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ICANN Transcription

IDNs EPDP

Thursday, 24 March 2022 at 13:30 UTC

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DEVAN REED: Good morning, good afternoon, good evening. Welcome to the IDNs EPDP call taking place on Thursday 24th March 2022 at 13:30 UTC. In the interest of time, there will be no roll call. Attendance will be taken by the Zoom room. If you're only on the telephone, could you please let yourselves be known now?

We have apologies from Jennifer Chung. All members and participants will be promoted to panelists for today's call. Members and participants, when using the chat, please select everyone in order for everyone to see the chat. Observers will remain as an attendee and will have view only chat access.

Statements of interest must be kept up to date. If anyone has any updates to share, please raise your hand or speak up now. Lianna.

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.

LIANNA GALSTYAN:	Thank you, Devan. I do have an update on my segment of interest as I've been appointed as the ALAC liaison to ccNSO. Thank you.

DEVAN REED:	Thank you. Thank you for the update. If you need any assistance updating your savings of interest, please email the GNSO Secretariat. All documentation and information can be found on the IDNs EPDP wiki space. Recordings will be posted on the public wiki space shortly after the call. Please remember to state your name before speaking for the transcript.
	As a reminder, those who take part in the ICANN multistakeholder process are to comply with the expected standards of behavior. Thank you. And over to our chair, Donna Austin. Please begin.

DONNA AUSTIN:	Thank you, Devan. I see Jeff's hand is up. Is it a statement of interest thing, Jeff?

JEFF NEUMAN:	Yeah, sorry, I was too slow. You probably all have seen—or maybe not. This week, ICANN finally approved the .hiphop assignment to a new operator. I have a small interest in the new operator. So I think I have to update the statement of interest. I think I put a mention of it when I we applied for it, but just in the spirit of transparency. But either way, I'm here in this group to represent the IPC. So just wanted to make that known. Thanks.

DONNA AUSTIN: Thanks, Jeff. Alrighty, so welcome, everybody. I guess here we go again with another IDN EPDP call. I just wanted to start this call off with we always have the expected standards of behavior as a reminder in the intro that Devan provides to us. I felt that our last call got little bit away from me. And as chair, it's my role to manage the way that we work through the questions and then also manage the calls as they go through. But I did feel that we got a little bit out of hand last week.

So I just wanted to make a gentle reminder, I guess, to everybody that when you joined up to do this work, you signed a statement of participation. And within that statement of participation, there's one particular thing that I wanted to call out and it's that "I will treat all members, participants of the working group with civility both face to face and online and I will be respectful of their time and commitment to this effort. I will act in a reasonable, objective and informed manner during my participation in this working group and will not disrupt the work of the working group in bad faith."

So I just ask that everybody be cognizant of that and be mindful that everybody is committing time and effort to this work and opinions are welcomed and valued but just because your opinion is different to somebody else's doesn't mean that yours has a stronger flavor than anybody else's.

What we're trying to get to you here is consensus, and that's what I hope we will build. And I think to date, we've done a pretty good job at that. But I just thought we went a little bit off the rails last week. And I'll take some of the responsibility for that as chair. But

if I could ask for assistance with everybody else, just to be mindful of their participation and just be respectful of everybody else's on the call as well.

And that doesn't just go to interventions when we're speaking, but also in the chat. So the chat can often get quite distracting because perhaps there's a separate conversation or discussion going on that isn't directly relevant to the conversation that's being had. And that's something else I request that people be mindful of as well, that the chat is great but if we can just use it to provide input to the conversation that's happening at the time and not get carried away with something that is a little bit—or sometimes a little bit, but a lot off topic.

So we've got a pretty difficult task here, we're not exactly zooming through things. So we're trying to do the best that we can. But I think if we can be a little bit mindful and respectful of other people's time and effort, then perhaps we'll make a little bit more progress.

So on the things that we were discussing last week, which we've also discussed the week before, and I think that was where some of the rub potentially was, and perhaps we'll rethink whether it makes sense to have a working group meeting tonight during an ICANN meeting where there are conflicts. I know that's always a challenge during ICANN meetings. But if you do miss a call, try to take the time to listen to the recording so you understand context and what's happened in the previous call so that we're not kind of throwing everything out and starting again. So I think that's where we got into a little bit of trouble last week.

So we'll set aside the discussion we were having last week and the leadership team and staff will try to develop some draft language around that conversation and see if we can come back to that in a couple of weeks about the—just try to get agreement on where we have agreement, and then tease out those other things that we still think are outstanding. So we'll come back to that.

And as far as decision making on the call, so I think we've always had an agreement that the way that we would handle the decision making is that we would have one or two conversations on a topic when we thought that we were in a position where we have pretty reasonable agreement, we would then draft up our language, and the groups would have two weeks to consider the language and then we finalize that. So that's how the decision making is going. We didn't make any firm decisions in the first time we had these conversations, but I do think that we had made some good progress, and then we undid some of that last week unnecessarily.

So as I said, I think we're generally making some good progress, but I think as the chair when I see a problem, I want to call it out so that we don't let it happen again. So, just a heads up to everybody. Please be true to the statement of participation, I suppose, that we all signed up to and recognize that it is chair's prerogative, I suppose, to enforce that statement of participation. So if I think some of the participation is becoming problematic, I will take action to remedy that. Okay, are there any questions on that or any concerns about me raising this?

Okay. Can we get the agenda back up please? Okay, so what we're going to do today is we are going to review charter questions, A5 and A6. And everybody has had an opportunity to review the recommendations that we've come up with. And we've had generally agreement to the language, but ALAC had a few pointed statements, I suppose I would say or some concerns. So we want to walk through those and see if we can understand where the concern is coming from and see how we can address that. And then see if we can wrap up A5 and A6 and kind of put that to bed as draft language that we'll put into the draft report.

So with that, Ariel, can we bring up the language? And I know Satish may not be able to speak because he has limited connectivity at the moment. So our other ALAC members, if you can help us out here, that will be great. And then I'll hand the driving of this bit over to you. Thanks.

ARIEL LIANG: Thanks, Donna. I just want to provide some clarification. So in this document, you will see some of the words or recommendations being highlighted and the ALAC comment, and also, I think some GAC comments, were inserted because they did make some suggestions or feedback for these points. But I want to clarify that it's not every single comment were inserted in this Google Doc, because a lot of them are supporting the language as drafted and only inserted something that the group may have not discussed, or if they have suggestions for revised wording and we want to seek the group's input for this. So I just want to make that clarification before diving in.

So the first comment from ALAC is regarding recommendation 1.4 about no ceiling value is necessary. So what ALAC commented here is that the phrase "market forces" as a policy instrument is somewhat vague without a clear definition of its specific nature. Besides, market forces apply to all ICANN policy and it is unclear why this would be a special case. So I think what ALAC may be suggesting is that perhaps the market forces phrase can be removed or replaced by something else. But I will stop here in case any ALAC representatives on the call like to provide input for this. Abdulkarim, please go ahead.

ABDULKARIM OLOYEDE: Thank you very much, Ariel. Yes, I think that's exactly what we meant, that using market forces here, it seems like it's going to be like a determinant. And that was why we made that comment there. And that was why we wanted to have this discussion about what is meant exactly by market forces. It has to be defined, or it has to be [inaudible]. Would probably use another word apart from market forces. And that was the reason for the comments. Thank you.

ARIEL LIANG: Thanks, Abdulkarim. And Jeff, please go ahead.

JEFF NEUMAN: Yeah, thanks. I didn't know if anyone else wanted to comment for the ALAC on the purpose. I have a response to it. So should I go ahead? Sorry.

ARIEL LIANG: I think no other hands from ALAC members. So please go ahead, Jeff.

JEFF NEUMAN: Okay, thank you. I think what we had meant—and I think if there are other terms to describe it, that's fine. I think what we meant is that registries or the contracted parties—I guess in this case, registries—would not apply for more variant labels than they could handle and they could manage. And correct me if I'm wrong, Ariel, but the market forces was really a term to just indicate that we didn't need to regulate it with a prohibition but more that we didn't think that registries would apply for more than they could handle.

ARIEL LIANG: Thanks, Jeff. And just quickly respond, yes, it's in a rationale. So the second bullet point actually talks about the registry will file a request for the variant label they can actually manage. So that's what it means in terms of market forces. So you are right. Hadia has her hand up.

HADIA ELMINIAWI: Thank you so much. But actually what market forces means, it means economic factors. So when we put the word market forces, what we mean are the economic factors like the price, demand, availability of a commodity. That's what market forces literally means. So it doesn't really mean that the registry won't actually

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take more than it can handle it. It alludes to economic factors, price, demand, availability. If this is what we mean, it's fine.

DONNA AUSTIN: If I could just jump in, Ariel, I think Hadia—I actually think that's on the money. I think it is kind of an economic consideration for registry operators. But perhaps we could call it out a little more specifically. As Jeff said, what we were talking about specifically were the registry operators that would be looking to have an IDN gTLD plus variants. So we're specifically talking about as it applies to registry operators. So maybe there's a way that we could clarify that. Edmon.

EDMON CHUNG: Yeah, Edmon here and speaking in personal capacity, not from the Board. Just building on what Donna, you said, and what Jeff said, and also put on the chat, I think probably should edit the description here with more emphasis on what Jeff mentioned, and economic factors or market forces being just one part of it, not the entire consideration. So I think that's what we meant when the group discussed the issue.

DONNA AUSTIN: Thanks, Edmon, and I can see that Ariel is putting in some notes there. So I think thanks to ALAC for raising this. And I think we can be more specific with the language and expand on it taking into account suggestions that have been made here. Good to go again, Ariel?

ARIEL LIANG: Yes, thanks, everyone. And we will revise this in redline form and we'll bring back to the group for review. Again, thanks very much for everyone input.

So the next comment is recommendation 1.5 about best practice guidelines to be developed by registries and registrars with a view of ensuring a consistent user experience. ALAC's comment is that we understand the need for more concrete obligations on the part of registries increases, therefore their support for developing—Oh, sorry, I think they're supporting this but then they're supporting the developing of binding policies as opposed to just best practice guidelines which supposedly are voluntary. So I think what ALAC is suggesting is to change the best practice guideline to something more binding. But I will stop here in case any ALAC members would like to speak. And I see Abdulkarim, please go ahead.

ABDULKARIM OLOYEDE: Yeah, thank you very much. Yeah, what we meant here is exactly what you've explained. Because we want consistency across board. And when you have best practice guideline, it seems like it's something is either you take it or leave it. And when it's like take it or leave it, then that takes away the factor of consistency. And that was the reason for this comment. Rather than having the best practice guideline, we should have something that is binding on all the registries.

And then when we're talking about best practice, at the moment, we don't have these TLDs in place. So where do they get the best

practice from? And so there is nothing like best practice at the moment, until after some time before these guidelines will be created if it's actually best practice, so that's the reason for this comment. Thank you.

ARIEL LIANG: Thank you very much for that. And Jeff, please go ahead.

JEFF NEUMAN: Yeah, thanks. On the one hand, I think that there should be consistent, perhaps evaluation criteria for registries when they apply to get a certain number of allocatable variant strings. But I think we need to be very careful, because this is all very new. We don't want to set—we don't want to be too rigid right now to not fully understand the capabilities and what a user experience would actually be. And we also don't want to prevent innovation.

So to me personally, I think that setting up binding requirements at this stage before we before anyone has really ever done this is— it's not going to turn out well. And I think at the end of the day, we'll end up hampering any kind of potential innovation or better user experience by trying to come up with some enforced standard at this point. I'm not saying that in the future we shouldn't come back and review it and see what worked didn't work. But I see a very big danger in trying to come up with binding policies and standards now before anyone has actually even introduced it really. Thanks.

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DONNA AUSTIN: Dennis. Not sure what's happened to Ariel. Dennis, go ahead.

DENNIS TAN: Yeah. Thank you, Donna. So let us remember that variants is a policy concept and not a technical one. So there is no technical solution as far as how to manage, set up or operationalize variant and domain names. At the end of the day, on the DNS level what we consider variants are going to be distinct domain names. And it's going to be up to the registrant actually, that it's going to deploy the services and websites or whatever you want on that domain name and provide the user experience that they want to.

So from a registry standpoint, there is little things that we can do to enforce certain things. So, let us be careful as to what we want to do when we talk about what consistency, let us remember, what's the context, top level is registries, and then registries and registrars—to Jeff's point, we don't want to limit the possibilities as to what they want to do. Again, no technical solution. So let us be careful when we talk about consistency, coherence, similar user experience, let us be careful of what the technology can do and what we cannot do. Thank you.

DONNA AUSTIN: Thanks, Dennis. Edmon.

EDMON CHUNG: Yep, thank you, Donna. I'm really adding to what Jeff and Dennis said. Did I understand correctly that this is part of the SSAC suggestion that there needs to be some kind of evaluation criteria

to make sure registries can handle the variant TLDs? If that is the case, then I think there is a level for best practice and then a quote unquote lower or minimum requirements for managing the variants for the evaluation process.

If we talk about the evaluation process, that's probably—as both Jeff and Dennis explained, probably the scope of best practice today may not be the right approach, the right approach for the evaluation would be a basic set of requirements that registries should meet in order to have the variants activated in delegated. So there is a difference between the best practice and the requirements for evaluation. Hopefully, that's useful.

DONNA AUSTIN: Thanks, Edmon, and thanks everyone else. So Ariel, can we just go back up to the—Abdulkarim, did you want to respond to what you heard from the others?

ABDULKARIM OLOYEDE: Yes, please.

DONNA AUSTIN: Go ahead, please.

ABDULKARIM OLOYEDE: Yeah, one of the critical question has not been answered is, where is the best practice coming from?

DONNA AUSTIN: I guess that's a pretty good question to ask. And I think—this is just my personal thinking, but the best practices have traditionally been organic. So they developed as a need arises. This is a recommendation that for a policy outcome, that would end up going to the implementation review team and they would decide how to implement the policy. So I guess that's a decision that would be made by the implementation review team. Does that make sense?

ABDULKARIM OLOYEDE: Yeah, it does make sense. The issue is, are we sure we're talking about best practice here? Because we're talking about best practice, just like we said, it's difficult to say. It's going to be organic, it's going to be as they go on. And that makes it like a live document. And it makes it unstable in a way. And that is some of our concerns. We need to look at it.

DONNA AUSTIN: I hear what you're saying, I understand what you're saying. But also to what Dennis and Jeff and Edmon said, this isn't something that's been done before. But I think there has to be a faith in the registry operator and the RSPs that they will have the knowledge to be able to put these things into practice and that those best practice guidelines will be developed over time.

I wonder if ALAC would be willing to—some of this is a leap of faith. And I understand that. Perhaps this is something that we could introduce as or try to address in implementation guidance. And maybe that would overcome some of ALAC concern. But I

think that the main issue I'd like to get to here is what ALAC is suggesting is that the best practice practices be binding. And I think that is very different to the conversations that we had around this initially. So for me, it's that binding element that I'd like to discuss and see if we can overcome that.

So if we can try to address that concern about who developed the guidelines or whatever, we could try to address that through implementation guidance and have a paragraph or a couple of lines in that regard. But on the binding issue, I'd like to hear from others whether folks would agree to the best practices being binding. I don't think that's what I'm hearing and we need to overcome that problem.

Any thoughts on that part of it? Okay, so I think what we'll do is—and Steve Chan, did you want to speak a little bit to what you just put in chat?

STEVE CHAN: Sure. Thanks, Donna. I think it should be pretty self-explanatory. But some of the, I guess—Jerry had put a comment into the chat about the fact that the registrant can have their variants point to different sites, behave differently, in effect. And so all I want to do is just draw attention to the recommendation from the SubPro final report that basically made that same recommendation, that second level variant labels do not have to behave or act the same, which is actually derived from the staff paper on variants as well as input from SSAC. Thanks.

DONNA AUSTIN: Thanks, Steve. Ariel, go ahead.

ARIEL LIANG: Thanks, Donna. And just to supplement what Steve said, this
                       topic, will be discussed in question C4A and then this group will
                       also confirm whether they agree with the SubPro recommendation
                       and whether there's additional consideration in terms of the
                       behavior of second-level variant labels. So that will be discussed
                       again by this group.

DONNA AUSTIN: Okay, thanks, Ariel. If we have no other comments on this, I think
                       we can move on.

ARIEL LIANG: Thanks, Donna. Just want to confirm for 1.5, are we keeping the
                       wording as is or there's any changes needed?

DONNA AUSTIN: Correct me if I'm wrong, but I think we'll leave the wording as it is.
                       And we will perhaps try to draft some implementation guidance
                       that could overcome who develops the best practice guidelines
                       question. Satish is saying no changes for now in the chat.

ARIEL LIANG: Thank you, everyone. Thanks, Donna, for that confirmation. So
                       moving on, I just want to note that there's some redline edits in
                       footnote 15. It's basically revised based on Michael's suggestion

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that what ICANN work staff did is that Sarmad and Pitinan's team, they ran all the existing gTLD labels in their respective scripts through RZ LGR to see how many variants are created. So I just kind of edited based on Michael's suggestion to make it accurately reflect what the data collection was done. So just want to quickly point to that.

And then the next comment—and I also know that Nigel mentioned the chat he'd like to make a general comment for the GAC. I'm wondering, Nigel, are you going to comment on A5 or you'd like to comment on A6? Because I do have a couple of comments highlighted from GAC's perspective, and I think they're under A6.

NIGEL HICKSON: Thank you so much. Good afternoon colleagues, Madam Chair. Please go ahead and comment on the GAC proposals. I wanted to say something afterwards, which is more general than about the specific comments we had on A5 and A6. So please go ahead. Thank you.

ARIEL LIANG: Okay, thanks, Nigel. So recommendation 1.6, it's about grandfathering existing gTLDs and delegated allocated at variant labels not validated by proposed RZ LGR update. For this recommendation, the GAC—the ALAC has a comment that they agree with this formulation and they suggest to provide a precise definition of what grandfathering entails or point to an existing definition elsewhere.

So we did attempt to provide that definition which is started with "In other words, the proposed update will apply to future new gTLDs and their variant labels and will not be retrospective, there will be no change to the contractual and delegation status of existing gTLDs and their delegated and allocated via labels if any."

So basically, the second sentence in that recommendation language is to attempt to provide a definition of what grandfathering means and additional clarification was included in the rationale for this recommendation. So we are wondering whether this satisfies ALAC's suggestion or additional revision is needed. And thank you very much Satish for the comments in the chat. So I guess we could move on.

1.7, so that's about asking generation panels and integration panel to make best efforts to retain full backward compatibility. So ALAC commented that they agree with the text. However, it is unclear if a given script community can predict the exceptional circumstances apart from the dependencies on IDNA 2008 and Unicode standards that could result in breaking backward compatibility in order to update the LGR procedure.

So yeah, so in the recommendation itself, it's recommended that the LGR procedure must be updated to specify the exceptional circumstances. And I am assuming that ALAC is suggesting that the word "must" is a little too strong, maybe we need to use something to soften it in case those exceptional circumstances cannot be predicted at the moment and it's hard for them to do. But I welcome further input from the ALAC and other members.

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And one suggestion, I think, is originally staff suggested is to put "to the extent possible" in that sentence to soften it. So that did not become—yeah, exactly, Satish, to tone down the "must." Okay, thank you. Lianna.

DONNA AUSTIN: Hang on a sec. Before we move off this, I just want to check with everybody else that they're okay with softening this language or toning down the language, because I think we had a long conversation around the "must." So I appreciate that ALAC has some concerns with this, but I just want to be sure that in changing or toning this down, that everybody else is okay with it. Jeff?

JEFF NEUMAN: Yeah. Thanks, Donna. And you're right. No, I'm not. I don't think that's a good idea, to soften it. I think it's really that label generation panels are very deliberate and are bound by certain principles to not just—sorry for using this term, but go off the reservation, some people say, just because they think it might make for something better.

There's a lot that goes In the implementation of all of this, and there is a lot of work and potential horrible user experience if things are changed to a point where it is not backwards compatible. So I think that the original discussion was correct in that this should be a very strong must.

DONNA AUSTIN: Thanks, Jeff. So I see that Nigel is on board with softening. So I really want to hear from others about the must. If this is something that folks need to take back to their groups and discuss a bit further, then we can just flag this. The leadership team, we can see if there's other possibilities that we can come up with, but I think the intent here is that the LGR procedure currently doesn't have anything. So the concern was that the generation panels could— I guess what somebody considers exceptional circumstances, somebody else may not consider exceptional circumstances. So we were trying to get some predictability into the process by requiring that the LGR procedure must be updated to specify the exceptional circumstances. Edmon.

EDMON CHUNG: Yeah, thank you, Donna. And I wonder if maybe Sarmad can add to this. From what I understand, yes, although it's not explicitly said, right now, the LGR process with its conservativeness principle would kind of dictate the same. If that is the case, then my question to Sarmad would be, is it okay to say must and basically, it is already what the LGR process would be doing anyway? And if that's the case, then we're neither making it more stringent nor making it more lax. So, yeah, that might help us in our consideration.

DONNA AUSTIN: Good question, Edmon. Sarmad, go ahead.

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SARMAD HUSSAIN:	Thank you, Donna. Hello, everyone. So there is actually a stability principle which is part of the LGR procedure itself. And I've actually copied that into the chat. We also had a chat with the Integration Panel during, I guess, when this discussion was being conducted, and the Integration Panel also agreed that there is really—while we can't say no, but there's hardly any chance that the LGR for a particular script could be changed to make an existing delegated DLT invalid. Those are extremely exceptional circumstances, if any. So there is certainly—responding to Edmon, they certainly safeguards built into the procedure as well, as I said, we did confirm it from IP as well. So that's the intention as well. Thank you.
DONNA AUSTIN:	Go ahead, Edmon.
EDMON CHUNG:	Yeah, thank. In that case, I would kind of suggest to strike out the part where it says, "be updated to," because if the procedure already does that, then basically, what the policy could probably say is that the procedure must point out those circumstances if it happens, from what Sarmad just said, yes, it would be extremely exceptional. And in that case, obviously, they would point it out. So if the policy says—if here we strike out, "be updated to" then it would just make sure that the principles are aligned rather than dictating what the LGR procedure must do.
DONNA AUSTIN:	Maxim,

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MAXIM ALZOBA: LGR procedures are procedures to effectively establish which IDNs have which restrictions, etc. And the panel is experts bound with not many legal restrictions. And here we're speaking about policy which will be part of the registry and the registrar agreements. And if we see no balances against situation where the group of experts decides that it's time to kill some old TLD, we might face not very pleasant consequences.

And given the wild, I'd say, allowance to do things without restrictions from the GNSO at least, will create situation which is unbalanced. Where some persons—because experts, they act as persons, as I understand, may potentially create a situation what is created in the process will potentially lead to damages in legal terms, and it will put ICANN into danger. Because imagine what a registry does, what a huge number of registrants do in such situation. And this should be, I'd say, these potential dangerous things should be restricted and balanced. Thanks.

DONNA AUSTIN: Thanks, Maxim. I'm just wondering if there's a middle ground here where we can—I think that the point of this was that the LGR procedure does not currently provide any suggestions or detail of what an exceptional circumstance could be that would result in what we think is an unlikely event that backward compatibility is not maintained.

And I think it was Dennis that identified two exceptional circumstances which were outside the control of the root zone

LGR and other processes. And that would be changes to the IDNA 2008 and Unicode standards.

So I think part of this was also just doing—and Sarmad, I take that there's a principle within the procedure at the moment, but just to make it explicit that the LGR procedure be updated just to call out possible exceptional circumstances, but it doesn't have to be comprehensive to be all exceptional circumstances. Jeff, go ahead.

JEFF NEUMAN: Yeah, thanks. Sarmad, how difficult is it to change the LGR procedure? And I'll just state the reason why, is that all we're saying here is that the LGR procedure must specify the exceptional circumstances. If it turns out, as Ariel said in the chat, that the concern is that we can't today predict all the exceptional circumstances, at some point when something arises, we will be able to predict the exceptional circumstance and then the LGR procedure in theory could be updated.

So I don't really fully understand their concern if the LGR procedure can be updated without too much of a hassle or process or some kind of super majority consensus vote or something. If the LGR procedure can be updated without much difficulty, then I'm not sure why this is even an issue.

DONNA AUSTIN: Sarmad.

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SARMAD HUSSAIN: So the way the LGR procedures was created, just to clarify the process, was that it was a team of community members or community experts from all the different script communities following—so there were a few members, I guess, who joined this committee or working group from each of the six script studies which was done back in 2011.

In addition, there were some experts who were part of the team and the staff. And there was this cross-script community working group which worked and developed and reviewed the changes. And based on that, the LGR procedure was, of course, developed and then eventually presented to the Board. And the Board, of course, approved the procedure and asked for its implementation. So that was the mechanism taken up in the first part, and I guess something similar would need to be done every time the LGR procedure needs to be updated. Thank you.

DONNA AUSTIN: Hadia, go ahead.

HADIA ELMINIAWI: Thank you. I just wanted to note that we do fully agree with the principle, we are not debating the principle by any means. It's just how practical is it, how practically implementable is it? This is what we are discussing. But the principle, we fully agree with it.

DONNA AUSTIN: Thanks, Hadia. And I just want to draw folks' attention to that we do have a rationale for recommendations 1.6 to 1.8. And it's worth

taking into account that what we have here is consistent with the rationale. So maybe there's a way we can tweak the wording so that we can get everybody on board with this. So Ariel, and then Jeff.

ARIEL LIANG: Thanks, Donna. So just hearing the conversation, staff are wondering whether we need to change the tense of this sentence. Because as it's currently structured, it's forward looking because it says exceptional circumstance that could result in a proposed update, blah-blah. So are we talking about the future or talking about the past? And if we are talking about when those exceptional circumstances rise and as a result of that, make the backward compatibility not achievable, if that's the case we're discussing, then this sentence needs to be revised to reflect we're talking about the past not talking about the future.

DONNA AUSTIN: Thanks, Ariel. Jeff.

JEFF NEUMAN: Sorry, I'm thinking about what Ariel said and my head's kind of spinning. It's a good point, Ariel. And my comment was really on what Hadia said about the practicality. I guess when we look at these, we kind of have to weigh the impact on not just the LGR panel and the practicality of their work. But at the end of the day, what the impact of a panel not specifying or not being bound by a list of extraordinary circumstances that would destroy backward compatibility essentially.

And to me, at the end of the day, the burden on the registry, registrar and registrant and end users seem to be a lot greater on the destruction of backward compatibility than on the practicality of an LGR panel having to do a little bit more work and spend a little bit more time. I think it's important that we always look at it from both sides and then weigh what's the tougher burden. And for me—and people may disagree—the tougher burden is on the people that have to live with the impact of no backwards compatibility. Thanks.

DONNA AUSTIN: Thanks, Jeff. This is a bit tricky, because it's a long time since we had the original conversation. I would encourage folks to read the rationale for this recommendation and I really think this goes to predictability that the LGR procedure doesn't currently specify what exceptional circumstances might be. Dennis identified two. They may be the only ones. I don't know. But I think this is to provide some predictability so that an existing registry operator isn't surprised when backward compatibility hasn't been achieved because there's been a change to the IDNA 2008 or Unicode protocol.

So I think if folks can trust the leadership team to take into account the conversation we've had here and see if we can come up with another way to say this that would keep everybody happy—and the existing registrants, as Jeff said, it's also an important consideration. But I think the intent here is just the LGR procedure currently doesn't specify what the exceptional circumstances might be. We have, in the discussions that we've had here, identified two. So at a minimum, the LGR procedure could be

updated to call out those two exceptional circumstances. And if others arise in the future, I think consideration could be made to include those.

So if folks can leave this with us, and we'll see if we can work some—dare I say—magic to see if we can come up with something that works for everybody. Satish has given it a plus one. So let's move on. Ariel.

ARIEL LIANG: Okay, sounds good. Thanks, everyone, for the input. Next one is implementation guidance 1.9. So it's asking GPs to identify security stability risks, as well as possible actions to mitigate the risks in terms of grandfathering. So ALAC comment is the phrase "if known and understood by the GP" weakens the text. What happens if the GP does not know or understand the risks or mitigation measures?

So basically, the phrase in the bracket, maybe what ALAC suggests is to remove it, and we'll see what the group thinks. And then the second comment for that is rather than leaving this to the GP, whose members are expert linguists, not on the risks to the root zone, we would like to suggest a language such as the GPs together with other technical entities such as our RSSAC, SSAC, or ICANN Org should either identify the security and stability risks. I will stop here in case anyone will have additional comment, input. And I see Maxim.

MAXIM ALZOBA:	Due to previous situations where some things were identified by SSAC but no factual basement was provided, I'd like to suggest that some wording about not justification of the risk but about the proper actual documentation or something like it about it, to avoid situations where for example we hear for more than 10 years that the limit of TLDs was 1000. And why? Nobody gave an answer. So it was one of the famous examples. Thanks.
DONNA AUSTIN:	Thanks, Maxim. Do any ALAC folks want to speak to [inaudible] and provide a bit more color? I think we may be able to address this just by changing the language a bit. I think it's fair to acknowledge that perhaps we are expanding the—not explicitly but perhaps implicitly expanding the expertise of the generation panel, which is probably unfair. So maybe be there's another way to address the implementation guidance issue here.
	So I guess, Sarmad, sorry for my ignorance, but the generation panel in considering this would be looking at security, stability anyway, that's part of what they would be doing. So it's fair that a GP is identifying those risks. Where the issue is, is the possible actions for mitigation. Is that fair, that the expertise of the GP would be around possible mitigation action?
SARMAD HUSSAIN:	It actually can vary from generation panel to generation panel. Some generation panels are more, I guess, may not have as much experience in registry operations as some other. So it is not really—you can't say for sure that each generation panel will have

expertise in registry operations. So I guess if a balanced approach is needed, maybe there should be, for example, possibly some collaboration between the generation panel and a group of people who do understand registry operations, for example. Thank you.

DONNA AUSTIN: Okay, which I think we've covered up in 1.10 anyway, or we've tried to cover off in 1.10. So maybe we can just clean that up. Justine.

JUSTINE CHEW: Thanks, Donna. Just wanted to ask if Sarmad could clarify—because he was talking about registry operations. And I thought that was more under implementation guidance 1.10, which you brought up, Donna. But the essence of the conversation was on implementation guidance 1.9, which deals with security and stability risks. So I read the ALAC comment to mean that they are unclear as to whether each and all GPs have the capability of identifying security and stability risks as opposed to registry operations aspects.

But I also kind of read the implementation guidance 1.9 to not explicitly say that it must only be the GP. Well, there's actually nothing stopping the GP from consulting the appropriate parties. We just haven't provided for who the appropriate parties may be. Yeah, so that's my comment. And it's a question back to Sarmad. Do you differentiate between stability and security risks as opposed to registry operations? Thanks.

SARMAD: To respond to Justine, I guess what I was saying was that I guess the intention was that when a GP is considering the decision in the context of security and stability, they need to balance it from the impact that it may actually cause to business. And therefore, I think that part of the information is needed as well in the context of the decision making. I think that's sort of what I was getting at.

But I do understand what your point is, Justine, and I agree. So let me I guess respond more specifically to the point you're raising. The constitution of a generation panel includes minimally people who have linguistic expertise from the community using the script, people who represent the community itself from a community perspective, so not just the linguistic perspective, it does include experts from DNS, and IDNs. And so in a way, a generation panel is supposed to contain people who understand the security, stability aspects of DNS and IDNs.

And also, I think eventually, that expertise is also added by the conversation between the GPs and the integration panel, which also obviously has that expertise as well. Thank you. And sorry, one last point, as GPs are developing the solution, they are actually doing that in consultation with the integration panel. So it's a collaborative process. So integration panel expertise also gets drawn into the GP work over time. Thank you.

DONNA AUSTIN: Okay, thanks, Sarmad. So I don't actually think we've heard from any of our ALAC folks on this. So I'm just wondering whether you had any recommendations for the text or whether it's just the leadership team will take the comments on board and see if we

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can change it so that it's addressing their concern without changing the substance or the intent of the implementation guidance. Justine.

JUSTINE CHEW: Yes, thanks. I'm not purporting to speak on behalf of my ALAC colleagues, I think they can do it themselves if they want. I was going to make a suggestion—and I don't know how feasible this was is going to be—which is to maybe consider amalgamating 1.9 and 1.10 together.

DONNA AUSTIN: Yeah, I think it is feasible.

JUSTINE CHEW: Thank you.

DONNA AUSTIN: Okay, so we'll look into that and see if we can come up with a solution. So let's keep moving, Ariel, we have 20 minutes for this call.

ARIEL LIANG: Yes. So 1.10, I just added the word "timely" before "facilitate" because the GAC has the comment, "any potential issue necessitating a change to RZ RGR should be publicized well in advance with necessary information communicated to all

interested parties." I wonder whether this will help address that comment.

And then there's another comment from ALAC. "We're not sure if the phrase gTLD registry operators, their customers and end users used twice in the text has any special context to it and if it is as inclusive in comparison with registry, registrar, registrant and end users."

So basically, I think the phrase was worded this way as how we discussed in a meeting and then was reflected in the rationale as well. I wonder whether there's any substantive difference. And if so, should we use the suggested phrase from the ALAC? Open to comments and input here.

DONNA AUSTIN: Any thoughts on this one, folks? I think for consistency, it probably makes sense to have registry registrar, registrants and end users, because I think they're all potentially impacted. Okay, so if there's no objection, I think we'll make that change and move on.

ARIEL LIANG: Yeah, thanks, Donna. And we'll make that revision. And I just wanted to note in the rationale for 1.6 to 1.8 I made some redline edits. So I added negative impact on existing registry operators, their customers, end users. I guess this phrase needs to be changed to be consistent with what ALAC suggested.

And then that negative impact is added also due to one of the GAC comments. So hopefully, Nigel is okay with that and others are okay with that inclusion.

Another redline edit I added here is, "However, the existing registry operator will not be allowed to request activation for any additional variant labels unless they are deemed valid and allocatable according to the updated version of the RZ LGR."

So this is added to reflect Michael's suggestion. So grandfathering doesn't necessarily mean the old version of RZ LGR is still applicable. So if they wish to activate additional variant labels, they need to be compliant with the updated version. So happy to hear if Michael is okay with this added phrase and whether others have additional input. And I see a yes from Michael. And also thanks, Nigel, for that comment too. And that's it for the edits and comments for A5 and A6.

DONNA AUSTIN: Thank you, Ariel for taking us through that. Thanks to the ALAC for the comments. What we will do is revise were we have agreed that we will do that, we will post it to the list and if there are no objections, then we will take that as draft input to the draft initial report. So thank you everyone for the time that you've taken to review the document and the conversation. Abdulkarim, go ahead please.

ABDULKARIM OLOYEDE: Thank you. Sorry. I wanted to just clarify that—because I have a comment on A5.

DONNA AUSTIN: [inaudible].

JUSTINE CHEW: Which part of A5, AK?

ABDULKARIM OLOYEDE: [inaudible]. A5, recommendation on having the ceiling value, I think is recommendation which is A5—[inaudible] coming back to that.

JUSTINE CHEW: The ceiling value is 1.4.

ABDULKARIM OLOYEDE: Yes, that's the one.

DONNA AUSTIN: Okay, go ahead.

ABDULKARIM OLOYEDE: Okay, I just want to explain the reason why I think we need to have a ceiling value as to the number of the variants that are going to be activated. My thinking is because we were talking about the issue of having—reasons why we think we should have a ceiling value and reasons why we should not have a ceiling value, and coming from my own background, I understand the

concept and I agree with the concept of having the IDNs. However, we should understand that there's going to be some level of confusion. I don't want us to mix it up with any other thing apart from the fact that there might just be some confusions and the fact that there is not going to be any ceiling value, it's going to be whatever the variant is, a lot of people coming from probably some parts of the world that do not really understand how the concept of the Internet—there's a lot of confusion about what is correct and what is not correct.

And the fact that it can be anything, then it makes it difficult to explain that okay, yes, if you have this, this is what it is, if you have this, this is what it is and if you do not have this, and this is what is possible, and this is what is not possible. And that gives some number of confusion. I understand why some people feel there should not be a ceiling value. I just feel I need to make this comment. I'm not saying we should have a ceiling value or not have a ceiling value but I just want to explain the reason why I think we should have a ceiling value. Thank you.

DONNA AUSTIN: Thank you. Nigel.

NIGEL HICKSON: Yes. Good afternoon. I just wanted—not on that point, if I may, but I just have to run for another meeting. And just on a general GAC point, if I may, very briefly indeed. And that is that the work of this working group is clearly very important. But at the same time, it's very difficult to get across—well, I find it very difficult and that

might be my own inability—to get the essence across to, if you like, laymen to an extent on exactly what we're doing and why what we're doing enhances multilingualism on the Internet and therefore is in line with other objectives of ICANN, etc.

So I was just wondering whether for the next ICANN meeting in The Hague—and this will be much easier if it's in person, whether Donna, yourself or someone else that you feel should do it could come into the GAC if we are physically meeting or attend a GAC meeting or whatever for 5 or 10 minutes when we're doing one of our updates on PDP processes just to say a few words about this work. And I can leave it there and we can follow up or whatever.

DONNA AUSTIN: Thanks, Nigel. Absolutely. I don't think there's any problem at all. We'd find a group of us that would be more than happy to do that.

NIGEL HICKSON: Thank you very much indeed.

DONNA AUSTIN: And I guess what would be really helpful is to understand if there are any specific questions that the GAC have that they would like us—whoever it is—to address rather than us just going in and talking generally and not really addressing the concern. So if you could think about that, but certainly I'm pretty confident we could get some folks together to talk to the CAC about this. Thank you.

NIGEL HICKSON: Thank you.

DONNA AUSTIN: Okay. So I think we're done on the comments. And we've only got eight minutes left. But Ariel, if you think we can tick one other box in the eight minutes, let's try to do that.

ARIEL LIANG: Thanks, Donna. Let's try. So it's about B4A. We started that deliberation in the last call, which asks about the withheld same entity variant levels, what role do they play? And we're not talking about in the different steps in the application process but in the initial application step and initial request, what role do they play?

                        So basically, staff's understanding is, are we asking [inaudible] same entity labels should be set aside. In other words, they are untouchable in a way because no other applicant or registry operator can apply or request activation of such labels.

                        And then I think as a recap, Jeff proposed to include some additional language around applicants or registry operators do not have rights to withheld same entity labels outside of the approved application or request process, should add that just to add additional clarification.

                        And then there's a question, I think from Dennis, is that if some labels have already gone through the evaluation process, would the applicant or registry operators have any claims to such labels? So based on staff's understanding, the labels when they're only at

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the allocated step or allocated status, then the applicant or registry operators would have claims over such labels.

So in other words, withheld same entity do not grant them any rights unless the label has become allocated to the applicant or the registry operators. That's staff's input for that.

And I just want to revisit what withheld same entity's definition is. It's in a staff paper. So basically, the definition says such label is set aside for possible allocation only to the same entity of the other labels in the variant sets. Note that the status does not guarantee that the label in question will in fact be allocated, because the label is also subject to other application conditions.

The staff paper label state and definition has been agreed on by the EPDP team as a preliminary recommendation, if you recall, we had that discussion previously. So based on this definition and based on what staff explained before, do you think we can just write an answer to this charter question saying withheld same entity labels do not have a role to play because they're merely set aside for the same entity, the registry operator or applicant? Maybe something along that line. Or do you think we need to have any additional points made in response to that charter question? So I'll stop here.

DONNA AUSTIN: Thanks, Ariel. Do folks have any thoughts on this one? So the question is what role do they play in the application process for a new IDN gTLD. Is that correct, Ariel?

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ARIEL LIANG:	So I think it kind of covers two scenarios. One is for the existing registry operators, some of them may have withheld same entity variant labels. So what role do they play when it becomes a possibility for those registry operators to request to activate them? So that's the first scenario.
	And the second scenario is in future rounds, when an applicant has applied for a primary label and also the allocatable variant label of that primary label for the labels that not requested by the applicant but they're allocatable, what role would they play? That's the second scenario.
	And actually, there is possibly a third scenario, and I'm sorry for complicating the matter. If you recall this in the past, this is some example how the label state would transit from one to the other. Another scenario is that applicant requested for a label and also that label is allocatable. But it failed the evaluation process so it got rejected. And so it will stay in a rejected status.
	But if something happens to the RZ LGR or maybe in the contention set, the other label that caused the ground for the rejection has changed so the ground for rejection is removed, then that label will become withheld same entity. So this could be the third scenario.
	So we're basically trying to figure out what role do those withheld same entity labels play in these different circumstances? But of course, we're not talking about what role do they play in the objection process, the string similarity review, those things, because that will be addressed later.

DONNA AUSTIN: Okay, thanks, Ariel. I don't see any hands up. But, Dennis, I wonder if you have anything further to what Ariel has said that you think might help us with this question.

DENNIS TAN: No, I think this is a good summary that that's where our minds should be set. Of course, the final product will be dependent upon what we decide. We have ideas on the table as to what is going to be available for application. We talked about a primary and a subset of the allocatable variant. So that set is going to move through the application process and will be subject what we, for example, the states that we have in front of us, and all these states will change and transition over time. But I think we've got the right components, Donna. So I don't have anything to add.

DONNA AUSTIN: Okay, great. Thanks, Dennis. So given we only have one minute before time, I'm going to agree with Edmon's suggestion in that we need to take this up first thing on the next call. So if folks can have a think about this, and we can see where we get to when we have a discussion around this on the next poll. Thanks, everybody. Enjoy the rest of your week. And we will see you in a week's time. You can turn the recording off, Devan.

DEVAN REED: Thank you all for joining. Once again, this meeting is adjourned. I'll end the recording and disconnect all remaining lines. Bye everyone.

[END OF TRANSCRIPTION]