
**ICANN
Transcription
GNSO New gTLD Subsequent Procedures PDP WG Work Track 5 (Geographic
Names at the top-level)
Wednesday, 17 July 2019 at 20:00 UTC**

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ANDREA GLANDON:

Good morning, good afternoon, and good evening. Welcome to the New gTLD Subsequent Procedures PDP Work Track 5 call, held on Wednesday, the 17th of July, 2019, at 21:00 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?

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

I will note that we have Kavouss on the audio. We have Barrack on the audio on only and Vernatius on the audio only

Hearing no further 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.

With this, I will turn it over to Javier. Please begin.

JAVIER RUA-JOVET:

Thank you, Andrea. Welcome to all to this Work Track 5 call. It's a hot day here in my island of Puerto Rico. It's very, very hot in many ways. We have an agenda that hopefully you have reviewed. It's on screen. Before we get into the weeds, any updates of statements of intent out there? Anybody want to update any SOI?

I hear none. As we see the draft agenda and if there's no objection, in general we're going to try and finalize some topics here on language and translations that we're going to discuss, hopefully with some interesting debate and maybe some sort of way forward and also, if time allows, try to do some discussion/debate and maybe a way forward on so-called non-AGB terms or geographic names not in the 2012 Applicant Guidebook, additional categories of, specifically some discussion that's been happening in past calls and a proposal that I dared make to see if there's some discussion over that. If time allows, we will also move into more details of the reference document, and then Any Other Business.

Does anybody want to make any comments on the agenda on Any Other Business? Any comments?

I hear none. I'd like to recognize that, on the call, I'm accompanied by co-leader, Annebeth Lange, from ccNSO. Also we have on the call overall PDP leaders, Jeff Neuman and Cheryl Langdon-Orr. Welcome to all.

Please, if anybody wants to interrupt me, they can interrupt me. Please, anybody – maybe Annebeth and co-leaders – can flag hands and help everybody out here on getting everybody's opinion in when it is proper. Thank you.

Generally, moving along, the languages discussions that are pending – perhaps before going into that, summarizing where we're at. In the 2012 Applicant Guidebook, a string was considered unavailable if it was a translation in any language of the following categories of country and territory names: long-form names listed in the ISO 3166-1 standard, short-form names listed in the ISO 3166-1 standard, separable component of a country name designated on the separable country names list. In the 2012 round, applicants were required to obtain letters of support or non-objection from the relevant governments or public authorities for an application for any string that is a representation in any language of the capital city name of any country or territory listed in the ISO 3166-1 standard.

In our languages discussion, in general I think we can discuss this in a pretty binary way. The current policy in terms of languages, as we all know, has a broad (in any language) standard for translations. In that

regard, the Work Track 5 has discussed a proposal as an alternative to that any-language standard and also two additions. Staff has been very, very, very helpful in generally summarizing that discussion, pros and cons, and you can see that on the screen, hopefully, if you're in the room. Of course, if you're on the phone, you can't, but this was sent out in a very comprehensive e-mail by staff.

In this discussion, the proposal is two-fold. I want to start speaking substantively here. Please interrupt me if anybody wants to supplement anything that I say. In general, the proposal is, is terms of translation, is translations in U.N. and official languages? So number one. For those countries that have no official language, include the de facto official language. A list would need to be identified for this. Also, supplement with a curative mechanism that allows for objection in the case of commonly used languages.

Katrin, welcome. I see you got into the room.

If anybody wants to comment on this, this is the general thrust of this discussion: how to somehow make a more rational or more manageable concept here beyond all languages. So there is a limitation here with the so-called de facto official or maybe the de facto primary language and also curative mechanisms. If anybody wants to comment on that before we keep on discussing ...

Hearing no comments. In terms of specific proposals here on this topic, there is a discussion and a proposal which was actually brought by Katrin. It's worded there on the screen. I'm going to read for the benefit of all. Perhaps Katrin would be so gracious and maybe speak on it after I

talk about it. So I shall start. “The transposition of accented and diacritic characters in Latin-based scripts to their equivalent ASCII root. This would protect, for example, Sao Tome as a DNS label of Sao Tome alongside the IDN version of the name and then the code, xn - - so - tom - 32a7c.” We can see the pros and cons on the screen, but perhaps the best way to go about this is here, if it’s possible, is to have Katrin out on the thinking around this proposal, the policy objective, what it’s meant to achieve in this context, and perhaps any opinions that would supplement that or contradict it or any other comments around that.

Seeing some comments already back and forth, I think from Chris and from Greg in the e-mail. So the floor is open. Hopefully we’ll get some discussion. [Katrin,] maybe.

I hear no. Perhaps she’s having some technical issues. Anyways, there was discussion here also by Christopher and Greg. I don’t know if Greg is on the call. If anybody wants to perhaps give their sense of this proposal as they understand it and what it’s meant to correct ...

CHERYL LANGDON-ORR: You do have hands up, Javier.

UNIDENTIFIED FEMALE: Javier?

JAVIER RUA-JOVET: Yeah, I can see the hands. Go ahead.

KATRIN OHLMER: Can you hear me okay?

JAVIER RUA-JOVET: Yes. Go ahead.

KATRIN OHLMER: The idea was – there are a couple of capital cities which have an IDN character in their name, like Sao Tome. If Sao Tome would be forced to get the IDN equivalent, like xn - - whatever, I'm not sure if this really matches the identity of the inhabitants and the city. So the proposal is meant to not transliterate but transpose the characters which are not really an ASCII character to ASCII characters in order to give those people the opportunity to have their capital city name without any xn - - versions. I hope clarifies a little bit what the [inaudible] was thinking on why this is a sensible addition.

JAVIER RUA-JOVET: Thank you, Katrin. I see Alan and then Christopher. Please, Alan, go ahead.

ALAN GREENBERG: I originally raised my hand just to verify if HAG was a typo, and Katrin said it was a typo. It should be AG. But maybe I'm missing something. Den Haag – what characters are accented in it? I thought those were all ASCII characters.

JAVIER RUA-JOVET: Anybody want to comment on Alan's question?

Christopher, before I go into you, Annebeth, your hand is up.

ALAN GREENBERG: I understand why we may want to eliminate the space, put a dash or something like that in, but I'm not sure it applies in the case that we're talking about with ASCII versus non-ASCII.

JAVIER RUA-JOVET: Let's go – Annebeth, go ahead. And I see Katrin's head also, but, Annebeth, go ahead.

Perhaps you're muted. Christopher, go ahead.

CHRISTOPHER WILKINSON: Hi. Good evening. Javier, this may sound a trivial statement. Basically, I support fully what Katrin is trying to achieve with this amendment. My reason for picking on the language was purely about the reference to the ASCII root. I think we just didn't need to remove the word "root," which has a special meaning, just the ASCII version or the ASCII text. I do not agree to, in this and other areas of semantics, giving ASCII the title of a root. It's a tool and it was a rather primitive that was introduced a long time ago and got stuck in the Internet for many years. But that's all. Just find a different word for root in this discussion. Thank you.

JAVIER RUA-JOVET: Thank you, Christopher. Annebeth, your hand is up.

ANNEBETH LANGE: Hi. Can you hear me now?

JAVIER RUA-JOVET: Yes. Perfect.

ANNEBETH LANGE: I think I was on mute. Thank you. Hi to everyone. What I wanted to ask Katrin about was actually in the line of what Alan said. I'm not quite sure that we all understand the transposition and diacritic and accented, etc. Do you mean, Katrin, that all different signs between the letters – if it's a strokes, if it's a slash, if it's some other way to write a geographic name that is in these categories in a different way from the original – should be included? One example in Norway is we have the [Boovee] Island. If you put a slash between [Boovee] and Island, then that would be included as well? Is that what you mean? Thank you.

JAVIER RUA-JOVET: Katrin, if you could help us out there. I see your hand is up.

KATRIN OHLMER: Yeah, sure.

JAVIER RUA-JOVET: Thank you.

KATRIN OHLMER: Can you hear me?

JAVIER RUA-JOVET: Perfectly.

KATRIN OHLMER: It's two-fold, actually. On the one hand, it's the Den Haag example, which makes clear that it does make sense to have a space in between. The people of Den Haag would necessarily not like to be .den or .haag, so they would clearly identify themselves with .denhaag. So the space between the two parts of the city name – this is at least our proposal – should be eliminated. At the same time, for the example of Sao Tome – I don't know what the correct word is for this; this kind of "a" letter and the accent on the "e" – they may as well be more happy to have .saotome as one word without a space in between and exchange the "a" with whatever thingy that is on the top and the—

[CHRISTOPHER WILKINSON]: The tilde.

KATRIN OHLMER: The accent? So that's at least what we wanted to express. We think this really makes sense from an identity point of [version]. If the wording is not correct or good or clearly enough, we are, as I mentioned yesterday, keen to hear what would be the correct wording, what we would like to

achieve with this proposal. But we think, at the end of the day, it's about the identity of the citizens with their city name rather than living with xn - - whatever thingy on the Internet. Thank you.

JAVIER RUA-JOVET: Thank you, Katrin. Very helpful. I see a comment from Jaap in the chat that is relevant onto this point. I don't know if he wants to mention it orally, but generally he's saying all IDN names are xn – gibberish. Gibberish on the wire. "Throwing this into the discussion is just making things just confusing. A space is allowed according to the protocol. However, it is likely to confuse all ..." allocations? Allocatings? I don't if there's a typo there. I don't know if Jaap wants to speak to this point to the group.

JAAP AKKERHUIS: Yes.

JAVIER RUA-JOVET: Thank you, Jaap. Go ahead.

JAAP AKKERHUIS: The spelling check popped in. "All applications will be confused." According to the protocol, you can do anything, and also a space in the domain name. But you have to be careful that the programs don't use it as [separating the] words. They could take then Haag as a complete word. Nobody has been doing that. So most applications will be completely confused if you do that. At least that's my expectation.

On the other one about xn - - gibberish, all Unicode names are transferred first in U-labels, and then U-labels are then transferred into A-labels, which is how it looks on the wire. It's all ASCII and it's not meant for human consumption. So if we are starting to need to talk about this [form], which is actually inside the protocol, as being something for human consumption, then we are talking about two completely things that don't need to match. So I think you should refrain from using the [forms] on the wire in this discussion.

JAVIER RUA-JOVET:

Thank you, Jaap. I see a relevant comment here by ... I saw one by Alan somewhere and I lost it – oh, there it is. Alan Greenberg is saying in the chat that the elimination of spaces or replacement with a dash is a current standard for implementing copyrights, and it's reasonable to extend it here if that was not already part of the last Applicant Guidebook.

JAAP AKKERHUIS:

There are a lot of ways that people will deal with that when it is in the names. Some people used to use it with an [inaudible] as well, but that's not officially allowed in a host name. So that's not a good idea. This meshing of the two parts together [inaudible] doing that in the domain world. So that's why I'm saying, although it's legal, it's actually never used and it likely to confuse all applications.

JAVIER RUA-JOVET: Hearing the different – let me see; I don't see any hands – comments – oh, there are some hands. Alan, maybe you want to take the floor and then Nkem? Alan, go ahead.

ALAN GREENBERG: Thank you. By the way, in my post, I really should have written trademarks, not copyrights.

JAVIER RUA-JOVET: Okay.

ALAN GREENBERG: So that was Point #1. Point #2 is the one I made before. I don't think anyone is arguing against being allowed to remove a space since the space is not a valid character in a top-level domain anyway and neither removing nor replacing it with a valid ASCII dash. My comment was that this was being done under the title of translating it into ASCII. The space is already ASCII. It may not be a valid TLD character, but it's ASCII. So we need to make sure we keep the titles matching what is the text under it or it's going to end up being torn apart later by other people. So it's not the concept of what is being proposed here that I'm worried about. I'm worried about the title under which it's being presented. Thank you.

JAVIER RUA-JOVET: Interesting, Alan. Thank you. Nkem?

NKEM NWEKE: I just wanted to agree with Annebeth and Alan. We are all not techies here, please. With the way we are going, I think we will not be achieving great results because some of us are just end users who aren't interested in the [inaudible]. So it would be nice to bring it down to understanding. Thank you.

JAVIER RUA-JOVET: Thank you, Nkem. That's very important because in truth this is highly technical. Very technical for me, also. Some people have long lives in ICANN that can, I think, speak in IDN and binary code. But the truth is we have to also remember the policies that we're trying to protect or achieve, and we're at the ends. I saw a comment by Steve Chan. Maybe Steve wants to take the floor because it's a really policy-ends type of comment. Steve, please, will you mention your comment online?

STEVE CHAN: Sure. My connectivity is not fantastic, so hopefully you can all hear me well enough. I was just, I guess, trying to clarify the purpose of this addition provision that's being discussed right because, presumably, as I said, if you create a new provision like this, the underlying policy implementation as it is now for capital city names in particular is that the potential applicant would need to seek approval from the local government. So is that in fact an intention here? Is it intended to extend those protections to these additionally generated names where you're moving the accent or diacritic? So I guess that's one thing: what is the intention by creating this additional provision.

But also, what is the underlying problem that's trying to be solved? Understanding what that is might help generate an appropriate solution. Thanks.

JAVIER RUA-JOVET:

Thank you. Nkem, is that an old hand I see? Or do you want to take the floor again?

It might be an old hand. To Steve's statement here in terms of what we're actually trying to achieve, I think Katrin spoke on this. I don't know if Katrin wants to supplement her prior statements somehow or anybody else with experience here in ICANN and in problems that we're maybe solving by this type of approach. Maybe Jeff and others – Cheryl. Anybody want to take the floor?

ANNEBETH LANGE:

Javier, Katrin has some notes here that it is less about adding protections but rather giving citizens the sensible option to identify with a speaking city name instead of xn. I think the main thing here, if we have a wording addition here, is to make it so clear that everybody understands what we're meeting. This is really technical. A lot of us don't understand what this really comprises. So we have to make it much more easy to understand: what do we want to achieve here?

JAVIER RUA-JOVET:

What is the – again, if anybody can, in plain English, in one line, answer this – problem we're solving by this approach? I think Katrin spoke a little about that, but maybe – I see Alan's hand is up. Alan, go ahead.

ALAN GREENBERG:

Thank you. I think we're reinventing the wheel here because there are rules in the current guidebook for how you handle trademarks which have accented characters or spaces in them. I don't know where it is in the Applicant Guidebook, but I believe it's there somewhere. I think if we simply say that applies to current names, The Netherlands can't have a space in it if somebody wanted that as a country TLD. So I think the rules are already there, and all we need to do is replicate them as applicable to geographic names, geographic labels, in addition for trademarks. I may be wrong, but I'm pretty sure they are there somewhere. Thank you.

JAVIER RUA-JOVET:

Thank you, Alan. You're probably right. All we have to do is ask our gracious staff here to confirm that. If that would be the case, I wonder if that's the way forward to make sure that maybe there's a reference towards the current policy enforced that would help out in this Work Track 5 world over here. So is that a way forward? I ask the group. If there is a policy already in the books that would attend to the problem that's trying to be solved here in terms of spaces, etc. – maybe Katrin would like to comment on this – if there is a policy already there that would cover this issue, would the way forward be to somehow reference that section, wherever it is in the AGB, or what is our thinking there?

I see Annebeth's hand up. I think – and Nkem's hand is an old one. But if you're there – Nkem, you can go after Annebeth. Annebeth, go ahead.

ANNEBETH LANGE:

Katrin has answered 22142. “An application for any string that is a representation in any language of the capital city name of the country and territory listed in ISO 3166-1 standard.” Emily asks, “Katrin, this proposal only addresses translations of capital city names. Correct?” Katrin answers, “I cannot identify that transposition of capital city names are included, Emily. That’s correct. “Not the reservation of country and territory names?” a question from Emily.

What I would like to say for myself, if you could bring the document down again to the proposal that we actually started with discussing, what we really would like you all to think about here is, could we agree on a proposal that we go for translations in U.N. and official languages and de facto official languages and a supplement with a curative mechanism that allows for objections in the case of commonly used languages to replace that with what we have today: any language? That’s actually what we are discussing.

The other things with the DNS and ASCII and transpositions are more technical things that we have to solve to find a plain-English way to explain what we mean. So it’d be really good if we could go down to this and try to say, does anyone have very strong opposition to change any language to this proposal on the table here? Thank you.

JAVIER RUA-JOVET:

Thank you, Annebeth. That’s very important. Thank you for herding me, herding my inner cat.

ANNEBETH LANGE: We're in this together, all of us.

JAVIER RUA-JOVET: I see Jaap's hand. He has been a bit of an opposer here, so maybe Jaap has a position here. Jaap, go ahead.

JAAP AKKERHUIS: No, I haven't been an opposer at all.

JAVIER RUA-JOVET: Okay.

JAAP AKKERHUIS: I've been opposing the fact that people are using technical terms without proper understanding. That confuses the everybody, including technical people. So I'm all for adding clearly-written policy without resorting to obscure technical details.

JAVIER RUA-JOVET: Thank you for that. I didn't mean to mischaracterize your position.

JAAP AKKERHUIS: No, no. That's fine.

JAVIER RUA-JOVET: Sorry for that. Christopher, please go ahead.

CHRISTOPHER WILKINSON: I think I've succeeded in unmuting myself. Annebeth, I very largely support your simplification in your proposal. The existing text referring to any language is obviously unmanageable and non-implementable.

As I said in the past, and occasionally being overruled, since ICANN has established Portuguese as a working language, I think it should be extended to Portuguese. But I'll defer to our colleagues from Portugal and from Brazil. But in all other respects, I support your proposal. Thank you.

JAVIER RUA-JOVET: Thank you, Christopher. With that, if there's no other comments, I think we've had a pretty healthy discussion here. I don't hear major opposition to this way forward as Annebeth has clarified it and as per the text in front of us. If anybody has anything else to say about that, it seems that there is not major disagreement here.

KAVOUSS ARASTEH: Excuse me. Quickly say what are the agreements you are referring to. You say, is there any opposition to the [inaudible] that we have? What is the agreement that you're dealing with? I'm listening to this debate very carefully, and I think that we are discussing something which maybe does not exist. You are resolving or want to resolve a problem that may not occur at all. Are we faced with any problem that you're going to solve? If that is the case, what are those problems? Are we

talking about the problem which is a general case, or are we talking about something which is very, very theoretical and may not happen at all in reality and in practice? Thank you.

JAVIER RUA-JOVET:

Thank you. I think that was Kavouss. Thank you, Kavouss.

KAVOUSS ARASTEH:

Yes, that was me. I'm sorry. I don't have access and I told at the beginning of the meeting that I am on audio. Believe me, I am very carefully listening to this discussion. This is limited to very few people and I understand is [terribly] technical. But I think you're going too far into theory and hypothesis. Some of this may not exist and may not happen. We are not going to solve all problems, unless something is on the table and we need to resolve that. This is my question. Thank you.

JAVIER RUA-JOVET:

Thank you, Kavouss. Maybe we can take a little step back for a second and maybe – I don't know if Annebeth or Christopher wants to restate the general way forward that seems to be not controversial here in terms of this proposal. Or maybe even Katrin, but maybe Annebeth, as you said it so clear.

ANNEBETH LANGE:

What we have today in the Applicant Guidebook is a protection for these categories that you read in the beginning of this meeting, Javier, for any languages in the world. It has been raised in the discussion: what

problems did it raise during the application period? So I think that is what Kavouss is also referring to: what is the problem?

KAVOUSS ARASTEH: Yes.

ANNEBETH LANGE: But what we discussed at that time is that, since it was protected at the time when we had the Applicant Guidebook, then we don't know if a lot of names were not applied for because they knew that it would not have been accepted since it was protected.

So in the weeks we have been discussing this on languages and translations, we have saying that any language in the world is quite a lot. We ended with about 7,000 different languages. It's difficult to know if a word that is applied for should be a translation of one of the countries in the world or one of the capitals in the world in one of the 7,000 languages.

So to make it more predictable and to make it more manageable, what we have discussed is that it's possibly to have a proposal that we restrict it to translations in U.N. languages and official languages or de facto official languages for those countries not having an official language and supplement it with a curative mechanism that allows for objections in the case of commonly used languages, and, if there are things when they apply for something that some country feels is too close to their home or their language, we have a mechanism for that. That is the

suggestion: to replace any languages in the world with a more definite selection of languages.

Christopher has raised, understandably, that Portuguese, since it's one of the languages that's been used as a translation language in the ICANN world, might be something that could be added on. But so far, the proposal is translations in U.N. languages and official or de facto official languages.

I hope that it made it somewhat clearer.

KAVOUSS ARASTEH: Yeah. May I intervene, please?

JAVIER RUA-JOVET: Thank you, Kavouss. Go ahead.

KAVOUSS ARASTEH: I think most of you, or the overwhelming majority of you, are speaking one of those six or seven languages that you want it to be translated in.

ANNEBETH LANGE: Not me.

KAVOUSS ARASTEH: Yes. But you do not care about the other people. You don't care about Indian. You don't care about Korean. You don't care about Japanese. You don't care about ... I don't know. I am not talking about [inaudible]

80 million people. I'm just referring to the others. So these U.N. languages politically oriented and motivated. We are not dealing with "political" here. I know that ICANN or the Internet is totally political, but do we need to go to that, or do we need to see what is the reality, what is the case that people are facing? other than we're [inaudible] "Okay. We have taken U.N. languages [inaudible] to this," because you are protected. The U.N. has this one, so we are protected under the U.N. [inaudible] in India or the [inaudible] Korean or the 120 with the Japanese or I don't know, but many, many others. I'm not talking about German, which is not only German but is [inaudible] Austrian and many others.

So I don't really understand this too much of references to U.N. plus Portuguese. I like all of these languages. I only speak a few of them. I have no problem, but I think the whole thing is not all these U.N.-spoken languages. But most of you are intervening are either English speaking or Dutch speaking or, I don't know, [inaudible] speaking or so on and so forth. But not other countries. Why do we have so much [inaudible] to the languages of the U.N. Why? Thank you.

JAVIER RUA-JOVET:

Thank you, Kavouss. I see two hands – Susan and Christopher – but before I give them the floor, Kavouss, just to flag out/remind you that the proposal is not to just leave it in U.N. languages plus something else like Portuguese. It's that, but it also includes the possibility of de facto official languages of countries. So it includes a wide variety of other potential languages that are widely spoken in the world. So that's part of part of the proposal because the first part of the proposal languages

is U.N. languages plus this idea of de facto primary or de facto official languages, which is really an idea because some countries have primary languages that are not official, like the United States official in the legal sense, but they are definitely primary.

So it's not an exclusionary or an exclusive proposal. It's a way to take this wide concept of all languages and turn it into a more manageable principle. Then it has the second part, which has to do with the more technical ASCII and transliteration of labels and spaces discussion. So just to leave that on the floor as an explanation that really did not have to happen after the great one that Annebeth gave.

I'll give the floor now to Susan and then to Christopher.

SUSAN PAYNE:

Lovely. Thank you, Javier. You've said a lot of what I was doing to say, so I don't need to cover that again. I just wanted to add, if you don't mind, that I think where this has come from is that there's a perception that there's a need to protect the interests of the people of the country in question and what they call themselves. So to my mind, it has always been much more relevant to be the official language or the de facto official language or whatever you want to term it for the country in question that therefore is relevant to the name of the city that we're talking about.

To my mind, that is the most relevant at all. I'm not wedded to the U.N. language part of this provision at all, but I recognize that other people. So this, I think, Kavouss, was the compromise that we tried to reach: we are trying to capture the protection that many people perceive the

residents of the city need for their own language and what they call themselves or their cities. So it isn't just U.N. languages. To my mind, that's the less relevant part of this provision.

JAVIER RUA-JOVET: Mm-hmm. Thank you, Susan. Thank you very much. There was a hand somewhere but it disappeared. Christopher, go ahead.

CHRISTOPHER WILKINSON: Thank you, Javier. First of all, to Susan, I appreciate your open-mindedness because we are indeed talking about the interests of the communities who use these geographical names. But this does not only apply to capital cities.

To Kavouss, [inaudible in French]. Thank you.

JAVIER RUA-JOVET: Thank you, Christopher. I missed the whole last part. I'm not a Francophone, but thank you.

I don't know if Kavouss wants to reply after the different explanations made after his statement.

KAVOUSS ARASTEH: Yes. I understand that you have U.N. languages plus any primarily spoken or accepted or identified or declared language or languages from any country. That means it is up to the country to mention how many languages are official apart from those that are recognized as U.N.

plus Portuguese. Then that will be taken [inaudible] something, a list or someone. That is all. It is not up to us to decide, for instance, for Kenyans, which languages are primarily spoken. They may have five or six languages in addition to something which is known as English. But in fact they have five or six languages. So it is not up to this group to say which language. There should be some sort of arrangement, that they country will be formally requested. But what are the, I would say, generally spoken language or languages and so on and so forth. Then [inaudible] Portuguese responsible to safeguard and preserve the rights of the citizens of that country because sometimes there might be a political situation that the country does not want a group of the people in that country's language of [inaudible] people be taken as a formal language because of some political problem in that particular country. So we have to be very sure that we protect the interests [inaudible] of the citizens. This is my comment. Thank you.

JAVIER RUA-JOVET: Thank you, Kavouss. I see a hand by Christopher. I think it's an old one. Is it an old one, Christopher? It might be.

CHRISTOPHER WILKINSON: It's not exactly an old one.

JAVIER RUA-JOVET: Oh. Go ahead.

CHRISTOPHER WILKINSON: But I think it could wait for the list. Essentially, we've got to recognize what we want to do. I refer to the principle of physics, the Heisenberg Uncertainty Principle. What we are doing is going to two things. First of all, insofar as there are countries and governments who do not know what their official languages are, they're very likely decide and to tell ICANN what their official languages are before the next round is launched.

Secondly, the same thing applies to legal protection of geographical names in countries. We've had a discussion about legal protection. Some countries protect their geographical names legally, and others don't. What you're going to get here as a result of our work is that countries around the world have an explicit and urgent incentive to legally protect their geographical names. Thank you, Javier, for allowing me to say that.

JAVIER RUA-JOVET: Thank you, Christopher. I see hand by Nkem. Nkem, quickly, then we can round up this point and then move forward. Nkem, please go ahead.

NKEM NKEWE: Thank you, Chair. I think I agree totally with the last two speakers. I would also to like to ask that, when we address in the French language, and nobody cares to translate that, [someone interpret that].

JAVIER RUA-JOVET: Sorry. You didn't understand the French language discussed by Christopher? Is that the question?

NKEM NKEWE: Yes. I would like an interpretation of what was actually said. Thank you.

JAVIER RUA-JOVET: I didn't understand it either, but I don't want to go into that point. I don't think it was – well, Christopher, what did you say in French, just quickly. Go ahead.

All right, no. Let's just move ahead. So we've discussed this topic substantially. I personally don't feel there's great opposition to a U.N. languages plus a de facto concept here. That's taken and that's noted. So if there's no objection, we could move forward.

Thank you. There's another proposal or idea that's on the table on this topic on languages and the use of languages and translations, which is the possible addition of the concept of languages spoken by percentage of people in the country or territory and capital city also. The purpose of that is to represent the relevant national, regional, or community languages. I'm just going to go ahead and read the pros and cons of this proposal.

On the one hand, as a pro, some communities and groups strongly identify with translations of names and unofficial languages, and this proposal would offer protection for names translated into those languages. But on the other hand, as a con, there is no standard definition of relevant national, regional, and community languages and

no existing list from which to draw. The term has to be clearly defined so that it can be effectively implemented.

Also as a pro, on the other side, it should be possible to create a list of relevant national, regional, and community languages in implementation, especially if the group provides a definition to use. ICANN org or the Geographic Names Panel should be able to create definitions. But on the other hand, it isn't clear if there is any official objective data source available that can be used in implementation.

So in this idea or proposal or addition regarding the concept of percentage of people that speak a certain language in a country, territory, or a city, as a way to ascertain its relevancy level or perhaps its de facto official-ness level, it's important with respect to applications, etc.

If anybody wants to speak on this point – I forget who made this proposal initially. If the work track member that made the proposal is online, maybe they care to discuss it, or anybody online.

KAVOUSS ARASTEH:

If this is their position, [inaudible]. That is, you deny the right of the minority in that country. I don't want to give a particular example, but in one country that I know, 70% speak one language, 29% another language, 11% the other one. So if we take the 70% [inaudible] the 11%? Or what is the purpose of this percentage? Is to give priority to give the value?

JAVIER RUA-JOVET: Thank you. Annebeth, I think you had a comment?

ANNEBETH LANGE: Yeah. I just wanted to clarify this possible addition a little more. Do we here mean languages spoken by X percent of people in addition to the de facto official language of the country? Is that what we mean?

For example, in Norway, Norwegian is the official or de facto spoken language, but we have a great or a quite huge population of German people, for example. Will then that come in addition? Is that what we mean? We have to be very clear on what we really mean here.

JAVIER RUA-JOVET: That's the way that I understood it. Does anybody have an alternative explanation of this addition? It was somehow a way to ascertain something additional to the de facto official or primary?

KAVOUSS ARASTEH: For what purpose?

JAVIER RUA-JOVET: Maybe staff can remind us of the tract of this.

CHRISTOPHER WILKINSON: Well, this Christopher, not staff. You definitely have to treat this as additional.

JAVIER RUA-JOVET: Yeah. Emily, I think I heard you.

EMILY: Hi, Javier. This was a proposal that was put forward, I believe, by Jorge Cancio. It was that this would be in addition to the protection of official languages and U.N. languages. So all of the items on the previous page there – the proposal was that there might be minority languages within countries that are not protected under those terms, and this would provide additional protection. So, in case of country and territory names, additional translations would be reserved. In the case of capital city names, additional sets of translations would require of consent or non-objection. I hope that helps.

JAVIER RUA-JOVET: Thank you, Emily. Very helpful. Kavouss, if I may direct to your question, it's not a zero-sum type of choice or a binary choice between one major language to the detriment of a second language. So there's a norm here that would include, first, U.N. languages and maybe plus Portuguese. Then it would also include the de facto primary or official language of a nation, of a country, but also this additional clarification language here or formulation which would also consider the percentage of people of that country, territory, or capital city that are perhaps not speakers of the de facto official or de facto primary to try to be as inclusive as possible without being completely standard-less as all languages.

So that's the idea. Maybe we can talk around that idea. If there's any comments on that, any support/opposition/discussion, thank you.

Awfully quiet. It seems to me it's a reasonable formulation in general. Anybody want to take the floor regarding it?

ANNEBETH LANGE: It's Annebeth here again.

JAVIER RUA-JOVET: Go ahead, Annebeth.

ANNEBETH LANGE: Just to make people talk. The first thing we have to decide, if we consider to include this, is to agree on which percentage do we think about here. Is it 10%? 20%? 50%? That's also part of this discussion. It sounds reasonable in many ways because, in a lot of countries, they speak several languages. It's not only the official. There's a huge population in many countries that speak different languages. But how many should it be if this rule should be applied?

JAVIER RUA-JOVET: Good question.

ANNEBETH LANGE: No comments?

JAVIER RUA-JOVET: That's one consideration. The other consideration is – the norm—

NKEM NWEKE: [inaudible]

JAVIER RUA-JOVET: Yeah, go ahead. Who is this?

NKEM NWEKE: Nkem. Hello, Chair? Annebeth? Chair?

JAVIER RUA-JOVET: Yes, go ahead.

NKEM NWEKE: I'm really finding it pretty difficult to make any input to this because, in my country, we have over 200 languages, for crying out loud. Where do you want me to go? I belong to the major three English overall as a third language, but we have two other major languages. But we have several others, over 100, so where do you want me to begin from?

JAVIER RUA-JOVET: I understood. Thank you.

NKEM NWEKE: It's really confusing. It's a complicated matter I think. It's pretty complicated.

ANNEBETH LANGE: It is.

JAVIER RUA-JOVET: Definitely, Nkem. And the sensitivities are—

NKEM NWEKE: Yes.

JAVIER RUA-JOVET: Thank you, Nkem. No question that the sensitivities around language issues are high. They're charged. The competing interests here have to do with manageability of policy in terms of all languages out there versus some more manageable concepts. We're trying to move towards a more manageable idea. But we appreciate the different positions. So that's it. We understand. We get it.

Any other comments out there?

ANNEBETH LANGE: Javier, Cheryl and Jaap have their hands up.

JAVIER RUA-JOVET: Yes, please. Cheryl, go ahead.

CHERYL LANGDON-ORR: Let Jaap go first.

JAVIER RUA-JOVET: Jaap, please.

JAAP AKKERHUIS: Okay. I thought Cheryl was first, but when I got this proposal at first time, I had actually the same reaction as Nkem just showed. This is the door to hell. Really, there is so many complications, if you really think about it, trying to establish it that I'm not sure whether this is really worth riding this out, especially if you see how we've got back to how relevant this is to the big picture of the geographic names. This is really trying to specialize something which might show up somewhere but hasn't been showing up at all and at the moment isn't being a problem. I even feel this is creating way more problems than it solves.

JAVIER RUA-JOVET: Thank you, Jaap. Cheryl?

CHERYL LANGDON-ORR: Thank you very much. I'm very pleased that – yes, indeed, Jaap; my hand was up first – to have gone after you because, as ever, I'm more than willing to build my comments on the excellent foundation that you've very rationally at all times, in my view, present to these discussions.

But I'm also interested to have had the time to time to read John Rodriguez's input, where he mentioned the "percentage of," which we're discussing in this possible edition – remember, possible edition – to the languages discussion may in his view perhaps are already being captured by de facto/official languages. In other words, a percentage could be perceived. His thought is one that I wanted to echo, and that is, of course, that this is a suggestion which may or may not get carriage, may or may not get supported. That is what you're trying to do right now. I believe, if I can channel the intent here, that, if this was to gain support and become a proposal, there would be a need to establish what the significant percentage would be.

So to Nkem's point, I will hasten to add you'd probably think that Australia, which speaks English as its language, wouldn't have a great number of percentage points to count in either. But we've just come out of a celebration week of our indigenous population, and I can assure you that we'd be looking at more like 700 or 800 languages should we wish to include the Australian indigenous population languages.

So let's not be silly about this. Those percentages would be extraordinarily small should I wish to do those percentages out of Australia. I think the proposal here was one that perhaps suggested, if we did this, that a percentage might be a useful tool, which goes back to Annebeth's original point of that a large proportion of a population speaking another language – for example, German speakers – if it doesn't get carriage and support, that's [fine]. Thank you.

JAVIER RUA-JOVET: Thank you, Cheryl. Words of wisdom always. And thank you, Jaap, before. I see other hands here. Those are the old hands there, Cheryl and Jaap.

ANNEBETH LANGE: There's a comment from Harold.

JAVIER RUA-JOVET: Okay. Harold Arcos mentioned, "I don't think the percentage of people speaking is relevant because any languages or maybe all languages are important for someone. Indeed, while less people speak that language, it's more important because many countries don't want to lose them."

Yes. So Harold is making an argument here for very minority languages that deserve consideration also. We also agree that it's an important principle.

So that's the discussion. It's by no means simple. I think we're all in good faith trying to move forward, but we knew this is a topic that has a high level of complication.

I think the discussion has been very healthy. I don't know if anybody wants to add anything else right now.

I see no hands. So we've had a healthy discussion here on the topic of languages. I think we hear the thinking of the work track. I find it's varied right now. Maybe we can move forward if there's no objection.

ANNEBETH LANGE: Javier, there's one comment from Colin O'Brien that you perhaps should read.

JAVIER RUA-JOVET: Okay. Colin O'Brien (it's a proposal): "How about the top 90 most spoken languages in the world?" Colin cites a source on the Internet by Wikipedia. So that's an additional proposal. That would seem to be a very objective proposal regarding the 90 most spoken languages in the world. I don't know how many languages are spoken in the world.

ANNEBETH LANGE: 7,111.

JAVIER RUA-JOVET: So I would suspect that some work track members would agree with this proposal and others would not agree with it, as with the other ones, because all of these proposals have pros and cons. All of them have elements of inclusion and some level of exclusion. So it's an important topic, no question.

ANNEBETH LANGE: Two more comments from Christopher [inaudible].

JAVIER RUA-JOVET: A few more comments in the chat, so let's read some of the comments.

ANNEBETH LANGE: From Christopher, Javier.

JAVIER RUA-JOVET: Yeah. “The right to use your place name in our own language is a greater human right than the so-called freedom of speech right to apply for whatever string that the applicant pleases.” Thank you, Christopher. There’s other comments here, but ... So, yes, we’ve also had the freedom of speech versus freedom to use one’s own tongue discussion here. Thank you for that, Christopher.

Anybody else want to take the floor right now on this topic?

There’s – what else? – a comment by Dev. “A more firmer list of languages is the ISO 639-3 list.” He lists a hyperlink. He lists two hyperlinks. Interestingly, he says there are definitions of language types also. Thank you, Dev, for that comment.

Annebeth, Cheryl, Jeff – anybody want to make the final comment here before we move on?

ANNEBETH LANGE: Nothing from me.

JAVIER RUA-JOVET: Okay. Thank you—

CHERYL LANGDON-ORR: I just want to try attention to Jaap’s dare I suspect predictable reaction to those listings from Dev, that they are in fact a list of codes. Again, once we get into looking at third-party authoritative, there is an almost

equally large bubble of discussion that will be required to be plowed through on what makes a list a list and what makes an authority list and authoritative one. So just be very cautious, people.

JAVIER RUA-JOVET: Yeah. Thank you, Cheryl.

ANNEBETH LANGE: Just a last comment on this. We have to really careful that we're not creating more problems than we solve.

JAVIER RUA-JOVET: Yeah.

ANNEBETH LANGE: The reason why we have chosen, or that the suggestion is the U.N. languages, is that that is a definite list. All the other suggestions are different lists, but do they really apply? It makes things even more complicated, maybe, than using all languages or any language that we have today. So we have to be careful on what we are doing here. What we want to do is make it more predictable, easier manageable, and fair. Also, if we combine it with a curative and a good objection procedure that has been thought thoroughly through and make it really work, then I think we could solve it better. Again, I really want to repeat that. We must be careful not to create more problems than we solve. Thank you.

JAVIER RUA-JOVET: Thank you, Annebeth. That goes also to the heart of the notion that, if we're going to move away from current policy, we need some true consensus. I'm hearing different voices.

Before we move on, there's just a quick comment by Jeff in the chat. "You can always list an objective list of languages and then provide an objection process (oh, it moved along) after the fact, in case one of the languages is not covered."

ANNEBETH LANGE: Yeah.

JAVIER RUA-JOVET: It's 5:10, so we have 20 minutes. I wonder if the group wants to move forward. The next topic in the agenda has to do with geographic names not in the 2012 AGB. Of course, this is a highly contentious issue, given its lack of definition. There are aspects of it which, from at least my personal opinion from what I've seen in the course of these streams of work on these proceedings, are so complex and perhaps divergent that it's quite difficult to find ways forward.

But at the same time, we also may want to look at ways to perhaps innovate or create norms that might potentially solve problems that might show up. At the same time, we might not do any innovation because we don't want to try to solve problems that we haven't found, as Annebeth mentioned.

In that vein – I don't know if work track members had a chance to look at the e-mail list; I saw that there were some comments by Chris and

Greg Shatan – I sent an e-mail that is on the screen for ... I'm just going to read out the e-mail. Again, knowing that, as a co-leader, my role is not to propose things, I took this liberty after discussing it. The following proposal – I'm just going to read it – is to require a letter of support/non-objection from the relevant regional autonomic authority for an autonomous area or region of a country.

As I formulated this, I'm going to try to explain the principle here or the policy ends here. There are, as we know, regions of the world that are part of countries that also have some sort of autonomic status or statute. I can quickly think about Spain with the different regions like the Basque Country or Catalonia or other regions. Many of the major countries will have regions that might be considered autonomous regions. The question out there that this proposal brings to the fore is whether or not these types of regions or areas would be quite definite units that might require a level of protection given their similarity to already protected or covered regions in the AGB, like countries, territories, and capital cities.

Again, the proposal is to require a letter of support/non-objection from the relevant regional autonomic authority for an autonomous area or region of a country.

The other part of my e-mail is that I did not tie this to a specific list out there because honestly I didn't find a specific list of autonomies out there. There's good reference sources that I cite in this e-mail, but again, one that's pretty comprehensive is Wikipedia and we tend to shy away from that one.

In general, I wonder if the fact that an application would come with that letter of support or non-objection from a specific autonomic entity in itself is evidence of the existence of the entity. So just to have that discussion around this topic. I know this is just the beginning and this is quite late in the game. So it's out there.

Anybody have any thoughts about it?

I think Christopher had some comments in the e-mail. Maybe he would like to chime in.

Quite silent. I know this is quite late in the game, but the only motivation is to see if there's some sort of path forward in anything regarding non-AGB terms. If there's not, there's not. It's just an idea to do brainstorming and things if [you] think there's opposition or support or neutrality around it.

ANNEBETH LANGE: A hand from Christopher, Javier, and then a comment from Marita.

JAVIER RUA-JOVET: Christopher, go ahead.

CHRISTOPHER WILKINSON: Hi. Good evening. It's quarter past 11:00 at night here. Annebeth, you're a heroine. First of all, I have to preface my remarks with my fundamental position, which now is that all geographical names should be subject to prior approval. If a prior approval is not forthcoming, the

name should not be delegated. We're talking about the Internet for the next 20 years, the next 50 years. I'm against spending assets for cheap now which in the long term will be important.

Specifically on Javier's proposal, I think it's a very interesting excursion into areas that the Applicant Guidebook and this work track have not encountered. From that point of view, I congratulate Javier on opening up an additional subject/category of names of autonomous regions.

My reservations refer specifically in this particular context to the fact that a number of those regions are highly contested. There will be disputes about not only active or past war zones. There will be disputes about the interpretation that the articles that Javier has referred us to of – I think there are a lot of governments and a lot of autonomous regions who would think that their situations are rather different from that which is described in the document that we've received.

As I said in my reply to Javier, this is a big subject that we can't take onboard within a few hours. So I rest my case. My primary objective now, given that after nearly two years of discussions in Work Track 5, which actually was created in order to correct the errors that were made in the 2012 AGB – so the idea that, if we can't reach a consensus, the 2012 AGB policies are maintained, is absurd. But that's a footnote to all of this. All I'm saying is that this is such a difficult and politically charged area that the only solution that I see is that all geographical terms shall be protected. They should be subject to prior authorization. If prior authorization is not forthcoming, no problem. Just don't delegate. Keep them for the future. Thank you.

JAVIER RUA-JOVET: Thank you, Christopher. I think Marita had a comment. I don't know if she wants to say it publicly or I could just read it out. Generally, Marita is lending a voice of caution also in opening up a discussion on autonomous regions, which could be a slippery slope. I do get that.

Marita, do you want to take the floor?

Maybe not. So Marita puts in a word of caution. In truth, we understand that it's just trying to put draft ways forward here. But understood.

Any other comments around this? I think Katrin responded to Marita. Katrin, do you want to make a comment about this? Oh, I think Marita is trying to unmute. Maybe she wants to get in.

MARITA MOLL: Hi. It's Marita speaking.

JAVIER RUA-JOVET: Hey.

MARITA MOLL: Hey.

JAVIER RUA-JOVET: Go ahead.

MARITA MOLL: This is a crazy platform. I haven't quite figured it out yet. I took a little look at that and I thought it's an interesting proposal but I'm not sure how we would get around – even in my own country in Canada, there's one province that has different rules to that province. Would they consider themselves autonomous? I don't know, but they could. They might like to. We've had disputes about separation in this country, too. So if that's the kind of discussions we're going to have to get into with this thing, I would avoid it. Thank you.

JAVIER RUA-JOVET: Gotcha. Understood. Katrin, any comments over that? I think you have a reply to that.

Well, Katrin in the chat said, "The balance between public and private interests has to be taken into account." I think that was responding to Marita somehow. But, yes, I totally get that this is far long and this could be slippery. It's an experiment on things that look like generally definable non-2012-AGB terms that could be generally definable, but at the same time, it could be [inaudible] as this work track seems to feel. So—

ANNEBETH LANGE: Javier, there's a hand from Alan here.

JAVIER RUA-JOVET: Alan, go ahead.

ALAN GREENBERG: Thank you very much. I guess I'll make two comments. Number one, the term "autonomous" is used varyingly. In fact, one of the documents you pointed to in your message has a ten-page definition of what autonomous means.

JAVIER RUA-JOVET: Yeah.

ALAN GREENBERG: And clearly it is used very differently in some of the examples. The Wikipedia is also illustrative, when you pointed to the article you pointed to, in that are some of those on that list that I would say, "Of course. Why would we not protect their name?" to and other ones that I would stay away from with 1,000-ft. pole because we don't want ICANN to be sanctioning the claims that some groups have over others. As Christopher said, some of these areas are highly disputed. I just think it's a Pandora's Box that, if we don't have to open it, we shouldn't, despite the positive aspects of doing it in some of the cases. Thank you.

JAVIER RUA-JOVET: Thank you for that, Alan. Actually, the initial proposal that I did not send would have been more of a Pandora's Box because it included the notion of potential countries. That would be a tinderbox. But this is just an experiment in many ways because it really shows that even non-AGB concepts that have some grounds that we could find examples out there of that we would be clearly [final] would be subject to great debate because it would be very easy to describe, I don't know, Catalonia as an

autonomy, but what if we started to talking about, I don't know, other ones. I don't want to even specific names because that would be controversial itself.

So I guess the educational element here is it really drives down and drives through the problematic of non-AGB terms in not only the vast variety of opinion within ICANN but just the vast majority of complexity in the world. So I guess it wasn't a waste of time to send it over, but it's educational.

Annebeth, I see your hand.

ANNEBETH LANGE:

Thank you, Javier, for bringing this up because I think that really accentuated what we are dealing with here: how complicated this is and how political it can be. We really, again, have to be careful with what we are doing here. It shows very clearly that everything that's not on a list that we have from before makes it really, really difficult. It's easy to thread the wrong way.

Christopher says that everything that's geographical should be protected, but the problem is, what is geographical? We haven't even pinned that down? So the lists we have from old times with the ISO 3166, even if it's a code list, we have been using for all these years that we have been doing top-level domains. That makes it easier in a way.

But the experiment that you took now, Javier, shows how difficult everything outside will be. So thank you for doing this. I think it will make it easier next time to discuss more of the names outside the

defined lists we already have. So we have used the time today pretty good, I think. The translations and languages was a good discussion.

JAVIER RUA-JOVET: Thank you, Annebeth. We're closing in on the half hour. Maybe we can move on to if anybody has any other business that they want to flag right now before we—

NKEM NWEKE: [inaudible]

JAVIER RUA-JOVET: Yes, go ahead. I missed your name, but go ahead.

NKEM NWEKE: All right. Well, in terms of [inaudible] I was thinking that, where we are with this, we need to leave this at the ccTLD level. We [take] it at the ccTLD level because if you don't [inaudible] be going to the [seconds] again because [inaudible] regards to [inaudible] the ccTLDs. Protect [inaudible] India in [their] entity within the ccTLD strings. That just [inaudible] so we can move forward.

JAVIER RUA-JOVET: Thank you, Nkem. If there's no further comments – I see no hands – anybody have any other business to bring forth, bring to the table?

Hearing none, seeing none, maybe staff wants to just speak quickly about the next call and then we can adjourn?

Steve of Emily maybe?

When is the next call? I never know these things.

ANNEBETH LANGE: Next Wednesday.

JAVIER RUA-JOVET: Yeah. Of course.

ANNEBETH LANGE: Always. I think it's 5:00 UTC in the morning.

JAVIER RUA-JOVET: Very good. So I think that's that for today. Thank you very much to all. A very good discussion, especially on the language complexities. I think we got a good record in on the different opinions here. I think we also had a sense of the vast complexity of non-AGB terms quickly there at the end. If there's nothing more, I think this is it. Thank you very much to all. See you next Wednesday.

ANNEBETH LANGE: Thank you. Thank you, Javier.

JAVIER RUA-JOVET: Bye-bye.

ANNEBETH LANGE: Bye-bye.

[END OF TRANSCRIPTION]