
ICANN Transcription
GNSO New gTLD Subsequent Procedures PDP WG Work Track 5 (Geographic Names at the top-level)
Wednesday, 16 October 2019 at 20:00 UTC

Note: 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 and recordings of the call are posted on agenda wiki page:

<https://community.icann.org/x/spcCBw>

The recordings and transcriptions of the calls are posted on the GNSO Master Calendar page

<http://gnso.icann.org/en/group-activities/calendar>

JULIE BISLAND

Hi. Well, good morning, good afternoon, good evening, everyone. Welcome to the new gTLD Subsequent Procedures Sub-Team Track 5, Geographic Names at the Top-Level call, on Wednesday 16th October 2019. In the interest of time, there will be no roll call. Attendance will be taken by the Zoom room, and if you're only on the audio bridge at this time, do you want to please let yourself be known now?

Okay, hearing no names, I would like to remind everyone to please state your name before speaking for transcription purposes, and please keep phones and microphones on mute when not speaking, to avoid background noise. With this, I will turn it back over to Martin Sutton. You can begin, Martin.

MARTIN SUTTON:

Thanks very much. Welcome, everybody. It does seem like an awful long time since we've got together. I've missed you all. With the agenda here, let's just first of all cover off any administration, as usual. I'll just quickly check if anybody's got any statements of

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.

interest to alert us to that have been amended? I don't see any, but I can hear one of the lines open. Did somebody want to say something?

CHERYL LANGDON-ORR: Martin, Cheryl here. I believe Heather's just drawing attention that she can't speak, but she has made an update to her statement of interest. I'll read it to the record that she's been elected the IPC President, and will begin the role on the 1st December. Congratulations, fellow antipodean, well done, you!

MARTIN SUTTON: Thanks for finding that. I couldn't see much of the chat, so again, congratulations, nice to hear. Thanks for updating everyone. Okay, I don't see any others, so let's move on with the agenda that was circulated, along with the updated version of the draft report for Work Track 5. The intention today is that we will be reviewing the comments that we've received in and some edits that have been proposed in the document. This is the report that we'll be sending through to the full Working Group for their own review.

As a reminder, if I may, just to make sure everybody's clear on what steps we've taken, the draft report that was sent out on the 1st October was issued with instructions for the group to review. It was certainly a shorter document than the initial report that you may remember from almost a year back, and focuses on the Work Track 5's recommendations to the full Working Group. This report, it is, as I say, shorter. It only summarizes the deliberations that have taken place since we issued the initial report. It's not intended to repeat a

load of those points or issues, and the positions that we have previously covered in the initial report.

We sought comments from everybody by the 11th October, so the end of last week we were able to collate those, review those, and what was sent out with the agenda is what we'll be running through today in terms of any of those edits, so that we have an opportunity to check those and see how we think they can be adjusted, where we think it's necessary within the document, and that gives us an opportunity to discuss that, today. Have we got the report? Oh, excellent, thank you. I may have trouble seeing that on my screen.

We're not going to go through all of the detailed parts of the report bit by bit. You've had opportunities to read through all of that already. What we will focus in on is the edits that have been provided. I think on the first section, first page of that report, there was anything to adjust. This is the introduction, and there was one amendment there. I think we move to page three. I think this was essentially some comments from Hawaii to make sure that we emphasize those elements that been lifted and repeated in here from the 2012 Guidebook. Any of those that you see now within quotation marks are lifted from the Guidebook. Christopher, if you've got a comment, please go ahead.

CHRISTOPHER WILKINSON: Yes, Martin, I'm rejoining the group for practical purposes after an absence of several weeks, just to say that I have many comments. I've not made them yet, and I don't intend to absorb the whole time of your conference call today with them, but two general principles. First of all, in the third paragraph, the so-called "key

premise” of Work Track 5, I have never accepted that, and I think it is essentially the basis on which some participants have effectively blocked any change at all to the 2007 and 2012 proposals. Whereas, from my point of view, and I shall confirm this in writing, the whole purpose of having a Work Track 5 in the first place was indeed to correct and improve on the 2012 document.

Those participants who feel that they have succeeded in blocking any improvements of ... Alexander Schubert’s comments also go in the same direction. I think those participants have done a disservice to ICANN. What we’ve got here is a document which will reproduce the problems that we’ve seen before. To employ a “Yorkshirism,” probably with knobs on.

Secondly, and very secondly, I’m disappointed that even in those cases where the Working Group has not supported proposed changes, significant contributions for proposed changes are not even referred to remotely in the document. There is no reference, for example, to the ISO 4217 currency codes. There is no reference to geographical indications, and I could go on. This is a highly biased report which depends entirely on the so-called “key premise” that, in the absence of agreement, maintaining the rules included in 2012 Application Guidebook. That denies the whole purpose of the exercise.

CHERYL LANGDON-ORR: Thank you, Christopher. Please note my comments in chat. We have heard your point over all of this time, and again today. We obviously welcome any minority reports, but please do feel free to raise these points again when this all goes to plenary. Remember,

this is the Work Track 5 interaction to get their final, or your final, report out, not the last-ditch effort on all of this. Thank you, and as ever, we appreciate the excellent attention to details, and your diligence.

CHRISTOPHER WILKINSON: I think it's quite important that the GNSO understands the quagmire that Work Track 5 is leading them into, which I think is really [inaudible]

MARTIN SUTTON: Christopher, feel free to put your comments in. As I say, the report's been out, and we asked for edits and comments by the end of last week so that we could review that. Please, as a matter of urgency, put anything in writing that you wish us to look at as we finalize this report. I'd also just remind yourself, as well as any others that are willing to talk on the call, try and remember that we have got time limits, and please be respectful of that, as well. As Cheryl's pointed out in the comments in the chat, as well, it would be worthwhile just reflecting on those, as well. Thank you. I think, unless anybody's got any comments specific to this item edit that's proposed, I think it's fairly straight-forward. We'll move onto the next page, I think.

ANNEBETH LANGE: Martin? Could I say a few words?

MARTIN SUTTON: Yes, please, go ahead Annebeth.

ANNEBETH LANGE: Thank you. Welcome to all. I just wanted to point out that the discussions that we have covered in the initial report are not repeated in this document. That is one thing. A lot of the things we have discussed will be found in the initial document, and that will also be available, of course, to the full group, and they are going to go through it. Another thing is that I'm not sure that we all agree on what we were set out to do.

One of the things that we have done in this work is to close the gap between the 2007 and the 2012, because the 2012 HB was not policy in 2012. Then, the policy was the 2007. One of the goals was to find a policy that we could all more or less agree on, even if it's a consensus that not everybody can get what they want, but at least we agree that this is a policy to go forward with. I just wanted to mention that. Thank you.

MARTIN SUTTON: Thanks, Annebeth, very helpful. We'll carry on. In fact, I think some of that ... Exactly what you've expressed, there. We've tried to incorporate similar text in the document, that we'll read through as we get to those points, and I think respond to some of the items raised already. Ideally, though, if we could keep going through the document in sequence for the comments that we've received, I think that might be easier for everybody to follow, and we'll highlight those particular points when we get to them.

We're on page five, and here there was ... Jorge also mentioned here that it was quite difficult to put together a summary of all of the

points, in relation to the different strings that were referred to in this paragraph. I'm trying to read things here, and I can't. They're too small. I think what we've tried to do, wherever possible, is just to pinpoint actual precise activities, so things like the sentence, now, that has been inserted, speaks to those that were found to be geographic in nature by the names panel. We'll work through the process, in that respect. There is, then, the opportunity for the reader to refer back to the source information on the application status page. That, we think, is a cleaner way of referencing this, rather than trying to explain everybody's different opinions and perspectives of the way that these were treated. I'll stop there, and just check to see if anybody's got any comments or questions about that change and edit that we've put in. I can't see any, okay. We can move on.

The next one is on page six, which is an insertion edit. This is from Alexander, and I think this is a good clarification that was discussed, and it's been inserted here to clarify on the three-character strings, the strings resulting from permutations and transpositions of alpha-3 codes listed in the ISO 3166 standard, which are themselves not on the ISO list, are available for delegation. Oh, sorry, Emily. Yes, slightly different wording. Okay, sorry, yes, it's the last bit, "Unless the strings resulting from the permutation and transpositions are themselves on that list." Perhaps we could just check to see if there are any concerns with making that edit, or to maintain the existing text. I like Susan's wording of "lottle clearer," I like that. Annebeth, please.

ANNEBETH LANGE: I think the meaning here is, it's approximately the same text. I can't see much difference, but it's complicated so it's important that everyone will be comfortable with the way it is written. If you think that the text that Alexander wrote is better, more understandable, it's good for us if you give a sign on that. Susan has said so, even if it's a "lottle" instead of "little," but that's good.

MARTIN SUTTON: Yes, thanks, Annebeth. Can I just ask, does anybody have any strong objections to making that amendment? I think the intent is much the same, it's just a slightly different way to express it. If we don't see any objections, I think we can go ahead to agree that edit. I see none. Okay, thank you, let's move on. I think we won't go through the minor edits that are just clean-ups of text or duplications.

This moves us onto page eight. This is a suggested edit based on a number of people spoke to this. What we're suggesting is ... This was around the wording that was talking about acceptance of the recommendation. We've revised this, and hoped that this would be more comfortable for Work Track 5 members to use instead. This, now, reads that, "After extensive discussion, the Work Track was unable to agree to recommendations that depart from the 2012 implementation, which it has considered the baseline throughout deliberations.

Therefore, it recommends updating the GNSO policy to be consistent with the 2012 Applicant Guidebook, and largely maintaining the Applicant Guidebook provisions for Subsequent Procedures. This brings GNSO policy in line with implementation,

which the Work Track considers a significant achievement, given the diversity of perspectives on this issue and the challenges in finding compromise that is acceptable to all parties.

I'll just allow you to digest that, and if anybody's got any comments ... I think this is really just worth pointing out, though, from the earlier discussion that we just had, this is one of those changes that is, we hope, helpful to accommodate those different perspectives, and rather than call it out as a full acceptance by the group of recommendations, that it has a better way of explaining that rationale.

I can't see anything in chat and I don't see any hands up. That looks like we can positively change that. It does move on a lot now, doesn't it? We're moving, I think, to page 20, if I've got it right. This is the last edit that we've got to discuss. Again, this covers some of the points raised by Alexander. This is to raise points about implementation improvements. I'll just quickly read it out, so we have a chance to read it. "The Work Track 5 supplemental initial report included a series of proposals put forward by Work Track members, that did not seek to change the underlying rules in the 2012 Guidebook, but instead attempted to address issues that arose in implementation. See pages 38 and 39 of the supplemental initial report for details of these proposals.

Some of these proposals were revisited in additional deliberations, although none of the proposals were ultimately included in the final recommendations. One new proposal was put forward by a Work Track member regarding the letter of support or non-objection required for applications covered under AGB, section 2.2.1.4.2. The proposal suggested that letters of support or non-objection must be

dated no earlier than a specific date prior to the opening of an application window.

For example, a letter supporting an application must be signed no more than three months before the relevant application window opens. The rationale provided is that the absence of such a requirement favors insiders, and puts newcomers to new gTLD space at a disadvantage.” We’ve added that the suggestions to Alexander’s points. Any comments to that? Okay, I have Susan. Please, go ahead.

SUSAN PAYNE:

Hi, and sorry if this isn’t the time to ask this question, but this particular suggestion about a shelf-life for letters of support/non-objection, did anyone actually oppose that? It seemed to me ... And sorry, there may have been opposition to that, but my recollection was that generally people felt that that wasn’t a bad suggestion. I’m just wondering why it isn’t a recommendation.

MARTIN SUTTON:

Okay. I might need some checkpoints here to refer back to, but I don’t know if anyone from staff, or other co-leads on the call, might remember the discussion on that, and how it had closed off? Otherwise, we’ll have a look at that. I think some of the time there was very little support provided to these items or suggestions. If it commenced on an e-mail chain, there may be one suggestion, but then not much followed. I don’t know if this was one of those particular situations.

We'll check on that, but I suspect that that fell into that kind of bucket. I can see some comments going in the chat, okay. That's where we are. I think, as well as that, this gives an opportunity for at least the full Working Group to have sight of some of these actual points, as well. Annebeth?

ANNEBETH LANGE:

Hi. Well, I see that in the chat it's already written by both Cheryl, and Jeff, as well. This is my memory, as well. It was not much objection, and not support. Since we have put this text in now, as a request or some suggestion from others, and we're going to send it out again for one more discussion before the final report, it's always possible to think about this a little more, for us and for the group. Thanks.

MARTIN SUTTON:

Thank you, Annebeth. That's good. We've got through the edits and comments that we've received for the report. I think we should move on, then, to go through the work plan, and we'll also talk about consensus call process, so that everybody's clear as to the next steps that we'll be going through. If we move through to here.

Based on today's call and running through these edits, we'll be able to produce a final draft for circulation, hopefully at least before 18th October. Those can be incorporated, and a clean version issued. What we'll be looking for then is for members to review that final document for review, and to submit any comments by 21st October. Essentially, those bits are, "What can't you accept as a content of

that report?," so that we can double-check anything that we may have missed already in the last review, over the last week or so.

Moving that forward, then, we'll be able to make any final suggested edits, if we deem that there are some to make. After which, we'll be looking to hold a Work Track 5 consensus call on the report that will be going to the full Working Group. That's something that we'll conduct over the mailing list between the 24th-28th October. I just want to make sure that that's clearly understood, that we'll keep moving this forward to get to the final version that we are then able to submit to the full Working Group.

Within that, or prior to delivery of that, we want to run through this consensus call process. Just to make sure it's clear, we've got a couple of slides to run through, and acknowledge these stages. Once we've finalized the report, the co-leads will send out to the mailing list the opening of the consensus call. As noted on the previous slide, that's 24th October we're aiming to do that. Work Track 5 members will have a deadline to respond, which is 28th October at the moment, listing whether they can live with the final report, as written.

Once we've reached that deadline for responses, we as co-leads will look at that and evaluate the designation for the full report, as to whether it's full consensus, consensus, strong support, etc. I'll go through these in a bit more detail, just as a reminder as to what these references mean. We'll then send that, our designation, to the mailing list, for your review. Then, after groups discuss the Chairs, co-Chairs, and estimation designation, that can be re-evaluated. [inaudible] updated evaluation, if we deem it needed. There will be some steps in there that could re-tune it a little bit as we go through.

ANNEBETH LANGE: Martin, could I interrupt you just for a moment?

MARTIN SUTTON: Yes, please.

ANNEBETH LANGE: I just wanted to make sure that when all of us go through this report, now, after we sent it out, the new version, that we all have in mind to think, “What I cannot live with at all?”, so we all know that this is a compromise. We all know things that perhaps we would prefer to have another way, but this is a group consisting of a lot of different views. Please have that in mind, “What can’t I live with, or the one I represent?” Thanks.

MARTIN SUTTON: Yes, thank you, Annebeth. That’s useful to note, and is a good reminder as this work progresses. Okay. Let’s move on, just to remind everybody what levels of consensus refers to. As we go into this process, again, people are familiar with what these terms are going to be. If we could just move the slides on? Thank you. What we’ll be doing, as co-leads, is looking at all the responses, and then looking to designate the level of consensus that we deem from the feedback of Work Track 5 members.

For full consensus, we look at places where no one in the group speaks against the recommendations in the last readings, sometimes also referred to as “unanimous consensus.” Consensus

is a position where only a small minority disagrees, but most agree. Strong support but significant opposition indicates a position where, while most of the group supports a recommendation, there are a significant number of those who do not support it.

Divergence, also referred to as “no consensus,” is a position where there isn’t strong support for any particular position, but many different points of view. Sometimes, this is due to irreconcilable differences of opinion, and sometimes it is due to the fact that no one has a particular strong or convincing viewpoint, but the members of the group agree that it’s worth listing the issue in the report nonetheless. I think we’ve got ... Is there another part to this? Yes, and then we move to minority view, I think on the next slide. Yes. Okay, thank you.

So minority view refers to a proposal where a small number of people support the recommendation. This can happen in response to a consensus strong support, but significant opposition, and no consensus, or it can happen in cases where there is neither support, nor opposition to a suggestion made by a small number of individuals.

So the next paragraph just references the fact that any differences of variances of viewpoints can be listed in the minority view recommendations. Documentation of minority view recommendations normally depends on text offered by the proponents. In all cases of divergence, the working group chair – in this case will be the co-leads of the Work Track should encourage the submission of minority viewpoints.

So this is what we'll be working through as Work Track 5, so I don't think within any of the other Work Tracks, they held consensus calls. We'll be doing this, and then giving our evaluation with the report to the full working group. And again, at that stage, there'll be a consensus call within the working group offering, again, opportunities for things like minority reports to be provided as well at that stage. So there is still opportunities to feed in particular views of the recommendations as members of the full working group.

So I think that's worth just running through. Is there any questions at this stage that we need to cover off in terms of process?

CHERYL LANGDON-ORR: Martin?

MARTIN SUTTON: Hi, Cheryl.

CHERYL LANGDON-ORR: Hi. Just to make sure that everyone understands with the minority reports, they're written and provided by the individuals or group [inaudible] and they are appended to your report, and indeed any final report of the PDP working group as is, unedited, in appendix form. So there is no fiddling, no extracting, no rewriting. All spelling mistakes stay in. It is literally as it is writ is as it is appended. And therefore, it becomes a part of the report for reference. Okay?

MARTIN SUTTON: Thank you, Cheryl. I forgot this last slide, but I think I covered some of the points in that it will be stage one Work Track consensus call, and then there'll be another consensus call within the full working group.

CHERYL LANGDON-ORR: If you want me to, I can just respond to Katrin as well. Those definitions are literally out of the playbook for GNSO PDP levels of consensus, the guidelines. So the definitions are kind of what the definitions are when a new PDP process comes off the working plan of the GNSO council. There may be indeed an opportunity to make them a little more descriptive and a little bit more palatable. But they are what they are at this stage. And thank you, Emily, for putting in the operating procedures link, but we'll stick with the "as they are defined." Thank you.

MARTIN SUTTON: Yeah. To Katrin's point there, I do feel – as I try reading through those, I hope I got the words in the right order, because it seems that they're all the right words, I think, but I don't necessarily speak them in the right order when they're coming out. So we hope at least that we are reflecting what is in the rules.

Okay. Christopher.

CHRISTOPHER WILKINSON: Just to ask Cheryl to confirm that minority reports will be signed.

CHERYL LANGDON-ORR: If anyone who puts them in signs them, then yes, they will be. If they're not, then they won't be signed. They'll be listed under the name that they were provided under.

MARTIN SUTTON: Okay. Are there any more questions or comments regarding the consensus calls that are planned, and the process? Okay, let's move on then. I think we're coming towards Any Other Business. So I'll open the floor. Does anybody have any further business to raise today? We might want to just ...

UNIDENTIFIED MALE: [inaudible]

MARTIN SUTTON: The ICANN schedule has been published, so that was, I think, listed yesterday, and you'll therefore see on the schedule the working group planned meetings. Two of the first working group sessions will be dedicated to Work Track 5, and they'll be held on Saturday. I can't remember the times, if somebody could just remind me. I think they're consecutive sessions, so it's basically, I think, an afternoon block. But we'll send out confirmation of that if anybody could just confirm that from staff, if you've got it handy. Thanks, Emily.

I should know it because I've just been looking at the schedule all day trying to put plans together. I've probably gone there a bit

doolally there with going through the process of building out a separate schedule.

Emily, don't worry, we can post it to the list as an addon to the meeting notes just as confirmation. So if we leave it there, we don't have anybody with hands up, which means we will be ending very early. So please do think about running through the report, the clean version after the edits today will be issued within the next couple of days and very soon. So please do start submitting anything else you'd like us to know about that you're really uncomfortable and cannot live with as the output for Work Track 5, and co-leads and staff will have a look at those comments before we start to proceed towards a consensus call process.

Okay. Well, enjoy some free time, and thank you very much for everybody's participation. Bye.

ANNEBETH LANGE: Thanks, Martin. Thanks, all.

CHERYL LANGDON-ORR: Bye for now.

[END OF TRANSCRIPTION]