GNSO Response to the IDNC Initial Report

19 February 2008 at 15:00 UTC

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http://audio.icann.org/gnso/dnc-initial-report-20080219.mp3

Participants on the call :
Edmon Chung – gTLD Registries, group co-ordinator
Charles Sha'ban – IDNC member
Cary Karp - IDNC member

ICANN Staff:
Olof Nordling - Manager, Policy Development Coordination
Tina Dam - IDN Program Director
Marilyn Vernon- EA

Absent /apologies: Olga Cavalli

Operator: You may proceed. Thank you.

Edmon Chung: Okay. So, I believe...

Olof Nordling: Have a little recap here when the recording now has started of who is

                 on the call.

Edmon Chung: Right. That's - what - where I was going to start. I believe we have

                 Charles Sha'ban and Cary Karp online and also myself, Edmon. From

                 the staff side.

Olof Nordling: Tina Dam is here and I am here, Olof Nordling and we have got Marilyn Vernon taking care of - well standing in for Glen on this call.

Edmon Chung: Cool. We do not have a lot of people but I guess we will get it started as mentioned maybe a lot of - a bit of a hangover from Delhi, but if this particular subject is all - a little bit of urgency the IDNC which is the fast track PC IDN ccPLD group is sort of, forging ahead with their schedule and we would like to provide a response to the initial report that was put out a few weeks ago by February 26, which was - which is their deadline. And that is actually next Tuesday, I believe, let me see - yes, about -basically a week from now.

I did send out a draft earlier -- over the weekend --with some of the - with a basically - a response to the initial report which was a set of questions. Most - in terms of the body of the document, most of the stuff is really cut and paste from previous documents mainly from the GNSO IDN workgroup - working group which was convened during the new gTLD discussion and the other main document that I pulled from was the GNSO response to the ccNSO and GAC issues paper on IDN ccTLDs.

I do not know if people have had the chance to take a look at it. I understand that some people were - did not get the attachment. I had a little bit of a technical problem with my Outlook earlier. I did resend it and also have posted it just now onto Google Docs. So, in case you have not gotten it or seen it, you can - you should be able to - I hope you should be able to by now.

So, I guess Charles, Cary have you had a chance to take a look at the draft?

Cary Karp: No. I am one of the ones who was not able to open the attachment. Tina sent me a clean copy just a little while ago but I have not had a chance to a closer look at it.

Edmon Chung: Okay.

Charles Sha'ban: (Unintelligible). I had the chance to read, yes, what you sent over the weekend. The response.

Edmon Chung: Okay. So, perhaps we can start with a general - any general comment on whether I am, you know, down the right path or completely sort of out of whack and go from there.

Charles, do you have any initial thoughts on it?

Charles Sha'ban: I have one on the page - no, sorry the page before the last one. About the does the IDN ccTLD manager needs to demonstrate experience with running IDNS and their particular script. Your recommended response is that, yes. But, when we look at ccTLDs, I think none of them did run before, or maybe not none - very few of them did run - did have the chance to try another script than they are asking. So, I think this could be a problem for most of the ccTLDs, or you want to concentrate more on the gTLDs here?

Edmon Chung: I guess I am open. I guess the reason why I said yes is the set up of the fast track was - the idea is to have it as non-contentious as possible and if the ccTLD manager has some technical experience

with IDN it would reduce the contentious nature of the whole process. That was the intent. We can definitely, you know, if everybody thought that this is not necessarily a requirement, I - I guess I am, you know, I am more than happy to make the change.

Cary Karp: There is one whopping - I ...

Charles Sha'ban: You know, I don't - sorry, Cary. I didn't for a need to make a full change maybe but to have something like just what you said now. To have a technical experience maybe, but maybe not practical. Which means, I don't know how to put it in - to be very good understood, which is he should know about technical problems in different scripts and IDNs in general. But not necessary to have run it before because I do not think you will find a lot of ccTLDs who will try to run DNS with IDN.

Edmon Chung: Okay.

Cary Karp: There is one very important overriding issue that this all sort of - that this gets towards and that is any sort of requirement in the fast track that makes it impossible for a new player to come into consideration. Take some territory that is indeed included on the ISO 3166 list but does not currently operate a ccTLD. Are they going to be barred from participation? Are we going to raise the threshold higher than that and place some sort of a demand on a preexisting ccTLD registry in order to be a participant in this?

So, if we are setting up any sort of technical requirement or eligibility criteria here we are going to have to be really, really careful so that we do not end up looking at anti-competitive legal action.

That is one of the things I think is an underlying flaw with this entire fast track idea. That it just is so favoring those who get to write the rules to the rule writers' own advantage in freezing everybody else out, that I do not really see how we can get away with it. But, okay, I mean if it can be gotten away with. However, now that the GNSO is chiming into this process, I think we have to be doubly sure that the notions of barring new participants in the top level name space do not end up really causing us grief.

Edmon Chung: So, if I hear you correctly, there are actually two sides of the things I think. We want to support - well, as to GNSO I think we generally feel that we want to support the fast track and the, I guess, the overaching concept of which to be non-contentious and by saying that, there are a number of overarching technical requirements but at the same time, if I heard you correctly, we should make sure that even though with the technical and techno policy requirements we do not want to set it too far, you know, too far biased towards existing incumbents, if you will.

Cary Karp: What I am suggesting is that if we are going to be articulating terms of reference that do include eligibility requirements - threshold requirements, we have to be absolutely certain that those requirements are stated in a manner that cannot be in any way - render us in any way liable to accusations of keeping a closed market even closeder (sic).

Well, I am not commenting on what might be reasonable requirements at this point. I am just - I am cautioning that we have to put any requirements that we do articulate forward in a manner that is very sensitive to issues that have absolutely nothing to do with the

internationalization of the name space, they just have to do with the development of a competitive domain name market, which is what ICANN is supposed to be doing. ICANN is not supposed to be keeping the thing closed, it is supposed to be opening up.

Edmon Chung: Hello...

Cary Karp: Again, no comment whatsoever on what is reasonable in technical terms or in security terms or operational terms. But just a general expression of concern about the fact that we have to be really careful the way we word this stuff.

Edmon Chung: I think this is a pretty good conversation. Actually, I first of all - I further that this whole conversation with a relatively lose structure because I wanted to see if there are a few things that we are -- you know, in the top of my mind -- and this seems to be a fairly interesting discussion. I guess if others do not mind, I want to dig deeper into this particular - you know, before going through a more structured approach through the document.

And basically the question is, let's - Cary, you - I quite agree to your point. In the specific question of whether an IDN ccTLD manager in the fast track should have some technical experience with IDNs, how do you see that and, you know, what types of requirements on - should there be any in that regard?

Cary Karp: Only very obviously for anybody to operate a registry that is going to be including massive numbers of xn-- labels, they need to understand the process of creating those labels, the interconversion between display form and stored form. And all of the issues that are currently

under discussion in the context of the protocol revision, which is something that I also think is an overriding concern here. I mean, that is a discussion that is still opening up and until we know exactly what new elements are going to be available to the delight of foreign language communities they are not comfortable with the current protocol thing and the elements that are likely to disappear to the dismay of people whose only interest in this is making money.

This is not a stable process yet. IDNA is still being developed. IDN is suffering from growing pains and that annoys us tremendously with - for very good reason and it generates all sorts of impatience on the part of the community. But these are the things that have to be understood if anybody is going to end up operating an IDN based registry on any level in fact.

And I am sure these things can be articulated with some degree of objectivity without in any way courting the kind of difficulty that I first expressed concern about.

((Crosstalk))

Cary Karp: You have to understand the product that you are selling in order to be able to sell it successfully. I would have thought, but on the other hand I am not really a businessman so that might be a very naïve notion.

Edmon Chung: That is probably an interesting notion, although that is not - not often the case I think. In any case.

So, in terms of answering specifically the question though, it seems like we do want to indicate that knowledge about the IDN technology

and registry technology pertaining management of IDN registrations should be some sort of requirement. Whether it is, you know, at what scale, at what, you know, specifics, we might not want to get into. Does that, I guess, address some of the items that you mentioned?

Cary Karp: Yes, sure.

Edmon Chung: Okay...

Charles Sha'ban: I think...

Edmon Chung: ...what about the - go ahead, Charles.

Charles Sha'ban: No, I just want - I just said I agree with you too.

Edmon Chung: Cool. There is also a specific question that asks does the IDN ccTLD manager need to demonstrate a track record of managing a TLD? So, if I sort of got the response correctly, this is where we really should say somewhat to the effect, no, however point back to that there should be knowledge and, you know, understanding of operating a registry especially a registry with IDNs.

Charles Sha'ban: I agree with you Edmon on this, but - so let me say what has happened on the mailing list of IDNC. I think you saw it. When I raised this point one of the replies was mainly they are talking about the fast track. That they wanted to keep it somehow, or somebody, some are preferring to keep it for the fast track with already available ccTLDs managers.

But I agree with you and Cary that we should be careful on this. Even in the fast track. Maybe what you have said is better to put in the reply.

Edmon Chung: Okay. So, you know, I guess that is a - I think that is a good position for GNSO to take in fact as Cary has mentioned in terms of competition and in terms of, you know, this sort of, I would say quote unquote "liability" issues there, and you know. But having said that, there is the concern of this being the fast track and being a process whereby supposedly there should be least amount of, sort of, problems arising from it. At least conceptually that was the intent. So in terms of technical know how and especially technical knowledge of IDNs and IDN registration would definitely be important.

Cool. So this seems to be one that jumped out. Charles did you have any other part that - that sort of jumped out as to - as an area that you wanted to highlight?

Charles Sha'ban: No, thanks Edmon. This was the only point that really maybe I had some doubts about. But others I think I agree with what you wrote in general.

Edmon Chung: Cool. In that case - actually there is another item that I forgot to mention. I had hoped to run the meeting for about an hour and if not a little bit over. I think we are having good progress here because we do not really have a lot of people here.

But in any case, what I would like to do perhaps is to run through - sort of walk through the draft and, you know, and I guess section by section, and see what, you know, what suggestions and input everyone has.

And - actually before I do that, Olof or Tina, were you - did you have the chance to take a look at the original draft and did anything jump out at you, you know, specifically you wanted to highlight?

Olof Nordling: From my side, yes, I have looked this through and I have seen a few bits and pieces but that is more on VTech level. How about you Tina?

Tina Dam: I - you know I only had a chance to like skim over it. I think in general I got a little bit confused about the overall approach and, you know, some of it can sort of like come out as the GNSO is telling how IDN ccTLDs should be done. But, on the other hand I assume that this was a generally agreed approach that the GNSO was going to provide this response, right?

Edmon Chung: Well, that is an interesting observation. I think the document itself, I started off doing the draft by stitching together really, as you will find, stitching together statements that we have, you know, drafted previously in previous documents and adding a bit on each of the questions, and then after which I sort of created the initial section because I found myself repeating quite a number of things, and that sort of generated the first part of the response.

I do not necessarily think we want to, you know, sort of, put ourselves in a position where we are saying this is how we think IDNC ccTLDs should be done and I think that is a really good feedback. I will take a look at how to address that overall impression and issue. But, I think the response was really drafted on specific questions. So there was a question posed and I tried to stitch together some responses we previously and obviously, as I mentioned in my email, somewhat

liberally added, you know, my thoughts to it and was hoping to open it for comments from others.

So, yes, I guess - thanks for the feedback and I think that is definitely one thing I would like to address when I try to - after this meeting and try to make some edits to it based on - from the discussions.

Olof Nordling: I have got actually - Olof again. I have got one sort of overall comment and that is perhaps that it is not immediately apparent how you have stitched together the actual - the quotes from the IDNC initial report and the comments. I mean, I think we should say for example, GNSO comment on this action, if that is what we mean. Or, otherwise it could be - it at least puzzles me a little bit in the very beginning because where you say later on GNSO response. And I think we should be very clear that GNSO comment on question, if that is a GNSO comment. So it is not something in between. And I take it that all the boxes are straight from the IDNC initial report?

Edmon Chung: Right, the boxes are basically the language from the report and then the comments. Yes, I think that is a good - that is...

Olof Nordling: It becomes clear eventually but it is not, sort of, obvious from the outset.

Edmon Chung: Okay. So, I guess I will just quickly go through the first section which I have tried to summarize a number of points that seems to be recurring throughout, when I tried to compile the responses for each particular question. So, it is sort of a - I put into six particular points in the beginning.

First point really trying to emphasize the - from the charter itself of the IDNC for it to be, sort of, enable the introduction in a timely manner and a manner that ensures the continuous security and stability of the Internet of a limited number of non-contentious IDN ccTLDs associated with the ISO 3166 one and two letter codes. And the key aspect being a limited number of non-contentious IDN ccTLDs. I think. And also associated with the ISO 3166 codes. So that was the first item.

Second item that I sort of generalized is the concept whereby that the mechanism that is going to be adopted may not be - may not necessarily be applicable to the longer term process and that speaks to also the - whether we would - we think it may be good to have a contract or may be good to have certain requirements and processes for the fast track. This may be acceptable and appropriate for the fast track but may not be necessary for the longer term solution. So, that is the second point. I think.

The third one is mainly about the IDN guidelines and that of asking them to - asking a requirement for putting in - publishing a table of the IANA repository or adopting one where appropriate, and also policies to reduce the spoofing issues. Mainly - the third point is really mainly the adherence to IDN guidelines which I seem to be - I keep repeating myself in many of the questions below.

The fourth item is the confusingly similar discussion. Thinking that being non-contentious the strings that are selected should not be confusingly similar to existing TLDs or country and territory names in the ISO 3166 list. So that is number four.

Number five. I had basically adopted the - sort of the position that the GNSO have sent forward which it says that we think for the fast track especially we should have appropriate and balanced participation from across the ICANN community and that it is not only run, sort of - only driven by ccNSO or GAC and because of the whole intent and the nature of the fast track to be somewhat non-contentious, I think, the whole concept is that balanced participation from across the community should be maintained. That was number five.

And then number six is a recurring item as well from multiple discussions that there should be contracts, somewhat - either contract or some form of agreement between ICANN and the fast track ccTLD manager and again to emphasize that to - considering the non-contentious nature and also the technical and techno policy requirements for INTLDs.

So those were - those were really the six items that I found myself to keep repeating in the body.

Olof Nordling: I have two very quick comments and one is on four here. Well, I think, as it is phrased right now it does not do the job. It must not be confusingly similar to existing TLDs. Well that is perfectly okay. But, well, by all logic, IDNC should be restrained - may very well be -- or actually perhaps even should be -- confusingly similar or rather identical to a country or a territory name. There are lots of other...

Tina Dam: As I understood...

Olof Nordling: ...countries...

Tina Dam: Right. As, I unders...

Olof Nordling: We need to rephrase that in one way or another because...
               (Unintelligible).

Tina Dam: As I understood, if I was being taught the concept of confusingly similar
               if it is the same country then it is not confusingly it is only similar.

Edmon Chung: So, if it is given to the same country then it would not be called
               confusingly similar. It is similar and that is the intent. And confusingly
               similar is only established when somebody else is - you know if some
               other country or some other, you know, territory is...

Olof Nordling: Confused.

Edmon Chung: ... authorizing that thing. But, I take your point. So, I think, you know, I
               will do some edits to make sure that is not being confused.

Olof Nordling: Exact... Well, I...

((Crosstalk))

Edmon Chung: ...using that word again.

Olof Nordling: We - but it is succinct enough, Edmon. All right. If there is a risk of it
               being misinterpreted perhaps, we should be very clear or if...

(Crosstalk))

Edmon Chung: No, I think it is a good point and I do not want it to be so. I think we could, you know, I think we could make some edits to make sure it is clear and not confusing for the general reader.

Olof Nordling: I think in five, there is - just for clarity's sake - appropriate and balanced participation from the ICANN community must be maintained. And in what? I would like to say in the policy development work throughout the contract process. So add that for clarity sake.

Edmon Chung: Okay.

Cary Karp: Olof, can we ask for a clarification here. Are you speaking for ICANN now or how does your commentary map into this?

Olof Nordling: I just - I am just looking for clarify because I think that is the intention here. But, I may be wrong.

So I am testing for clarity, that is what I am doing.

Edmon Chung: Well I think the input is valuable and it's - going back to the suggestion though, I probably would stay away from the words policy development process here because that is the long form of TTP.

Olof Nordling: Edmon, perhaps in the policy development or something...

Edmon Chung: Yes, I understand the point. I am just saying that I would avoid using exactly those three words. But I did want to mention that we - other parts of the ICANN community may want to be involved in the evaluation and the objection process for - specifically for the fast track. I - you know, I am testing this concept actually with others as well.

Whether that is the case, because I think some are - some believe that we may want to be involved in the - at least in the objection process in the case where a IDN ccTLD string is proposed and it seems to be conflicting with or confusingly similar to a gTLD.

So, this is something that I have sort of added in. So it is not only about just the policy development process but potentially being involved or have some participation in that particular process, or have some way of participating.

((Crosstalk))

Olof Nordling: (Unintelligible) what you mean.

Edmon Chung: Right.

So, I do not know, Cary or Charles do you have any thoughts on that particular point?

Cary Karp: Not me.

Edmon Chung: Okay.

I guess I need to probably test this further with, you know, with the council, I hope, and see what the response is there. You know, looking at it again now, we might want to, you know, stay away from evaluation but leave some room for objection for example. But, I guess I still wanted to float the idea of whether or not we want to - we say that we want some way to participate in the fast track process at the point of the - you know, if there is an objection process and to say something

about it if in the case really that somebody proposes an IDN ccTLD where it may be conflicting with a TTLD in some way or form.

Okay. Any other comments on the six points? Anything that you feel is really not supposed to be there or, you know, should be there as some, you know, setting the general position, I guess, of the - and thoughts of the GNSO?

Okay. I guess I will move on. The whole document of the initial report is mainly separated into two parts. One is the mechanism for selection of the IDN ccTLD string and the other portion is the mechanism for designation of the IDN ccTLD manager. So - and the first part I think is separated further into two or three parts talking about how the string selection - what is the criteria and what the process is, and similar in the other part for the designation of the IDN ccTLD manager.

So the first part that I included a comment and that is not really taken from anywhere but seems to be a recurring discussion throughout the GNSO deliberations and that is whether, you know, it would make things easier if there was a - if we could identify a list or intrinsically derive a list. What that means is we do not really have a list but have some parameters that somewhat create a set and one of the examples that is often given is whether it should be sort of limited to the scripts or - scripts and languages that are used and included on the country and territories money - paper money.

So, I thought it may be good to suggest to include in the document a specific question on this. It seems like this is something, you know, people are interested in and have opinions on.

Cary Karp: Well, once again we are defining a constraint here that you have to be - the qualified territories have to have their own mints if we are going to say that the form of a country name or a territory name that appears on a bank note is the only acceptable one. And I am not - again, I am not suggesting that this is not a fruitful way to proceed, but I am suggesting that it needs to be described in a manner that does not have some 3166 listed territory that does not print its own money wondering why they are not allowed to participate.

Edmon Chung: That was my first response to the suggestion as well, and there are definitely some, sort of, ccTLD areas that do not print their own money.

But I guess that the intent is -- I guess I will probably word the example a little bit better -- but the intent is to ask the question whether there should be an attempt to create a more clear boundary for - specifically for the fast track. Again, to emphasize that we are not trying to say this for the longer PDP but specifically for the fast track and, you know, whether we should take a look at creating a more tangible sort of boundary.

Cary Karp: Well, ultimately, isn't the process of opening a call for expressions of interest in the acquisition of a fast track or a slow track or any kind of track IDN TLD the thing that generates the list, and it makes no sense having some sort of a pre-scripted list that includes domain labels - name labels that nobody is going to be interested in. Why don't we see what people are actually looking for and then analyze that list and see if there are any inconsistencies that require further discussion or if it turns out that everything is - as seems to be one of the preconditions of the fast track, the absolutely crystal clear cases, the situations about which no question can be raised. Then the list generates itself.

Edmon Chung: Well, let me clarify a couple of things right now about the initial report and the whole process. Right now the comment as you will see, I have a comment on a question and then sort of, what I called, you know, the response I will probably call that GNSO comments. But, what the IDNC is asking for is a comment on the questions. Whether there are additional questions that should be added and what I have said is basically we will comment both on the questions and some comment on what the answers may be.

So, by - I guess what my suggestion was on the comment - on - was really on the question whether we should expressly ask that question in the initial report and include it as a question. Because right now there is not such a question asked, at all. I actually agree with you Cary, on sort of the answer part of it but, you know, I think it - the suggestion here is really whether the question should be asked at all.

And I think for a - I guess for a fair public comment, this seems to be a question that a lot of people talk about and we should include it in the public comments - list of questions. That was the reason for bringing it up.

Okay. I guess I will keep moving on and see how we - see how we go.

The next section was the specific question of is it necessary to limit the number of slips which a territory can have in IDN ccTLD on the fast track. If so, what is the limit? This is directly from the initial report. I had a comment on the question and then a suggested comment on the potential answer to the question.

The comment on the question was to think about - the question it seems is very focused on number and I think it really should not - the question should avoid focusing on, sort of like an arbitrary number and be just a little bit more open so that, you know, that it is possible to let the criteria to set the boundaries of fast track and perhaps also, you know, have an OFI as, I guess, Cary suggested.

And in the response part to the question, I had included two elements - two areas that the GNSO has talked about. One is that it should be one IDN ccTLD per entry per script, which makes it that one 3166 entry can have multiple IDN ccTLDs even in the fast track. This is one view at the GNSO. There is also another view in the GNSO. I think a more minority but I am not too sure. I am putting it as a minority view. That there are people in the GNSO that feel that the fast track should really be limited to one per ccTLD and it does not matter, you know, what - how many number of languages or scripts or official languages they have.

Cary Karp: What is the thinking about situations where the constitution of a sovereign nation requires the absolute equitable and equal achievement of a number of official languages in that country when the fast track invitation goes and says you guys are welcome to pick one of these languages but you can only have one? When there is no constitutional basis - there is no ability to respond to that question and respect the constitution of the country in question.

Edmon Chung: I completely concur and, you know, as I mentioned I am trying to reflect a - what I believe is a minority view. And the response from the particular person - I do not really want to, you know, put words in his mouth. But generally the feeling is to limit it to one per for the fast track

because this is fast track and if you need more you would need to go with the, you know, the longer term PDP. That was the response from the minority view but...

Charles Sha'ban: Edmon, if you allow me, I agree with Cary, that this is important not to feel that we are trying to push for only one language in the country or one script in the country where they have more. But at the same time I agree that we need to make it clear that this is only for the fast track, because you want to make it as a test and to be sure that it is already available and it does not jeopardize what we talked about in the beginning, the security etc. and so on.

So, I think we need to reply that yes, for the fast track, we need to have only one - maybe one language or at least this is the GNSO viewpoint of that to have only one script in the fast track.

Edmon Chung: Well actually the majority view is that it should be limited to one IDN ccTLD per ISO 3166 entry per script, except in those cases where governmental policies make selecting a single script or language inappropriate. This is what I believe is the majority view. Which means that in cases where, like for example, Singapore, where there are four official languages, then they could participate - still participate in the fast track with all four - well one is English but well, all the other languages equipped. And in the case of India for example, where there is multiple language for a script, they would also be able to participate through the fast track for all the languages that they, you know, they have official for. And some governmental policies sort of dictate that.

There is, as I mentioned - I feel that we need to include the minority view -- again, I believe it is a minority, I still need to test it with the

GNSO again -- I believe there is a minority view which was mentioned fairly clearly, you know, in a number of email exchanges that the fast track should be limited to one per and you know, regardless of government policies for a particular state.

Charles Sha'ban: Edmon, I know what - I know your point and I know, I heard that too. But, you know, what - why I said that because I was linking it somehow to the ccTLD manager. Because, for example, in Singapore maybe if they coordinated between themselves and they are happy with this, of course, we all be happy. But at the same time, if only one ccTLD manager will run four scripts for example, I think this will be seen in the future that only - we only help maybe to have only one ccTLD manager to have all the different scripts - all the official scripts at least.

Cary Karp: I agree with Charles here. I mean this is certainly a reasonable thing for the GNSO to be saying but I am not really sure how meaningful saying that is. What happens, for example, in a situation where a country that is simply not prepared to accept any explanation about fast track or need for disregarding its own constitution, what happens when that country instead of responding to ICANN with a letter of complaint, sends its Ambassador to the Department of State in Washington D.C. to lodge a complaint about ICANN and the entire process?

We are assuming that we have control over an extraordinarily sensitive politically, cultural, linguistic - linguistic process and for sure there are very good reasons for us doing what we feel needs to be done to get this show on the road, but yet again, the way we need to word this is

going to require ever so much more care and caution than I see in the current documentation.

Edmon Chung: Do you think you can perhaps suggest some edits to the part?

Cary Karp: Yes, I can do that. Sure. But I am not sure how far they are going to go. One of the - by definition a sovereign state - everybody is talking about territories very, very cautiously to avoid invoking notions of sovereign - right - I suppose would be the way to put it. But ultimately if a government does not think that the fast track is being described and run in a manner that is acceptable to them, they can complain in manners that are beyond the GNSO's control. And I am not really sure ICANN would benefit from that and I am really not sure that the process would benefit from that. I am one of the ones who really does want to see IDN TLDs. But, boy, oh boy, oh boy, there is a lot of - there are a lot pitfalls in this thing and I am not really sure we recognize all of them and even the ones that we recognize, I am not sure we are addressing quite as carefully as we need to.

Edmon Chung: Well...

((Crosstalk))

Charles Sha'ban: ...need to control of course for sure, I just facilitate but I agree. Try to draft something Cary, and I will support you...

Cary Karp: Okay.

Charles Sha'ban: ...because I understand talking about you.

Edmon Chung: And I was saying, you know, like I believe everyone on this call is, you know, quite eager to really have IDN TLDs as well.

Cary Karp: Pardon me, I think that is the secret to doing this successfully. Is that - make it absolutely clear that there is going to be some short term prioritization here to everybody else's near term advantage. And there are number of criteria that are applied to those short term constraints and just as long as they can be described in a manner that is reconcilable with everybody's political rights and sensitivities then we may be able to make this work.

But, if we are talking about this as though the ccNSO is in control over components of the main space that GAC reps are likely to regard as their government's sovereign concern, things start sort of falling apart before we even bring this to public attention. And that is again what I just really do not want to see happen.

Edmon Chung: Right.

Tina Dam: Edmon, this is Tina. Maybe I can help out a little bit on this one.

Edmon Chung: Sure.

Tina Dam: So, first of all we have to keep in mind that the IDNC is not a GNSO working group. It is a cross community working group with a specific charter to work on a fast track. On this particular piece of the issue (unintelligible) that was posted for discussion -- in particular discussion in Delhi -- this one item about limiting in reference to numbers was discussed probably as a topic that was discussed the most in that workshop on the IDN ccTLD fast track session down there. And I think

- I think, you know, obviously, reaching an agreement in a session like that in a public form and an ICANN meeting is not the same as saying this is decided on. But I think it was very clear from everybody participating that this can not be limited to be one for each existing ISO.

So, I -- you know-- I don't think the ccNSO and GAC at all are looking at that as an option anymore. The GAC talked about it in their meetings, the ccNSO talked about it in their meetings and Delhi was a very useful facility for that topic. So, ...

Cary Karp: I...

((Crosstalk))

Edmon Chung: I completely concur and that's - I was trying very hard to find any discussion of the GNSO that previously we had that we - I could quote from but I could not and that is why I added the comment on the question where I said the question really should avoid the focusing on the arbitrary number and - but the criteria for which sets the boundaries. And that's - that is sort of where I was and for the response it was as we heard actually from the GNSO council meeting as well, there were - there was a bit of discussion on this specific topic. So, when I was compiling, you know, the draft, I felt, you know, as this sort of somewhat reflected the...

Tina Dam: Yes, I just...

((Crosstalk))

Tina Dam: ...do not think that the minority view is going to be - you know, I don't know, I mean, how do you want to go about this whole report? Do you want to reflect all minority views, because if you are, then I think you are going to get yourself a lot of work.

And probably going to have to list a number of other minority views. I do not know. Is - I guess it kind of depends on - in general how to go about the entire document.

Edmon Chung: Yes. I actually got stuck quite a bit on this particular question when I was trying to answer it with the discussion we had in Delhi. Good point.

If I may suggest, I think well, Cary, you mentioned you would try to, you know, draft something together and see if that worked.

Cary Karp: Well what I had specifically in mind was text that addressed explaining the need for prioritization. That the - all of - of course - all of your languages are going to be accommodated in the manner that you deem necessary given certain very minimal technical constraints that apply to everything. However, for the purpose of getting this process needed, there is going to be a quota here. One per territory to use that term, and it is a sovereign decision which of those goes first. Again, noting that this is a process that is truly rolling. But if we use terms like experimental, that we are going to do fast track to see if IDN TLDs work at all, as related to ISO 3166 list, then we are saying that just maybe you are going to be picking one of 22 and there is never going to be the other 21. And that is a deal breaker.

But, if as Tina says, this has been discussed to the point where the entire notion of quota has been determined to be a no-starter, then no additional text is necessary either.

So, I unfortunately was not able to follow that entire workshop. The Web feed was down for the longest time in it and I only got around - got in in time to hear what seemed to be an extraordinarily and rich discussion conclude.

So maybe it would be possible for ICANN to fast track posting the video archive of that. And then we can proceed on the basis of knowing of what has already been said and what might also have been agreed upon, so that we do not end up wordsmithing to gain something that has already been gained.

Edmon Chung: Okay.

Cary Karp: Or wordsmithing against something that has already been clearly established as a reasonable enough stance - or at least a strong enough stance that there is nothing we can do about it.

Edmon Chung: It seems like I actually addressed the issue on, you know, commenting on the question because the biggest problem is the question and like when I try to answer the question, these issues came out. If I may suggest perhaps you know, just to leave the comment on the question in and take out the entire part below, that might allow me not to mention the minority view and, you know, not to mention some of the things that were said in the council and focus on saying that we should avoid focusing on an arbitrary number. You know - but the criteria for

which, you know, sets the boundaries of the, you know - should set the boundaries of fast track as part of the question.

Cary Karp: Well why don't we simply say - instead of avoiding an arbitrary number, avoid any aspect of this process that risks being taken as arbitrary?

Edmon Chung: Avoid any... okay, I am just jotting it down. Do you - Cary, do you want to actually...

Cary Karp: We can do this offline, Edmon. We can take a close look at this and I can help with the words and everything.

Edmon Chung: Right. I think that is great and it really - it actually takes away some of the headaches that I had when I compiled the...

((Crosstalk))

Cary Karp: Yes, but it will be very useful if Tina could be part of this too because Tina has the benefit of having heard all of the corridor sentiment in this. And I think - this is - there are just so many - this is a battle that is being fought on so many fronts that I think we might want to be a little bit picky and choosy and do our own prioritization here. There are some things that are just absolute no starters, make no sense trying to start and situations that we really can influence, where GNSO perspectives can be gracefully mapped into ccNSO thinking, that is what we should probably focus on.

So I - I will probably provide some wordsmithing imbedded to this, but I really do think we need somebody in that discussion who has a better sense of where all of this is going and how it ought to be lead there.

Not suggesting that I can tell the GNSO how they are supposed to be providing input into this process but certainly there is useful guidance to be had by her recollection of things that were not necessarily clearly visible in the public record.

Tina Dam: Cary, that is fine and I - and on top that, you know, I am not - usually when I participate in the GNSO IDN discussions, I do not participate as ICANN staff or policies that supports. I participate because they ask me for IDN guidance.

So, but I am right now desperately looking online to see if the Web cast is posted and I will be happy to take whatever draft to you and make an (unintelligible).

((Crosstalk))

Cary Karp: Well I think at this point the most useful thing that could possibly be done is because we know that the recording exists, if we can somehow just get whoever it is that is sitting on it please to park this particular one. If not in public view, at least somewhere online where the participants on the present call might get a sneak preview of it - at it. I mean, if it needs to be edited or in some way cleaned up, I am sure our sensibilities won't be grossly offended.

Tina Dam: Right, and we don't, you know, we don't edit stuff like that, so...

Cary Karp: Okay.

Tina Dam: I will figure that out and get back to you.

Cary Karp: Does that sound reasonable, Edmon? That we approach this with some degree of pragmatism? That...

Edmon Chung: Sounds good.

Cary Karp: Yes. Okay.

Edmon Chung: Sounds good. We are - we are now at about an hour 10 minutes. I actually can go for the whole two hours. I do not know how the time for everyone else looks?

So, we can go for about 25 more minutes, or? Is that workable for most people? Like everyone?

Cary Karp: Yes, sure.

Edmon Chung: All right. Cool. So, I - I guess we will keep going.

Charles Sha'ban: I am sorry, I have to leave. I have - three - in three minutes. So I will just log out the (unintelligible).

Edmon Chung: Okay. In that case - well, in that case there is really just myself and Cary, you, talking. And my suggestion in that case would really then to try to take this offline and perhaps Cary you can have a longer look at - through the...

((Crosstalk))

Cary Karp: Yes. Just I was speaking.

Edmon Chung: Now you have the document, right?

Okay...

Cary Karp: So what do we do with this layout? Well let me take a very close look at this text. Let's see if Tina can somehow effectuate the - accessibility to the full workshop record and then we can talk a little bit more. I am not registering the slightest -- well, I suppose I am -- I am far less interested in what the GNSO decides need to be commented on, as I am in the way it is stated. So.

Edmon Chung: Yes, I think I very much agree with the view.

I guess in that case what I would suggest is now that you have the document probably - you know, not just that particular section that we discussed but also other sections of it and provide your comments through the mailing lists or directly, or, you know, however. And we will try to set up another call and try to convene early next week to, you know, to go - once everyone has a chance to send in some comments.

Cary Karp: Sure.

Edmon Chung: Cool. I will make some overall adjustments to some of the language given some of the feedback that I have gotten especially on the technical experience and whether a ccTLD needs to - I mean, an IDN ccTLD manager from fast track should have experience running a TLD. I will make some edits there as well and send to - back to the list as well.

Okay. Anything else? No?

Cary Karp: No.

Tina Dam: No. Just so you know, I travel all day tomorrow but other than that I am around. So.

Edmon Chung: Okay. My guess - I will try to see if we can convene again on either Monday or Tuesday next week. We do have a council meeting on the 28th. The supposed deadline for response to this IDNC initial report was February 26. I sort of have asked for an informal extension for one week so we could have a council meeting to have some discussion about this before and I would like to, you know, convene again next Monday or Tuesday to go over it so we can send something to the GNSO council, so we can talk about NC - we can submit the response by I think it was the 3rd or 4th of March. So that is the plan.

Olof Nordling: Okay.

Edmon Chung: Thank you everyone.

Charles Sha'ban: Okay.

Edmon Chung: Bye.

Tina Dam: Bye.

Cary Karp: Bye.

END