relating to geographical terms, indeed all terms, all geographical terms.

Also, I also agree that we should be avoiding disputes, but the recent development over dot-amazon confirmed unless we're very careful and we do have formal agreements for prior authorization of geographical terms, the kind of disputes that we've seen in dot-amazon over the last seven years and are still going on because you've seen the statement from the [Andes] community. The 2012 business did not do this at all, so we've really got to do much better than that. Thank you.

MARTIN SUTTON: Okay. But with regards to these points here, you've no additions or questions regarding these. I can't see anybody else in the queue.

CHRISTOPHER WILKINSON: No, I just suggest very strongly that we should make a greater effort to fulfill those objectives because in 2012 they failed to do so.

MARTIN SUTTON: Okay. So, let's move on then, Christopher, because then we can go into more substantive discussion.

CHRISTOPHER WILKINSON: Absolutely.

MARTIN SUTTON: This is just making sure people are introduced to the format of the document and the relevance to the information that's already been populated. So, in the next part, these are essentially very high-level summaries. Caveat on all of these is that these are subject to some further refinements as we go through the substantive discussions as we get further into detail. But I think this is helpful in terms of giving you an idea of the impressions of what we've managed to take from all of the public comments and consolidate that into key points here for each of these.

So, the first one is very much about the overall 2012 implementation and the overall preliminary recommendations of which there's a lot of support from the comments received. So, basically, in support of maintaining what was virtually in the 2012 round, and this still is not including translations. That's an area still of some discussion that we need to go through based on the comments that we've [had back].

It is worth outlining, though, that some of that support is caveated as well in the sense that they [inaudible] 2012 treatment was already a compromise and that they don't believe that governments have an exclusive legal basis in geographic names but are willing to continue on that basis and accept that that's a compromise solution as it stands.

There is some outright opposition from some commenters and we'll outline some of those because they speak to certain areas of the

preliminary recommendations as we go further. But that's a very high-level view of the overall recommendations put forward.

Then we drill it down into sort of two or three chunks. The first of which relates to all of the reservations or restrictions related to country and territory names, so these are held under recommendations two to nine. So, rather than keep repeating ourselves, there was very much a theme outlined in most of these. So, when you look at this together again, the theme here is that there's good support for most of the commenters over the exiting 2012 rules are acceptable to continue. But again outlining the fact that this is already considered to be on a compromise basis already and are willing to support that going forward. There are some specific exceptions that we need to drill down on which is the three-character codes and also any other sort of finer elements that we've pulled out within the new ideas and concerns from the comments, so again we'll go through those. But again, very much a generalization of what we've pulled out from the recommendations for country and territory names.

As we go down the list again with regards to wider rules which related to capital cities, city names, we can start to see there's a bit more divergence that happens. So this next chunk relates to just recommendations 10-13 which is those that currently require letters of support, non-objection.

So from that group, there is again support from commenters. There is a lot more opposition from some commenters, and in particular, against capital city names but less so against the sub-national names in UNESCO

regions, so again we'll discuss those a bit further in detail as we go through.

Then, finally, this batch of geographic terms that require a letter of support, non-objection dependent upon the intended use. So, this is related to recommendation 11. So, again, there is some support caveated with the fact that they feel this is already a compromise solution, so happy to continue on that basis.

There is opposition but that's split into two areas. One extreme is that some feel that there's no legal basis for those cities to have a preference or a single right versus those that feel that the requirement should be more broadly covered across any cities. So it's any letter of support, non-objection should be expanded further than what it currently is covered in the rules.

Greg, just to let you know, you're on video so you might want to just try and switch that off. Good to see you, though!

So, that just goes through the framing, a very, very condensed version of what we've seen in chunks of the recommendations. So, I hope that's helpful just to bring that together and now we can go through particular areas in a bit more detail where we feel that there needs to be further discussions before we can proceed further. Before I do that, is there any questions, suggestions relating to those very high-level summaries that stand at the moment?

ANNEBETH LANGE: Martin, it's a lot of hands up now. Arasteh, Jorge, and Christopher.

MARTIN SUTTON: Excellent. Sorry. Thank you. I was just going through the comments.

ANNEBETH LANGE: Yes, of course. There's a lot of things to see.

MARTIN SUTTON: Arasteh first, then Jorge, then Christopher. So, Arasteh.

JORGE CANCIO: Good evening from, Europe. Can you hear me okay?

MARTIN SUTTON: I do. I think we've got Arasteh first, though, in the queue. Then to you, Jorge.

JORGE CANCICO: Okay. I'll leave it to Kavouss.

MARTIN SUTTON: But we can't hear Arasteh, so wait there one moment.

KAVOUSS ARASTEH: Can you hear me, please?

MARTIN SUTTON: Yes, we do. That's great. Please, go ahead.

KAVOUSS ARASTEH: Yes. Martin, we should be very careful when we [inaudible] or when we state the comments. You use sometimes adjectives, a lot of [inaudible]. I don't know when there are a lot of oppositions who they are represented, how you can [inaudible], if there are 10, or 12, or 15 individuals and one or two countries or representatives of the countries. You cannot compare them. You cannot say there is a lot against and there is little less in favor. We should think if that is the process [inaudible] ICANN relies very much on the individual. The individual, they do not represent sometimes except themselves and no one else, or [a few people].

But then somebody [inaudible] government talks. He has the mandate to represent that country with the people of that country. So, we should be quite careful nothing [inaudible] or small or big and so on and so forth. This [inaudible] is troublesome.

And I do not understand the people asking, saying that there is no international legislation or law that this cannot or can be used. There are some things that we don't need any law. The [inaudible] law is not written. There are [inaudible] and there are more stronger than written law and legislations. So, please, kindly you, Olga, and the others, [inaudible] co-chairs be quite careful when you want to quote these things and avoid the sorts of adjectives or descriptive of directive some, a lot, or several, or many, so on and so forth. I'm not suggesting anything but please kindly be [inaudible]. Thank you.

MARTIN SUTTON: I take your point. [inaudible] information already. We can't just keep replicating that into huge documents. The objective of this is to try and consolidate all the comments that we've had in. So, that's from a broad array from the community and beyond. So, this is very much, as stated right at the beginning, these are high-level consolidation summaries and we're going further into substantive discussion following this.

So, I understand your point. I think we've been through this on a few of the other working groups as well, so I think that's played through to the point that these aren't treated as trying to do a count of anything. It's trying to get an understanding of where the steer is. Is it somewhere completely different to what we already put in our initial report and do we need to take note of those to change anything in that initial report? So, please accept it as that way forward so it helps the conversation. If we need to drill back down to any of the detail that we've had in comments and who said what, we've got that. The links will take us back there and we can go back in and dig in further where we feel necessary. But at some stage, we've got to bring that all back into one document that is digestible, is understandable but can refer back to the detailed content that we've had through the work group discussions, through the initial report publication, and through the comments that we've received across the community. So we appreciate that everybody has had the opportunity to put in their comments. That's the process that we have and now it's up to this work track to make sense of those comments. We've been through the process of making sure that we understand those comments and this is trying to pull them together and summarize so that we can understand is there anything that we need to

move significantly on from our initial report recommendations? Is there any final refinements that we need to do based on some of the comments and ideas that have come forward? [inaudible] in that context.

KAVOUSS ARASTEH: There is one refinement. Yeah.

MARTIN SUTTON: [inaudible] with the process of going down and we'll be able to dig deeper into those deliberations and comments as we go further in the document.

KAVOUSS ARASTEH: Yeah. A refinement, yes. [inaudible] refinement of the text.

MARTIN SUTTON: Please, if it's a reply, please go ahead.

KAVOUSS ARASTEH: Can I say?

MARTIN SUTTON: Are you replying to that comment? Please, go ahead and then we'll go to Jorge.

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KAVOUSS ARASTEH: Yes. My comment would be whenever you want to quote or refer to something, because we cannot count the heads and because no clear idea representation, the only neutral term would be some people say this and some others say that. When you say some, it's uncountable. That's all. But not a lot, not many, not several, not few, not significant, not minor, and so on and so forth. Total neutral. Some people say this. Some other people say that. That's not others, some others. Some and some others. This is a total [inaudible] how we express whenever there is [division] of view. Thank you.

MARTIN SUTTON: Thanks. Jorge?

JORGE CANCIO: Hello. Do you still hear me?

MARTIN SUTTON: Yeah, we do. Loud and clear.

JORGE CANCIO: Hello. Good evening. I understand that this is a very difficult exercise now to boil this down to some pages, and I was asking in the chat if this is a summary of the public comments. Steve already answered in the affirmative and the question was because, in the end, the public comments, although it has brought other voices into the discussion, in my opinion very much confirms the discussions also within the working group during this last one year and, I don't know, some months.

The other thing I also mentioned I think that would need to be taken into summary is that everybody from all the different positions, when they are supporting or when we are supporting the 2012 solutions, we are supporting it because it was a compromise, so it's not just that one party accepts this [inaudible] as a compromise. Now, everybody is accepting this as a compromise because starting positions in 2012 were very different and certain positions now would also be very different if we were to go back to starting positions.

So, I think that in the summary, it should be made clear that this acceptance as a compromise comes not only from one camp of the discussion.

Finally, on the question of counting heads or not counting heads, in the end, this is not about counting heads, and I think in Kobe we had this discussion already. But in the end, work track 5 is a very special working group and this is in the terms of reference in this working group, and in the end it's up to you, the four co-chairs of this working group, to determine the levels of consensus. And the levels of consensus, in my opinion, have to take into account the composition of this work track. That is based on the two supporting organizations and two advisory committees.

And when making the determinations of levels of support or whatever, in this summary, it should be made clear whether the support or the opposition or specific opinion comes from only one supporting organization or part of that supporting organization or parts of an advisory committee or if those are positions that are widely held by people across constituencies, across supporting organizations on

advisory committees because that really gives you a sense whether this is the position held by a very specific part of the community or that may have a lot of different groups with different acronyms representing it or whether this is an opinion or a position that is held by people in two supporting organizations and in two advisory committees.

So, I leave it by that and I hope that this is taken up. Thank you.

MARTIN SUTTON: Thanks, Jorge. I think as we go through the next sections, you'll start to see how that pans out, where we try to capture what are the groups that relate to specifics and that I hope will again illustrate how we can condense a lot of the information that we've had into something that we can consume to see if there is any variations on the recommendations that we put forward in the initial report that we should be looking at or any sort of finer refinements to those.

So, I've got Christopher, Greg, and Jim. So, Christopher?

CHRISTOPHER WILKINSON: Hello. Good evening, again. Three points. First of all, I hear all this stuff about the governments and the countries and communities having no rights to their own names. I have considerable skepticism about that argument. But for present purposes, I would just point out that all the applicants, especially those from third countries different from the countries concerned have even less rights. The argument that there might be [weak] rights in common law to certain names in the countries concerned, which I don't accept, cannot be overridden by people

demanding the right to apply for names that they have even less rights to. I think that needs to be completely reviewed.

Secondly, I'm going to say something very strong. I'm sorry to some of you. But I think the staff and the co-leads should review the comments received, and insofar as comments are received from incumbent registries or potential applicants or their representatives, they should be invited to recuse themselves. We cannot possibly do this business on the basis of a collective shout from extremely interested parties. I think they have no standing in the economic aspects and the business aspects of these decisions.

And finally, Martin, I have an impression that you want to give high priority to the comments received in pubic consultation. They're really interesting and very useful, but the comments that you have received from members of work track 5 are people who have spent hours in the last 18 months on these subjects and some of whom actually know quite a lot about it. They should take precedence over off-the-cuff comments from interested parties. Thank you.

MARTIN SUTTON: Greg?

GREG SHATAN: Thanks. The conversation we've been having so far is probably a lot ore germane to the enhancing the multi-stakeholder model public comment that's currently open since there seems to be some very divergent and, to my mind, incorrect views of how the multi-stakeholder model is

supposed to work and how stakeholders are supposed to work. The idea of dismissing interested parties, which is in a sense many of the stakeholders, is ludicrous. The idea that governments should be more equal than any other set of stakeholders is – when we talk about self-interested parties, that's entirely understand but this is not an animal farm and no stakeholder get to be more equal than any other.

So, overall, I think maybe this is setting up for some argument down the road or just it's part 37 of the one we've been having maybe for 20 years in some cases.

And lastly, the idea the that you shouldn't indicate a level of support when that's a core aspect of this, that's also ludicrous. And while this is, in many ways, a very heterogeneous group, it is still a GNSO working group and the GNSO obviously the S stands for supporting not stakeholder, and within the GNSO there are a number of very divergent and different stakeholder groups and constituencies and the fact that they are all grouped under the umbrella of the GNSO should not be used to somehow mute their voice or just decide that somehow we're all the same, just because the GAC is all governments and the ccNSO is all country code TLD operators. The GNSO is not just this holistic mass.

So, it's been all very interesting to hear the [inaudible] view, but I think that all these views – I'd rather not have talked about them at all but I thought that since one side was being heard from we should hear from the other and I encourage the previous speakers to put in their comments to the enhancing the multi-stakeholder model, so that their views on how the multi-stakeholder model works can be taken account there.

MARTIN SUTTON: Thanks, Greg. I've got Jim next.

JIM PRENDERGAST: Thanks, Martin. Listening to these last three or four comments, I might have a suggestion for the co-leads and maybe it's for the overall work track or the SubPro co-chairs and that is there is still a bit of confusion about what this document is and what the exercise we've been going through is and I think Steve from staff did a nice job of saying this is not the consensus call portion of the process.

What might help put some people at ease and help explain the process to new participants is that if there was a document that could be created by leadership that explicitly lays out what the consensus call process would look like, what the co-leads or the overall PDP co-chairs, what will they be looking for, how they will be assessing. Jorge mentioned is somebody speaking on behalf of an acronym organization within the ICANN community or are they speaking on behalf of themselves? How are those going to be treated? I think getting that in writing and having it as a reference as we go through this process, it's going to be extremely important so that everybody has a reference point to go back to and say this is the procedure and this is the process, I now know how it's going to operate. Thanks.

MARTIN SUTTON: Thanks, Jim. I think feel free to chime in from other co-leads or working group chairs, co-chairs. The work track 5 is not the area to conduct the

consensus polls within it. This has to be taken as a product to the full working group, so it's important to understand that. So, what we're doing is we've already gone through, as I said earlier, checking and trying to make sure we understand what the comments meant and how we could capture those in a way that could be understood and recorded. But we can't just use that bulky document to proceed forward. We've got to somehow make sense of it all. So, from all of those categorizations and picking out the new ideas, etc., what we're trying to do here is funnel it into something where we can conduct substantial discussion about things that were brought up within those comments that we may not have covered the working group before.

I think what we've just covered already is a very high-level viewpoint of where we are which is a lot of this stuff may not change the recommendations that were put into the initial report, but we've got to come up with a product now that we can present from work track 5 to the working group and get the consensus calls to be applied at that stage that feeds into the final report.

So, I don't know if Jeff, Cheryl, you needed to add anything to that for [further] clarity. Hearing none. Christopher?

CHRISTOPHER WILKINSON: Thank you. Very quickly, Martin. I've been aware for some months about the risks of the scenario that you've just described. May I just say for present purposes that I would not accept that the PDP or the GNSO override recommendations, even minority recommendations, from the WT5 and I think given that the importance of both [literally] and

practically for the composition of the co-leads in WT5, I think for those purposes that you've just referred to, the PDP should coopt co-leads from the other SO/ACs because there is a risk now that the PDP, and particularly GNSO Council, will be tempted to try and override the interests of participants in geographical names. Thank you.

MARTIN SUTTON: Well, let's see if we can move ahead then to actually start formulating an output that can go to the working group and understand that the stronger that we've got a work track 5 push for the output to go ahead to the working group, any recommendations then are taken forward showing support are much more or less likely to be hindered as they [inaudible] process through the approval process of GNSO and the board. And don't forget that there is, at that stage, still opportunities for wider public comments to come in on the publication of the final report.

So, I think if we couldn't move to the next section, so that we can really start to drill down on some of these specific areas. I'm not sure what the time … How are we doing? We're doing okay for time. We'll try and push through some of the country and territory names recommendations.

So, the things that we're pulling out here is really drilling down to things like the two-character codes. So, this highlights that certain groups – ccNSO, CENTR, AFNIC, NORID, CITC – will have concerns with the two-character letter combinations at the top level, where there's opposition to remove that reservation, concerns thereabout string confusion and

possible abuse. That just frames the groups that have commented and have similar opinions with regards to the two-character.

There were others that looked at saying, well, actually these should be made generally available, although [a concern is raised]. It does not support any restrictions from the BRG on geographic terms, but I think that's caveated. Status quo can continue if that helps to proceed further to the next round. For NCSG, the [inaudible] terms of freedom of expression and the availability of string identifiers. So, that pulls out some of the concerns that were raised. I don't think we've got new ideas at this point, but does that raise any questions, comments, from the group when we're just focusing on the two-character letter letters? Bearing in mind that the recommendations put forward is very much a status quo for the two-character country codes. Otherwise, it's easier if we can move on. We don't want to regurgitate all the work track 5 discussions but does this sort of move us away from those recommendations in any significant way that we would want to explore? I've got Steve and then Annebeth.

STEVE CHAN: Thanks, Martin. Before we get too far into this section, I wanted to try to provide a little bit of context of what it's intended to accomplish. You'll see that the header is called "Outstanding Items" and then it says "New ideas, concerns, and divergence." The purpose of this is to pull out the new ideas and concerns and divergence that come from the public comments received. So, it's not necessarily to be exhaustive or to document all the support that was received. It's really trying to pull out the different and new things that came about from public comments.

So, in that vein, it's definitely not exhaustive of the public comments received but more about trying to pull out things that appeared from the public comment review of work track 5 to things that warrant further discussion.

As I said, I just wanted to try to get that in before we get too far in the section. So, if you don't see your comment highlighted in the section, hopefully that helps explain why. Thank you.

MARTIN SUTTON: Thanks, Steve. Annebeth?

ANNEBETH LANGE: Yeah. I think this can be a little confusing because what we are talking about here in the first bullet point is letter digit combinations that ccNSO, CENTR, AFNIC, and [inaudible] NORID was opposed to. And as Steve said, it was new things coming in. And as for the two-letter letter combinations, I think that generally available [inaudible] bullet points, that's what that is talking about. Then it should be in place also to say that the reason why it should be the status quo is that it's not the role of ICANN to decide what is a country and what is not, and therefore it should be available to the [inaudible] letter for new countries coming into the world in later instances.

So, I think this is a little twisted, to be honest, and it can be difficult for members to understand what we really mean here, so perhaps we should think a little more how it's written. Thank you.

MARTIN SUTTON:	Thanks, Annebeth. So, is there any discussion points that people would like to raise on this, after Annebeth has much more clearly pinpointed what was covered in the extractions here? Okay, seeing none. So, if we move on to the next point, if we could just scroll down to the three-character codes. I just want to check I haven't misread this one as well. Steve, would you mind just clarifying what we've pulled out here for the alpha-3 codes? As in, is it a deviation from the preliminary recommendation here?
STEVE CHAN:	Sure. I can try and … Emily might pop in as well if she wants to help provide some clarification as well. So, indeed, it's actually a little bit more than just the preliminary recommendation section. We've tried to organize the comments received more thematically and that is actually consistent with what you mentioned earlier in agenda item two in the approach here.
	So, we had 38 proposals and when you think about them and abstract it, it struck staff as hard to put them in context of where they belong. So, the idea is to try to pull in the comments relative to the topic. So, the topic here is [inaudible] codes listed in the ISO 3166-1 standard.
	So, there's of course the preliminary recommendation that was in respect of this category and there's also a handful of proposals that also touched on this very subject. So, our intention was to try to pull all of that into a cohesive section. So that's why you see some of the concerns here, but then you also see a number of different proposals that are different variations on making the alpha-3 codes available. Some say

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they should be widely available. Some say they should be available with government support, etc.

Hope that helps provide a little context. It's intended to be everything, so it's also inclusive of the question which you'll see that comment in the Google Doc from Emily. Hope that helps. Thanks.

MARTIN SUTTON: There's some background noise, if we could put it on mute if you're not speaking. That would be great. That's better. Thank you. So, under the three-character codes, the ccNSO concern that's flagged here is that the policy must take into account the list of three-character codes that may change and should avoid creating a distinction between countries pre- and post-effective date of the policy. At a minimum, the actual list of alpha-3 codes should be consulted whenever a three-letter string for a TLD is under evaluation.

So, does anybody have any points to raise on this or questions? This seems to be adding further clarity or qualifications to three-character codes and timing of any changes or additions going forward. I've got Christopher and then Annebeth. Christopher?

CHRISTOPHER WILKINSON: Oh, I defer to Annebeth first, please.

MARTIN SUTTON: Annebeth, please go ahead. You might be on mute, Annebeth, still.

ANNEBETH LANGE: Sorry. I'll try again. I just wanted to try to interpret what the ccNSO really meant by this short comment here that's extraction from their comments. What they mean is that there are three-letter codes that is already on the list should not be used as a gTLD and new three-letter codes that can come in after if it's established in the world. We have talked about the two letters already but then that country would also have a three-letter code, and that three-letter code might already be been used as an ordinary gTLD but if not, it should be consulted whenever a [inaudible] for a TLD is under evaluation. That was what they meant with this comment as far as I remember. I hope it made it a little clearer.

MARTIN SUTTON: Thank you, Annebeth. I think that's perfectly clear. I'm just trying to remember back now to the language that is used in connection with the three-character codes and whether that is adequate to cover that point but I haven't got that in front of me, so that might be something we want to check to see if there is a way to add that referral point on to every time an application is covered, is [inaudible].

ANNEBETH LANGE: Yes, I think so. We've tried to make that clear.

MARTIN SUTTON: [inaudible] to the up to date three-character codes. We probably just need to check back on that one to see if that is captured already in

language adequately enough or whether it needs to perhaps be tweaked. Okay.

So, the next … Sorry. I passed you. Let's go back. Have you got a comment relating to this?

UNIDENTIFIED FEMALE: Christopher?

CHRISTOPHER WILKINSON: Hi, again. Martin, you will not be surprised. Of course I support the protection and reservation of three-letter country codes. This is about the three-letter currency codes. We've discussed this in the past and I have been politely informed that this is out of scope for WT5 about which I do not agree but pass on. It must be referred to PDP. But the PDP has not taken this up in spite of being invited to do so.

Look, the three-letter currency codes are of greater economic significance and actual use than even the three-letter country codes. And in ISO 42-17 I think it is they are derived from the two-letter country codes in 3166.

There is no way this group can get away with telling the world that the currency codes are not protected and are free for registration.

MARTIN SUTTON:	Sorry to interrupt but this is once again taking us away from what we're trying to do on the calls. As I've said earlier, we have other areas within the feedback which we won't come onto today but—
CHRISTOPHER WILKINSON:	Martin, I understand your point but I have the severe expectation that what the co-leads may really be doing is to eliminate certain serious issues by focusing entirely on those issues they've chosen to support.
MARTIN SUTTON:	Thank you. We've got background noise if somebody … Just bear in mind that there are places within the [inaudible].
ANDREA GLANDON:	Martin, I apologize. Your sound has gotten very low.
MARTIN SUTTON:	Can you hear me now?
ANDREA GLANDON:	Oh, much better now. Thank you.
MARTIN SUTTON:	So, there's a place and time that we could come back to anything that was not covered within the current recommendations that were included in the initial report. I think the particular topic you referred to has been spoken about many, many times within work track 5. So, what

I'd like us to do is to keep proceeding through this. There will be a time and opportunity to cover that again if we need to, but please, bear in mind that everybody is joining these calls to get on with the job and move forward. So, please try and keep to the agenda as we've put forward.

So, regarding the alpha-3 codes, you'll see a list of comments that were put forward that we're talking about making the three-character codes available, so there's some divergence from ALAC, Registrar Stakeholder Group, talking about making the strings available for delegation from ALAC's perspective, to governments or entities with government support non-objection from the Registrar Stakeholder Group, allow applicants to approach a country for a letter of non-objection if they have an interest in using the three-letter generically. [BRG concerns] does not support any of those restrictions at the top level, especially where they hold a matching trademark and where it's to be used for the purposes of brand and not to represent a geographic term. Then there was a group of registries, the NCSG, INTA, and the IPC which commented that they should be eligible for use as gTLDs and believes there's a lack of a legal basis for reservation and that many of these strings have other meanings.

So, I'll stop there. There's others that then go on to make available for governments. Does anybody have any points or feedback in terms of those comments put forward where we're seeing strong divergence covered here? Steve?

STEVE CHAN:	Thanks, Martin. So, while we're waiting for input from work track 5 members, I thought maybe I'd take another stab at trying to help explain where the content in this section came from. Maybe that context will just … I'm not sure if people are still confused but I thought it still might be helpful to go through this.
	So, this section, as I mentioned, is pulling in I guess a high-level summary of a number of different sections. Actually, I'll just go to the document now which I think should be the work track 5 document. So this is the public comment review tool.
	As I mentioned, the idea is to try to group things thematically. Right now we're looking at one of the preliminary recommendations. I'm in the preliminary recommendations section and this is in respect to this one right here about alpha-3 codes.
	So, this constitutes the main bucket, but within that, I had mentioned that we also tried to pull in the relevant questions and also proposals that are also in regards to this same topic.
	So, in that respect, if you go over this questions for community input tab and scroll down to I think … I don't remember the exact question, to be honest. Emily, do you remember? I'm not sure. Actually, I'll go to the proposals first because I do remember those ones.
	Again, the idea is to try to pull in the proposals, the preliminary recommendations and the questions all into one section so that you can look at it in a holistic fashion.

So here you can see that proposal 11 was about delegating alpha-3 codes with government support or requiring government support and non-objection.

So, I guess we thought it would be helpful to try to provide the visual and therefore the context about how the summary document was populated. And of course by condensing things we're of course going to lose some of the finer details but, as Martin has said a few times, if we work through this particular document which is extremely heavy and full of content, it's going to be a much more difficult process for the work track 5 to work through.

So hopefully this explanation and visual demonstration of where the content came from is helpful for context. Thanks.

MARTIN SUTTON: Thank you, Steve. So, if we go flip back to the original document. I think down the pages we've got lists of where it's linked to proposal responses. So, do we need to add in here? Actually, I can see it further down now. It's got proposal 11, proposal 11. Fine. That's what I was looking at previously today which was that we've tied these back in. This is coming from the mind map work that you had done. So, proposal 11 is reflecting down in some of the comments here from ALAC. Is that the same then from further up? I'm just getting a bit confused now as we've been populating this. Is this repeating the information from what I've just covered above?

STEVE CHAN: Hi, Martin. I think I understand your question. No, they're actually distinct parts. Each of these elements in italics is intended to be sort of a separate theme. So, the high-level bucket that we're looking at here is the alpha-3 codes listed in ISO 3166-1 standard, but within that, we've tried to group similar concepts or trends or topics within this larger bucket. So, alpha-3 is the high-level bucket, but then within that, you have suggestions to make those alpha-3 codes available. You have a different proposal here which is making them only available to governments. Then you have these other ones [inaudible] proposals. So, there are a number of variations about making them available in different circumstances.

So, we don't believe it's redundant to have all these. They should be separate lines of thought. So, hopefully that is helpful.

MARTIN SUTTON: Thanks, Steve. It's my confusion and sorry for any confusion caused. I was thinking that if we go back up to the section that we were on here that that would be tied back to proposal 11 comments, but nevertheless. Hopefully, you'll start to see that these are bits of information that have come in from various pockets of that analysis spreadsheet into here. So, this is all tied back in somehow. But I think some of the cross-referencing we've indicated is further down the page.

So, I'll just go back on this one. In terms of the comments here about that are grouped into making it available for three-character codes. I anybody has got any comments or questions regarding that, feel free to

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ANNEBETH LANGE: Sorry, I'll try again. It's a question from Arasteh Kavouss in the chat that we might try to answer.

MARTIN SUTTON: Right. So, I think it's clearly indicated from what Steve just referred back to. In that initial report, whilst we had recommendations that we pulled together which are very much along the same lines as what was contained within the 2012 treatment, we also posed a number of questions or proposals that have emerged from various [parties] within work track 5. So, these are the responses that we got in the comments back from the community in relation to those questions or additional proposals, ideas that were offered in the initial report. So, it's important therefore that we do at least make sure that we review those and see iI there is anything that we need to take away as further discussion point or if we're happy that it reflects a lot of the discussions that we've previously had within work track 5, that it perhaps doesn't actually change any of those preliminary recommendations.

So, this is why that information is here. We can't just ignore it. We've asked for input. These are the kind of responses that we received. What do we want to do with them within work track 5? I hope that helps to explain that. But I see your hand is up. Please go ahead.

KAVOUSS ARASTEH: Yes. I don't disagree with you but you just summarized what was sent as a comment but the issue itself is outside our mandate, so nobody could write any question which is not in our mandate and could not misuse the opportunity for comment on something which we have been tasked to do. So, they might [inaudible] other things, [inaudible] like data protection which is not in our mandate. Our mandate is not that, so we should mention that. Although it was not in the mandate in the group, some commenter raised the issue of the three-character code, and for that there was no agreement. So, I think we have not yet [inaudible] three-character code [inaudible]. So, I think we should [inaudible] outside our mandate. Thank you.

MARTIN SUTTON: Sorry, I didn't quite understand. What are you saying is outside of our mandate?

KAVOUSS ARASTEH: With the three-character code, three-letter codes. [inaudible] our mandate.

MARTIN SUTTON: I'm not sure I agree with that from the charter of the group. Does anybody else—

ANNEBETH LANGE: If I could say something here. When we started up the work track 5, we started with the same categories of country and territory names that

was in the 2012 Applicant Guidebook and three-letter from ISO 3166 [inaudible], they are a representation and it's for countries, the same as two but it's also three. What makes it a problem here is that all these three letters could also be generic names and that's what makes it more difficult than the history we have with the two-letter codes. But to say that it's outside of our mandate, I don't agree with that. We try to find a balance between the interest of the countries and the governments for the three-letter code for their country and the interests of the generic or more commercial use and brand owners. That's what we are trying to do. Thank you.

MARTIN SUTTON: Thanks, Annebeth. That's my interpretation and the reason I'm saying it is in scope is that we've already included it in our initial report as recommendations but the recommendation that we've included in that was to keep the status quo.

ANNEBETH LANGE: Yes.

MARTIN SUTTON: What we've got here is some comments back from the questions that we posed within the initial report and suggestions that have been put forward by members of work track 5, so hence we've got these. It's what do we want to do with this information? Does it change the stance of preliminary recommendations or is it something that we accept is similar to a broad set of comments that we've had and heard within

work track 5, so it's sort of aligned with that type of conversation? In which case, do we feel comfortable that the existing preliminary recommendation to keep these as reserved remains.

ANNEBETH LANGE: [Accepted].

MARTIN SUTTON: Okay. So, this is outlined in those comments back from the questions that we posed as work track 5, so the next section was specifically where there was a group that believed that these should be made available to governments. So, don't forget that these are all reserved, three-character country codes. So nobody can apply for them at this stage. So the comments back here we can see from ccNSO dot-berlin, KG, [inaudible] top-level domain, geo group dot-zone, government of Spain and a list of others there that they're saying here work track 5 should not be developing the rules to delegate these strings, set up a separate process to study options, potentially once the new gTLD policy for next round is consolidated.

So, perhaps as something that may be considered as maintain the status quo until a separate review, specific to three characters, is conducted. CENTR, AFNIC, NORID, divergence of new [ideas] should not be addressed by work track 5 or the new gTLD process, except possibly to recommend a change in the bylaws to establish a new category for these strings. Any delegation should be under the policy authority with respective national communities, similar to ccTLDs. Set up a separate

process following the next round to consider options. So, those are ideas put forward there.

Then, ALAC also [inaudible]. ICANN should have in place a procedure to pre-quality applicants for any ISO 3166 alpha-3 code prior to launch of the next application window. And that's also linked to response to proposal 11.

Okay. Arasteh, are you in the queue? And if anybody else has got any comments, please raise your hand to follow. Go ahead, please.

KAVOUSS ARASTEH: Can I go ahead, please?

MARTIN SUTTON: Please do, yeah.

KAVOUSS ARASTEH: Yes. What was said is exactly what I meant. It is not exclusive to be used but it is not under the work track 5. That is what I said. I did not say that three-character codes could not be used as a gTLD. Maybe. But it is not in the scope of working track 5, of work track 5. It is discussed separately with the [inaudible] and we should not [inaudible]. We still have not covered the whole situation of two characters. We're jumping to three characters. So, I think it makes the job difficult. I think [inaudible] more or less the same as ccNSO [inaudible] or ALAC. It may be [inaudible] but not work track 5. That is what I meant. Thank you.

MARTIN SUTTON: Thanks for the clarification. Anybody else have any comments relating to these aspects? So, if we move down the document, this batch was delegate with support non-objections. So, this was in response to the idea or proposal number 11, so some support from [inaudible], ALAC which is qualified so we'd need to dig down into that if you want to find a relevant response or detailed response. Opposed to that, a string of groups from different corners of the community. And actually quite diverse part of the community there.

The next section was delegate with support non-objection only required if intended use is geo. So, this is in response to – is captured responses from proposal 12. Support from the Registrar Stakeholder Group. [inaudible] don't support the restriction in general but could accept it. So that's [inaudible] from IPC and to Registry Stakeholder Group, [a group of registries]. But then opposition to that suggestion but for different reasons. Again, this is quite a diverse set of comments coming in here from all corners of ICANN that oppose that particular idea.

Then, capturing a response to suggestion under proposal 13 regarding ISOs should not be the source of three-character codes in ICANN's work. Opposition from again a very broad set of groups and individual organizations that oppose that. Registry Stakeholder raised concerns that the proposal was unclear. I'll stop there just in case anybody has got any observations or comments or questions for those points we covered. Steve, please go ahead.

STEVE CHAN: Thanks, Martin. I just wanted to note that the section that we're looking at right now, in respective proposal 11 through 13, there's additional detail. I think it's noted in the right up here. There's additional detail in the comments themselves, and that of course applies to every section, but in particular for the proposals, they've been condensed a little bit more so.

I think the framing that you did earlier, Martin, is actually really helpful and instructive here, so taking note of the existing preliminary recommendation that this work track made which is to continue reserving three-letter codes, when you look at these ones, determining whether or not the work track 5 needs to look into additional details, that can be dependent on whether or not the ideas here have merit. So, if the work track thinks that a different approach should be taken that the three-letter codes should not be protected, then it makes sense to dive into some of these which are essentially variations on making the three-letter codes available in some form or fashion.

So, I guess I just wanted to provide a little context to note that the proposal themselves have more detail in the comments but also maybe just to re-emphasize the point that Martin made to how to look at all the text that's captured in the section and where it might make sense to dive deeper and look at the detail that's captured in other documents. Thank you.

MARTIN SUTTON: Thanks, Steve. I'm clear now that we've just come to the end of that section. I think that's a useful point to refer back to and say any

comments now would be great, but also to take the opportunity to digest what is in this first part that we've covered today and share on the list any thoughts or comments as to whether we should deviate from the original recommendation that was put in the preliminary recommendation that was put in the initial report or whether this helps to gravitate towards what we originally put in there anyway with some obviously ideas and suggestions that have come through but noticing here the long list of oppositions for each of those particular points you can see on the page here. Does that lend us to feel very comfortable that we can proceed with what we've already got in place for three-character codes.

So, I think conscious of time, I would ask as an action to the group is to go through that section and share on the list any concerns, or if you're feeling confident that that reinforces what the work track had put into the preliminary recommendation for three-character codes is valid and should move forward. That would be helpful.

Now, we are coming up to – we've got about nine minutes left. So, I think it might be a useful point to stop at this stage and then we can go on to any other business to cover off ICANN 65 and any other items people may want to discuss before we end the call. But before I do that, can I just check? Did anybody have any initial comments that they got in response to the three-character code elements that we've gone through just now? Seeing none. Okay, thank you.

So, let's move on to AOB. I've listed ICANN 65. If anybody has got any other business, please raise your hand. In the meantime, I'll just cover off ICANN 65.

I think you should have all received a notification that pre-ICANN webinars will be organized in the coming weeks, so if you want to find out what's going on, policy updates including all the work that's been going on in the subsequent procedures, there's a good opportunity to do that before ICANN 65 by tuning into selection of webinars that ICANN will be conducting. So please make sure you take a look at that and register for any that you're interested in.

In terms of work track 5, we've got on the Monday two sessions. I'm not sure the time, so if any of the staff could just clarify a time for any sessions that we've got for work track 5, that would be great. Just put that in the chat. But it's at the early stages of planning and depending on how we're going to progress after today and for the next three meetings will dictate what content we include for those two sessions during ICANN 65.

So, was there anything else from co-leads, staff, that we should flag in terms of ICANN meeting coming up? No? Can't see anything. Can't hear anybody. Okay.

So, if I put a call out then for any final business that people would like to raise on this call, and in the meantime, again, if there's any … Actually, if somebody could put in the next call time for next week that would be helpful. I've forgotten what that … But we are due to meet for the next three weeks before the next ICANN meeting on the Wednesday. It's gone very quiet. Has anybody got … There we go. Thanks, Steve. That's 14:00 UTC for next week. Okay. Thanks, Steve.

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Okay. Well, if there's no other business, you can all have five minutes back of your day. Thanks very much for everybody's input today and participation. Bye now.

ANDREA GLANDON: Thank you. This concludes today's conference. Please remember to disconnect all lines and have a wonderful rest of your day.

[END OF TRANSCRIPTION]