

**ICANN Transcription  
CWG on Country and Territory Names as TLDs  
Thursday, 15 December 2016 at 2100 UTC**

Note: The following is the output of transcribing from an audio recording of CWG on Country and Territory Names as TLDs call on the Thursday, 15 December 2016 at 21:00 UTC. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. Attendance may be found at:

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Coordinator: Recordings are started.

Michelle DeSmyter: All right. Great, thanks so much, Kevin. Well good morning, good afternoon and good evening to all. Welcome to the CWG on Country and Territory Names as TLDs meeting on the 15th of December at 2100 UTC. On the call today we have Annebeth Lange, Heather Forrest, Rosalia Morales, Timo Vohmar, Jaap Akkerhuis, Alexander Schubert, Susan Payne, Griffin Barnett and Laura Watkins. We have apologies today from Maxim Alzoba & Carlos Gutierrez. From staff we have Bart Boswinkel, Emily Barabas, Joke Braeken, Steve Chan and myself, Michelle DeSmyter.

As a reminder, please state your name before speaking for transcription purposes. And I will turn the back over to Annebeth Lange.

Annebeth Lange: Thank you, everyone. The sound is quite bad; it's a echo. Is that only for me or how is it for...

((Crosstalk))

Bart Boswinkel: It's better now. It's now better.

Annebeth Lange: Okay, let's see how it goes. Good morning, good afternoon and good evening all over the world. Welcome to this last conference call before the holiday. As the first issue on the agenda after roll call we have the discussion of the poll results on how to move forward with the work of this group. Our experience when we try to reach consensus discussing use of three-letter codes was that the members' views different enormously.

And during the open meeting in Helsinki with other members of the community in addition to members of the working group attended, it didn't really change the situation. In Hyderabad, the meeting of the working group decided to launch the poll that we will discuss today.

So if we start with a discussion of the poll results, as you all see, we have 20 responses in total answering. Not too bad but not excellent either. As we are 55 members in the working group; this is less than half of the members attending. So thank you to everyone that has submitted their view.

The results among those members unfortunately shows that we still do not agree on the way forward. We have received eight answers supporting all recommendations as written; seven of those wanting a different text for Recommendation 3. Of those seven, there were six supporting Alternative B, one supporting none of the alternatives.

So do you think it's necessary or a need repeating the different recommendations? I would like to hear if you want us to go through it or if you

are familiar with it. If so, could you do that, Bart or Emily, with the map? Since likely not necessary then we just go on.

So we don't know what to do forward now. I personally have received direct reactions from both the ccTLDs and government representatives outside the working group members opposing leaving the rest of the work (unintelligible) three country and territory names as TLDs to the GNSO working group and PDP only. And I know that there is going on work separately in the GAC on the use of three letter codes as we speak so all suggestions on how to move forward are welcome.

So it's up to you now. Can I have a hand or someone they want to speak?

Bart Boswinkel: Annebeth, Rosalia has her hand up.

Annebeth Lange: Yes, yes. Go on.

Rosalia Morales: Can everyone hear me now?

Bart Boswinkel: You're a bit...

Annebeth Lange: I can't hear you, Rosalia.

Bart Boswinkel: ...please speak up a little bit.

Rosalia Morales: Can you hear me better now? I'm on my phone so maybe...

((Crosstalk))

Bart Boswinkel: A little bit better, yes.

Rosalia Morales: Okay, well for the record I'm Rosalia from dotCR Costa Rica. Looking at the results from the survey, it seems that there is definitely not a consensus. We

are not looking at a harmonized decision from the group. And there is obviously a lot of discussion ahead. I do not think we have reached a solution or as a group decided on a recommendation with a number of votes that supports any of the recommendations as it is.

So I suggest that we continue the discussion but definitely do not suggest that this discussion is continued at the - only at the GNSO.

Annebeth Lange: Thank you, Rosalia. I think it's a good idea to read the recommendation just to make everyone familiar with them. Could you do that, Emily?

((Crosstalk))

Emily Barabas: Absolutely. So what we were voting on was the full package of the recommendations of which there were four. And it was Recommendation 3 that there was some disagreement about regarding the variation. So I'll just start with Recommendation 1 and read them through.

Recommendation 1, "To close the CCWG in accordance with and as foreseen in the charter." Recommendation 2, "The CWG unanimously recommends that the ICANN community consolidate all policy efforts relating to geographic names as the term has traditionally very broadly been defined in the ICANN environment to this point, to enable in depth analyses and discussions on all aspects related to all geographic-related names at all levels of the DNS. This is the only way, in our view, to determine whether a harmonized framework is truly achievable."

Recommendation 3, oh sorry. "The CWG could not agree unanimously on any alternatives for Recommendation 3. Based on a survey poll," sorry, "based on a survey poll, the majority of the members, participants, of the CWG who participated in the poll, 13, expressed support for Alternative C, however, this should be interpreted that anything - however, this should be interpreted than anything else than a sense of the direction of travel by the

limited number of members that participated in the poll. For this reason, all alternatives are included. Future work should take place with the authority of policy development process,” so this looks actually like - I’m just reading through - oh I’m sorry.

Recommendation 3, Alternative A, “Future work should take place with the authority of a policy development process under ICANN’s Bylaws with a clearly drafted charter or scope of work that sets out how conclusions and recommendations will inform the policy development process. This addresses a key deficiency of the CWG as it has not been made clear how this group’s work can or will be incorporated in policy making pursuant to ICANN’s Bylaws.”

“Some members of the working group raised concern to the issue - that the issues that are in scope for both the ccNSO and GNSO policy development processes, for example, how full names of countries and territories other than Latin scripts, are dealt with, should be addressed through a coordinated effort under both processes.”

Alternative B, “To ensure that the conclusions and recommendations of the CWG will at one point have the authority of a policy developed through the relevant processes under ICANN’s Bylaws, future work should take place with a clear view on how this work at some point will reach the authority of a policy developed as or relates to and provides input to formal policy development processes.”

“With regard to the subject matter, the use of country and territory names as TLDs, the CWG notes that this should be defined with respect to both the ccNSO and the GNSO policy development processes. Due to the overlapping definitions used under existing policies, additional policy developed by one group impacts - has an effect upon the policy developed for another group. This may be achieved through a clearly drafted charter or scope of work that sets out how these policy development processes will be informed. This

addresses a key deficiency the CWG has encountered as it has not been made clear how the group's work can or will be incorporated in policy making pursuant to ICANN's Bylaws."

Alternative C, "Future work should clearly align with ICANN policy development processes and should have a clearly drafted charter or scope of work that sets out how conclusions and recommendations will inform ICANN policy development."

Recommendation 4, "Future policy development work must facilitate an all-inclusive dialogue to ensure that all members of the community have an opportunity to participate. Again, we believe that this is the only way to determine whether a harmonized framework is truly achievable."

So that's the full package...

((Crosstalk))

Annebeth Lange: Thank you very much.

Emily Barabas: ...with the three alternatives. Sure.

Annebeth Lange: Thank you. So if we follow the input from those supporting recommendations, 1, 2, 4, but wanting a different language for Recommendation 3, we should listen to those six supporting Alternative B. We then end up with 2, that's the same; 3, that do not support anything; and one person supporting 1, 2 and 4 but not 3. So still I wonder if we really have a quorum to say that we can defend going forward with this recommendation.

We have only 14 members supporting 1, 2 and 4. And as for the Recommendation 3 only eight supporting it as it is and six with Alternative B. And out of a total of 55 working group members, I find it difficult for us to really recommend it. So how do you see that we go forward now? I would

really like input from you. Very quiet here. Heather, go ahead. Heather? Can't hear you. Hello?

Bart Boswinkel: Heather is typing, Annebeth. Okay. Annebeth, are you still there?

Annebeth Lange: I'm here. Can you hear me?

Bart Boswinkel: Yes, I can.

Annebeth Lange: Yes, I'm here.

Bart Boswinkel: Yes, may I make a suggestion? Say, if you go back to some of these recommendations, what is interesting is - and at one point, and I think that's a major concern, if you would go back to the language of Recommendation 2, you see that, say, we had two readings of Recommendation 2 sometime in September or October timeframe.

At this stage, now with this poll, which is probably is just a consultation, not definitive, it's taking a bit of the temperature of the room, you see people are one way or the other moving away from Recommendation 2 again as well. So if we keep on going this way, ad infinitum, say probably you will see changing majorities and changing minorities.

So as, say, may I suggest, as, say, that we first update the recommendations to the extent that we strike words like "unanimously" at this stage because that's clearly not appropriate anymore. And it is, yes, it distracts. So that's one.

Secondly, that, say, that we as staff include the poll and come back to you with a suggestion how to phrase this because I think if you would go back to the poll there is, at least, I would say 75% of the poll and therefore of the active participants in the working group, a large majority who feels that, say, Recommendation 1, 2 and 4 are appropriate.

And we should, one way or the other, it shows a understanding, desire, however you want to call it, from that group that we move forward and on the path of Recommendation 1, 2 and 4. There is clearly no consensus or a large majority of people who responded in support of any version of Recommendation 3. And maybe that should be recorded as such in the interim paper as well. And then say, have on a next call, just check whether people are comfortable with the language and then publish this for public comment.

Because I think that's the only way that, say, to break the stalemate of where we're at at this stage. And moving this and breaking this open and making it clearer to the community, say, this path of this CCWG is more or less a dead end street. So we as a broader community should think about alternative ways of dealing with this. And I think that's the bottom line message of all the - if I look at the statistics and the way people responded, of the respondents.

So is handed back to the chartering organizations or - say, first consult the community about it, the larger community, then hand it back to the chartering organization and tell them, and the broader community and tell them this way this - the - and the manner and way which this CCWG was structured, and the various interests, etcetera, is not a way forward. We need to come up with an alternative. Sticking within the mandate of this group, will, yes, will not resolve the issues we are facing right now. Thank you. I hope that was...

((Crosstalk))

Annebeth Lange: Thank you, Bart. I think that is absolutely worthwhile going on this way because it's kind of worrisome that only 14 of 55 have answered. So in ordinary ways this is not a quorum; it's less than 1/3 so that's not good. So I agree, I don't think that we can obtain any results with the mandate we have.



How is it with you, Heather? Have you resolved it? No. That's too bad. Anybody else that want to raise their voice or do we think that Bart's suggestions of going forward is acceptable? Heather is typing. Okay. Okay, Rosalia supports Bart's suggestion. I think we have to hear what Heather has to say. Okay.

Should we try to go on on the next item in the agenda, the discussion or modification of Recommendations? If anyone has some suggestions. I think it's more or less going into each other Item 2 and 3 and now that Bart has suggested what he has, we have to go forward with the interim paper so it might be nothing else to say actually. It's awfully quiet today.

Bart Boswinkel: Annebeth, this is Bart again. Let's check if Annebeth or if Heather is able to attend the call..

((Crosstalk))

Annebeth Lange: Yes, we wait for Heather, yes, I agree.

Bart Boswinkel: And if not, then we have an early evening, which is nice ones.

Annebeth Lange: Yes, well, here it's half past 10 and I've just finished another conference call so that's fine. That's fine when we...

((Crosstalk))

Bart Boswinkel: So...

((Crosstalk))

Annebeth Lange: The only way forward now is to really make it known in the interim report what we have - what responses we have had and I think it also is, it's appropriate to say the quorum, how many people are a member of the working group and

how many responded because it's not an enormous number. So what do we really have to give? Even if within that small number it's not consensus.

Bart Boswinkel: Heather is back. Heather, please try again.

Annebeth Lange: Okay good. Good.

Heather Forrest: Thanks, Bart. Can you hear me?

Bart Boswinkel: Yes.

Annebeth Lange: There you are, Heather. Go ahead.

((Crosstalk))

Heather Forrest: Great. So a couple points, and sorry, they built up as I've struggled with the phone. First of all, I guess I'm a bit - I'm a bit sorry we are where we are given that we had a face to face meeting in Hyderabad. And the results of the survey don't really reflect the mood in the room in Hyderabad so I guess I agree wholeheartedly with Bart that if we continue down this path I think we're going to move farther away from agreement rather than closer to it. And that's not where we want to be.

I don't, Annebeth, agree with you that this is a point to be making about the number of people who filled out the survey as you and I well know, as cochairs, we've had, let's say, only a fraction of the registered members of this group participate in our meetings on a regular basis. So I was quite pleased to see that 20 had - 20 had responded. There are some names on that list that we've never seen.

So I don't think that that's necessarily a problem that we ought to worry about. Either the problem that we haven't had huge numbers of people throughout the lifetime of this group but that's a different story. But I don't feel

that we're necessarily in a difficult spot based on the numbers and responses to the surveys.

I also think that this suggestion of Bart's is an excellent one. And indeed, it reflects much of the approach that we took in relation to the study group as well. We didn't come to a fully unanimous view on some of the points and the conclusions we reached in the study group and there are ways around that, let's say, in terms of we can have minority reports or we can have, you know, folks on either side of these recommendations in Recommendation 3, submit statements as to why they have concerns. I think that's probably not captured in this report.

And it would be helpful to do so so anyone who feels that a particular articulation is preferable could perhaps append a statement to this so that whoever reads our report would have some understanding of the context of the outcome and not simply the outcome. I'm not sure that the outcome is reflective of the whole story and as someone who picks up this document and looks at it as to, you know, in some future time, they certainly won't trouble themselves to review all of the transcripts or recordings from our calls.

So I think that's perhaps a helpful way forward. I think Bart's suggestion as to tinkering with wording here in all senses is a good one. I picked up in the chat a phrase in Recommendation 2 that I think we agreed ought to come out just to be sure that really we're on safe footing with our recommendations. And we go from there. But I agree with Bart's comments that, you know, too much more time in the kitchen on this one and I'm afraid we're going to get further away.

So perhaps if those who are interested want to work on a, you know, come together in small teams and work on some statements, explaining the context of the background rather than staff or the cochairs trying to explain the differences I think that those folks with differences it might usefully describe those and append those to the report. Thank you.

Annebeth Lange: Thank you, Heather. Very useful. I agree with you. So the way forward then, Bart, is to try to get these things into the interim paper. And since, as you said, Heather, the feeling in the room in Hyderabad certainly reflected some things that have not come through in these recommendations. So the best is to have an interim report and send it out for public comment and then send it back to the chartering organizations.

So if anything, anyone has something more to say about the way forward or on any other business, I would like to hear from you.

Bart Boswinkel: Annebeth, may I make just one...

Annebeth Lange: Yes.

Bart Boswinkel: ...say, nuance what Heather suggested or Heather, I fully understand, say, the need to invite those people who have issues with one of the recommendations to put in a statement. Maybe it's an idea the we finalize this report as soon as possible as the staff suggestion, then ask the members to make, if they have any issues, make a - or a group make a, say, minority statement. And then we include it as an annex or and we allude to it in the introduction.

In this way we will be able to close off the interim report rather sooner than wait first for the minority statements, etcetera. And hopefully by, say, mid January, end of January, can publish the interim report.

Annebeth Lange: Yes, that's a good idea. That's a good idea. It would be good if we could finish this before Copenhagen so that we have a result of how to go forward after Copenhagen. Heather, is that a new arm or...

Heather Forrest: It is, Annebeth. New hand.

Annebeth Lange: Yes, okay go ahead.

Heather Forrest: Can you - yes so I agree...

((Crosstalk))

Heather Forrest: ...with Bart, but I guess the question in my mind is I think we had intended to put this thing out for public comment. And if we do go out to public comment, then the question is do we want the minority statements or whatever it is that we're calling them, the context statements, to go into the document before it goes out to public comment? Or do we perhaps want to hold them back and have a look at the public comment, reflect on those, and then perhaps make some final remarks in that regard?

I think that, you know, while on the one hand it would be helpful for the rest of the world to have some context as to why we are where we are on Recommendation 3, I wonder if we wouldn't all benefit from some input from the rest of the world. So, yes, that's what's in the back of my mind, let's say, is when do we do that? I think - I agree with Bart but it's a matter of timing. And in terms of finalizing the report, I think I agree, that ought to happen as soon as possible.

So, Bart, I see your hand's up.

Bart Boswinkel: Yes, just in response. I think it's only fair given again to reflect, say, the discussions over the last two months of disagreement, especially around Recommendation 3, that the broader community understand these contextual statements. In that way, and maybe ask them specifically their views on the way forward. But then they have a full picture to respond. So my suggestion - but again, it's your call, my suggestion would be to include them up front because that offers the community also a - yes, different angles on some of the issues.

Annebeth Lange: Bart, I agree with you because it's only clear that the discussion in this working group should be kind of shown for the rest of the public - of the community before they make their comments so that they are aware that we have had a lot of discussion in this working group and that we are - have very different views on how to go forward. That's only fair in my view. If anyone else has something to say about this, it would be very useful.

Okay (unintelligible) has written that I think we need to move this on but it would be preferable to have explanatory statement took out with the version that goes to comment, yes. Anyone else? I see no one.

Heather, do you have a further comment?

Heather Forrest: Annebeth, I suppose I would ask everyone as a final view on this, you know, it's clear that in the poll many people voted for their most preferred option and I thought we were going down a different path in Hyderabad, which is to say that we were voting on the compromise language. I don't know, yes, I don't know if there's any hope, if there's any benefit in asking if we can all agree on that compromise language that we looked like we were heading towards in Hyderabad.

If this is where we are then I think we get this thing out and we reflect on comments from the rest of the world and see what happens. Thanks.

Annebeth Lange: Thank you, Heather. I really don't think that we can get further consensus by discussing this anymore in our group. So I see that Rosalia and Laura has agreed that it need to include context when we go out for public comment. So I - in my view this is the way forward. So as soon as you - we could get it out the better. So, Bart?

Bart Boswinkel: Yes, I know what I've said.

Annebeth Lange: Yes. Good.

Bart Boswinkel: Okay, we'll get back to you as soon as possible with, say, an updated version for you to read and invite the, say, first of all, naturally, you have to agree on the version itself and then invite - when we send it out invite people to submit a contextual statement if they want to around...

Annebeth Lange: Yes.

Bart Boswinkel: ...the recommendations. And then we include it either we make that clear in the - as a part of the process description, that we did and all those will be included in the annex.

Annebeth Lange: Okay.

Bart Boswinkel: Yes?

Annebeth Lange: Yes, that's a good way forward.

Bart Boswinkel: And so hopefully, say, I hope that, say, at least people on the call that we - that you can agree that we should aim that we get the interim report out by mid-January so, say, one more - maybe one more - or we can even do it by email that, say, over the next couple of weeks we get these comments, include them, have a final read of the interim report and then it's ready for public comment.

Annebeth Lange: Yes. Agreed. I think that's a good way forward. So...

Bart Boswinkel: Okay thank you.

Annebeth Lange: ...anyone has anything for any other business? No? Silence. Then the only thing that remains is to wish everyone season's greetings and a nice holiday and hope you have some time to relax even if we have to think about what

we will put into the report. So I think, Bart, that you're right, we have a short call today. And that is okay.

Alexander Schubert is typing and Nora, let's see, no, only Bart. Okay, bye-bye everyone.

Bart Boswinkel: Thank you. Bye-bye.

((Crosstalk))

Annebeth Lange: Bye-bye.

Heather Forrest: Thanks.

((Crosstalk))

Man: Bye-bye.

Woman: Bye, all.

Michelle DeSmyter: Great, thank you. Again, the meeting has been adjourned. Operator, please stop the recordings.

END