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**ICANN Transcription  
IDNs EPDP**

**Thursday, 27 June 2024 at 12:00 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:

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DEVAN REED:

Good morning, good afternoon, and good evening. Welcome to the IDNs EPDP call taking place on Thursday, 27 June 2024, at 12:00 UTC.

All members and participants have been promoted to panelists. Observers will remain as an attendee and will have access to view chat only. Statements of Interest must be kept up to date. If anyone has any updates to share, please raise your hand or speak up now. If you need assistance updating your Statements of Interest, please e-mail the GNSO secretariat.

All documentation and information can be found on the IDNs EPDP wiki space. Recordings will be posted shortly after the end of the call. As a reminder, those who take part in the ICANN multistakeholder process are to comply with Expected Standards of Behavior. Thank you. Over to our chair, Donna Austin. Please begin.

DONNA AUSTIN:

Thanks, Devan. Welcome back, everybody. Everybody had a nice visit to Kigali. I've heard that some people got a little bit sick. I've heard that

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some people had flight trouble. Hopefully you've all made it home safe and everything's back to normal.

I don't have much by way of updates. I think we'll pretty much get straight into it. But basically, what we're doing here is reviewing the comments that we've received to our Phase 2 Initial Report, working through those to see which ones staff has done an analysis of what they think will require substantive—there were substantive comments so they're going to need consideration from us. So we need to think about the comments that we've received and how they're going to impact the recommendations that we had in the Phase 2 report so that we can finalize the report and get it to Council. I think the deadline we're working to is to get the Final Report to Council in October. But of course, if we can do that earlier, that would be great. I certainly don't want to do it any later.

Saewon is going to be driving. We'll get started. I just want to check to make sure. Is there anything that folks want to add? Any SOI updates or anything? Okay. I don't see any hands. So with that, I guess I'll hand it over to you, Saewon.

SAEWON LEE:

Thank you, Donna. As Donna mentioned, we'll continue reviewing the public comments from where we left off at ICANN80 working session. The agenda has already been shared with you. And like Phase 1, and also as announced during the working session at ICANN80, we'll review the comments directly through the Public Comment Review Tool from today. So let me share that now in the chat for you. It's also being

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shared with you via e-mail. This is what's in the wiki page. This is directly to the Public Comment Review Tool. Can everyone see the screen, or is it too small? I'll try to enlarge it as we go through. Maxim has written—yeah, okay. Thank you.

Okay. Before we go into each recommendation and comments, I just want to mention that based on the discussion during the working session at ICANN80 and also the meetings moving forward, updates will be made in the working document itself. And it will be noted here in the tool in this bright green as you can see. Staff will be doing this in the background together with leadership, and then the updates will be brought to your attention through the document once all the comments have been reviewed. I believe this is how it was also done in Phase 1. So I hope everyone is okay with this plan. Okay. I think everyone's good.

As those who attended, remember we did not quite finish the discussions for Preliminary Recommendations 6 and Implementation Guidance 7. So from today's meeting, though we will start reviewing the comments in the order of outputs, rather than grouping them in substantive and non-substantive comments, we did need to finish the discussions for the two outputs, which goes together as a pair. So we'll look into them first today. And it was also shown in the agenda. Let me get to that. Okay. I know it's quite small. It's more visible now. Okay.

So I'm not going to read the question or outputs again for these two outputs, especially because we did go through them at ICANN80. But just to summarize where we left off, this is related to the Charter Question C5, which is related to IDN table harmonization. And the outputs presented by the team recommended that minimum IDN

variant deployment requirements that do not compromise the stability and security of the DNS must be developed, and that an extensive collaboration work needed to be in place.

As you remember, the Registrar Stakeholder Group was in support of both outputs, emphasizing the importance, and that's here. The Registry Stakeholder Group was also in support of both outputs only requiring that the two outputs go together in pair, which did not require any team's action taking place. The wording change of registry operator to the gTLD registry operator, which, again, we went through and will be considered as we go through as the staff and leadership go through each context. But generally, the team was on board with this change.

The other two commenters were also supportive of the recommendations, which are ICANN Org and ALAC. They also just were requested wording change. So, if you remember, the ICANN Org requested that the must in Preliminary Recommendation 6 and should in Implementation Guidance 7 should be aligned, and that the language should avoid any confusion in the requirements. So, we did not conclude this discussion. But if the team agrees to this, then I would like to note that staff has a simple way of mending this. And by staff I mean Steve. He said that there's an easy way to fix this. So, I just like to pause here to see that everyone's okay with a change moving forward. I know we don't have a change to present to you yet. But if everyone's in agreement to aligning the two outputs, then that's how it will be done. Satish agrees. I don't see any objections. So yes. Okay.

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DONNA AUSTIN: We have a hand up, Saewon.

SAEWON LEE: Steve has his hands up. Yes, I do see Steve's hands up. Please go ahead.

STEVE CHAN: Thanks, Saewon. Thanks, Donna. I thought it might be helpful to explain what the simple fix might be, at least the way that I envision it. So as the ICANN Org and ALAC noted, it's a little bit redundant and contradictory to have the recommendation and the implementation guidance. They're nearly the same thing about a handful of parties developing minimum IDN deployment requirement. So I think what would probably help the clarity here is to make the recommendation about what is being recommended, which is essentially the development of minimum IDN variant requirements. So I think the fix would be for the recommendation itself take out the parties that are doing the development and just say that the requirement and recommendation here is to establish and develop those requirements. And then the implementation guidance would be about the how. So that's where you would capture the parties that are going to be doing the development of the minimum variant deployment requirement set. At a high level, that is the thinking of staff is that the Rec is about the what. And then the implementation guidance becomes about the how. So hopefully that helps. Thanks.

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SAEWON LEE:

Thanks, Steve. I understand Steve's logic, but I just want to make sure that folks are okay that there is a difference between a recommendation and implementation guidance. The implementation about the how and who should be involved in the development of those guidelines. While it's implementation, it's guidance, and one would hope that it would be followed, I guess the risk is that the IRT will decide on something different. So that's the only risk I see if we make the how part of the implementation guidance. But I want to hear from others about whether they're okay with what Steve's suggesting. I'll put it another way. Is there any objection to Steve's suggestion? Dennis?

DENNIS TAN TANAKA:

Hi, Donna. This is Dennis for the Registries. Yeah, I guess I agree with Steve and you, Donna, Steve, from the helpful explanation about the difference between the policy recommendation and the implementation guidance. But I observe and I agree with you, Donna, about the risk of the IRT going their own way. I think we need to balance both issues, and then looking forward to the revised language.

DONNA AUSTIN:

Thanks, Dennis. We'll work on the revised language, and then we'll bring it back to the group.

SAEWON LEE:

Okay. I think everyone's in agreement that the staff will revise the language first. And then after revision with the leadership, we'll present it to the team. Okay. So then moving on.

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Second is related to the ALAC comments. So there are two comments, again, non-substantive. First, requesting that the variant sets need clarification or deleted based on the rest of the text. And if you'll remember, there was a suggestion to provide clarity or a simpler term for those non-technical users to also understand and also a background was provided related to this language. And if so, if the variant sets could be taken out—but I know Sarmad is present today or anyone else if they would like to speak to this, because we did look for Sarmad's also input in this. I think Sarmad is here. Yes. Yes, please go ahead, Sarmad.

SARMAD HUSSAIN:

Thank you. Apologies that I was not able to attend the call during ICANN80. I actually did go back and hear the recording.

I guess one of the main motivations of the discussions behind this, I guess, language was enabling the variant sets for harmonization against across different IDN tables. So I think that, at least for me, is a very key aspect of this particular language or, I guess, recommendation. I'm not sure how strongly ALAC thinks this should be taken out, if it's not a strong suggestion, then I guess would it be okay to, for example, keep the language? Thank you.

SAEWON LEE:

Anyone else?

SATISH BABU:

Sorry to be jumping in. This is Satish. Unfortunately, I'm unable to see where to raise my hand. There seems to be some difference in the way

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the raise hand [inaudible]. So yeah. Just to respond to Sarmad, now ALAC's position is not—I mean, we don't have any issues with mentioning it, but we feel that it is not explained sufficiently well. What do you mean by i.e. variant sets? So having a bracket item in the recommendation, we felt that it should be kind of spelled out better. So, if we can have language that clarifies what the variant set is about, because we felt that that phrase was used out of context. Maybe we can better explain what we mean by that. We have no issues with the fundamental point, we have no issues at all. It's just that we need it to be better kind of put in context. Thanks.

DONNA AUSTIN:

Thanks, Satish. I think this is the language that the Registries and ICANN Org worked on for some time. I think the idea of the inclusion of the variant sets was just to provide an example. So must develop minimum IDN variant deployment requirements. For example, variant sets would be part of that, but it's not restricted only to variant set. So, I think the idea is that it's there just by way of an example. But I'd like to hear from the Registries and Sarmad whether that's the case on that. So I think it was not intended to be exclusive or restrictive. It was just there as an example. Jennifer?

JENNIFER CHUNG:

Thanks, Donna. Jennifer, Registries for the record. Yes, exactly that, Donna. I think it's also another reason. It's kind of a call back to what the Charter question is asking for, even though the conversation has moved to include a lot more than just looking at harmonization of the

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IDN tables at second level. I'm okay with having some additional context of where the conversation went to give some more background information. But I would caution against actually fleshing out what the specific thing means in the recommendation itself. I think we've gotten past that part when we're just talking about the variant sets and the harmonization. Thanks.

DONNA AUSTIN: Thanks, Jennifer. Satish, do you think that changes your ALAC thinking?

SARMAD HUSSAIN: Thanks, Donna. The only point was that i.e., that implies that it is going to be limited to that. If you take it out and make it such as an example, that is fine.

DONNA AUSTIN: Okay. Thanks. All right. I think some of the problems that some people have different ideas of what i.e. means and for example and such as, so I think we'll come up with a with a term that best meets the intent here, which is that it's just an example of one of the requirements that would be worked on. Sarmad?

SARMAD HUSSAIN: Sure. I guess saying that if we're changing the language or what we, I guess, suggest is that variant set is something which obviously need to be defined for harmonization. But if there's more, which should be

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done, that's something we can open that up. But just, I guess, clarify that variant set is the sort of starting point. Thank you.

DONNA AUSTIN:

Thanks, Sarmad. So I think what we'll do is just deal with how do we make sure that the inclusion of variant sets here is just one of the things that would be considered as part of these deployment requirements, but not the only one. So we'll work on language to make sure that that is portrayed accurately. I appreciate that this was language that was developed over a period of time, so there was some give and take along the way. So I'm reluctant at this stage of the conversation to break any of that earlier agreement, so we'll work on that. Thanks, Sarmad.

SAEWON LEE:

Okay. So that will be worked on. Then the second, ALAC's comment, again, we did check this at ICANN80. But just to recap, again, a consistency in the language was requested between the Preliminary Recommendation 6 and Implementation Guidance 7. And this was related to the stakeholders where the suggestion was for the Implementation Guidance 7 in line with the Recommendation 6 to say registry operators, ICANN Org, and other relevant stakeholders, rather than gTLD registry operators. If you remember, this was noting the ICANN Board's urge with GNSO and ccNSO to be synchronized in the policies. I think the leadership also wanted to be mindful of this. So again, I'll stop here and open the floor for confirmation or suggestions or any feedback.

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DONNA AUSTIN: Thanks, Saewon. I guess Jen, Dennis, Maxim, is this an instance where registry operators is okay? Or given your global suggestion to replace registry operators with gTLD registry operators, is it the intent to exclude ccTLD registry operators from this or to put it another way to have their representation only from gTLD registry operators? Any thoughts? Dennis?

DENNIS TAN TANAKA: Thank you, Donna. Yeah, this is inclusive of our global change request. Every time I think every instance that we are calling for developing requirements, policies and contract obligations made for gTLDs by gTLDs, the notion of inviting or opening the door for the ccNSO ccTLD managers to come to the table and have a war on our requirements development process, it's not acceptable. I think we would be okay with language where we invite other stakeholders maybe to observe the process, but not be clear enough to exclude their participation, voting, or whatever we want to call it, to invite them to have input in our process development. It's that what we want to avoid.

SAEWON LEE: Thank you, Dennis. I think there's a few in the queue. There's Maxim and Jennifer.

DONNA AUSTIN: Just before we go to Maxim and Jennifer, Dennis, if that's the perspective and the intent is to be restrictive on this then I think that has an impact on the implementation guidance, which was quite broad

about other relevant stakeholders might be. I just wanted to flag that that what you just said is kind of impacting that as well. So Maxim and then Jennifer.

MAXIM ALZOBA:

First of all, if we look into the documents describing GNSO Council policy process, we do not see their veto rights or voting rights for ccNSO. And thus, we shouldn't add it here. The second thing, ccNSO members individually may work in the language panels. Nobody prevents them from them. They may participate in Public Comments. Nobody prevents them. And also, the representative or at least one Board member is representing ccNSO, if I'm not mistaken, and I believe it's enough. Because the requirements of synchronization of two items means that two items have to be some kind similar. And given that ccNSO is not going to change things because GNSO requires, it leads us to the conclusion that GNSO has to do this, which is not acceptable. So we might add text that we find it acceptable to share information, to share ideas, but no voting rights, no input. I'd say PDP shouldn't undermine GNSO document structure. Because if we allow ccNSO here, it would be just undermining of the policy process, because they have the options to participate in the process via Public Comments, via members of language panels, via the Board member. And that's enough. Thanks.

DONNA AUSTIN:

Thanks, Maxim. Jennifer?

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JENNIFER CHUNG:

Thanks, Donna. I agree with what Dennis and Maxim has just said. I think Registries—and we will have a small group call next week as well so I'll put this on that agenda. But I will hesitantly say any of the registries will be okay with adding specifically the ccTLDs back into this language. I think we would have a problem with that.

Also, the specific implementation guidance is about second level, it's about minimum IDN deployment. Well, it started off with harmonization of IDN tables. The reason why we added other relevant stakeholders is if the IP decides there should be other stakeholders in there. And I'm not going to prescribe what kind of format, although I absolutely agree with what Maxim has said, we would have a big problem just calling out ccTLD operators as well. So back to what Dennis says, the global change also applies here with gTLD registry operators. Thank you.

DONNA AUSTIN:

Okay. Thanks, Jen. I understand the concern and that being generally second level responsibilities is at the discretion of the registry. So, from a leadership perspective, I'm going to have a conversation with staff and to see how we unpack this. Because I think it's nuanced and it's a little bit complicated, so we need to be clear on what it is we're doing here. Because anyone can participate in our policy process, anyone can participate in an IRT, so that our ability here to exclude is difficult. So, I think from a leadership perspective, I just want to go back to staff and see if we can have a conversation about how we manage what is, I think, a bit of a train wreck in terms of processes and how we can find the best solution here. I hear what you're saying. We just need to sort out how best to do it, how best to deal with this.

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Okay. Saewon, I think we can move on. Unless anyone else has any comments, I think we're good to keep rolling.

SAEWON LEE:

Just one more thing. Again, this was briefly mentioned by Michael at ICANN80 and I think it was turned down. Just because it was raised again, I was just wondering, are we going to include the Registrars in the stakeholder group, or that's not an issue anymore?

DONNA AUSTIN:

You mean the Registrars as part of the relevant stakeholders?

SAEWON LEE:

Michael briefly mentioned it. And I just wanted to make sure that we are okay with not including.

DONNA AUSTIN:

So this comes back to how specific we want to be in the recommendation versus what becomes implementation guidance. Michael, if there's a strong thought from the Registrars, that they should be included in this, that they should be called out specifically as one of the relevant stakeholders, or whether they're okay to leave it as it is, now would be a good time to raise it. Michael?

MICHAEL BAULAND:

Yes. Actually, the Registrars are of the opinion because they actually manage all the second level. They are the organization to which users

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come to register, activate domains and variants. They are of the opinion that they have valuable input to this, and therefore, just like mentioning the Registries explicitly, it would make sense to also mention the Registrars explicitly.

DONNA AUSTIN: Okay. Unless there's any objection from anyone—I think there's a suggestion here to include Registrars. Satish is okay with that. So call them out specifically rather than just leave it to the IRT to debate whether Registrars are indeed a relevant stakeholder on that.

SAEWON LEE: Okay. Dennis has also pointed out that he does not object but it should be a proper term, ICANN accredited registrar. Moving on.

So that kind of concludes what we discussed during ICANN80. And so now we will go back reviewing the comments in order. That means we will start from Implementation Guidance 2. So this is related to the automatic allocation and activation process, and it does include comments with significant concerns. Just like ICANN80 for those that we are starting anew, to recap, I will read the Charter question as well as the output for you.

So Charter Questions C1. Both the SubPro PDP and the staff paper recommend that. I know this was also read in ICANN80 but I'll just recap this. A given second level label beneath each allocated variant TLD must have the same entity and all allocatable second level IDN variant labels that arise from a registration based on a second level IDN table must

have the same entity should this recommendation be extended to existing second level labels.

The Implementation Guidance 2 that was provided from the team stated that registry operators should take into account Recommendation 14 in SAC060, as well as language or script communities widely acceptable practices among Internet users and established conventions. And consider 2.1, setting a maximum number of allocatable variant domain names that can be allocated to the same registrant of the source domain name. And 2.2, developing a mechanism to limit automatic activation of variant domain names to a minimum, if the registry operator opts to automatically activate variant domain names according to its policies.

Okay. So, there were two commenters, as you can see here. I'm sorry I can't show this in one screen. I want you to be able to also read what's within. But basically, just to start with the easier one, there was just a Registry Stakeholder Group supporting the recommendation intent with wording change. And again, we looked at this before, so I won't get into that now.

Then there is an additional comment. But I do want to come back to this after we see the more significant one by ICANN Org first. It's here. I'm going to try to put it into one screen. Okay. So ICANN Org's inputs—the staff actually put it under the significant change required category, because it wasn't explicitly selected by ICANN Org. But it was just a comment that was categorized under substantive suggesting review of policy related language. So, it was categorized under this support level.

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To my understanding, this issue was already discussed by this team several times. And the language, I believe, was adjusted to take into account the Org feedback, but again, a more explicit language and request has been made. The fundamental question is who decides on activating a variant label, the registrant or registry? ICANN Org's point is that activation should not be automatic but should be based on the request of the registrant. And it's requesting that at the request of the registrant, it should be included because it seems in the guidance that the registry operator is the sole party that decides on automatic activation, but it should consider the request of the registrant.

I know there is a hand but let me just finish this and we'll get to you, Maxim. ICANN Org then also notes that where the script community generally agrees that there should be automatic activation then for those scripts, registries could do automatic activation to the extent the community agrees. So, basically driven by community needs and requirements rather than just the registry. So here I'd like to open up the floor and we'll start with Maxim.

MAXIM ALZOPA:

There is an issue here. Because the word automatic is referencing the process which happened somewhere in registry, the activation, registration, deletion, etc., is done when the EPP request to send by the registrar. If you say that you are not allowed to use automated things, I wonder how you're going to cope with the fact that EPP is automated, mostly. Of course, you can write EPP comments by hand, but it's a mediocre approach and it's going to add a lot of mistakes. So I really wonder what they mean. Because when you request a registration, it's

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automated on the registry side. Registry, they don't have hundreds of people reading all these EPP comments. It's done on the platform. So we need to clarify where the automation is going to happen. Is it on registrar side? Is it on registry side? Basically, if you do not allow automation here, most probably you will have the issue with the registration at all. Or it will be something new for most platforms of registrars and registries, because I remind you all, it's going to be more or less real time machines. If we add delays to the processes with the mass market, we are going to have to create bottlenecks. Thanks.

SAEWON LEE:

Sarmad, would you like to speak to that?

SARMAD HUSSAIN:

Thank you. I just want to clarify, not, I guess, comment on this. But I think what is probably being suggested or the way the automatic activation is being interpreted here is that when somebody applies for a primary or a source label, it could generate 4 or 6 or 10 allocatable variants. If only the source label is requested by the registrant, then only the source labels should be activated. If there is one variant which is being allocated by the one variant plus the source label which is being requested by the registrant only, only that variant and the particular source label should be activated or allocated. So, I think that's what automatic activation here means that the registrant only, for example, requests for the source label and maybe one variant label, but all the other three additional variant labels are also activated automatically. So it doesn't really pertain to the EPP call kind of automation. This is

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actually automatic activation of variants which are potentially not requested by the registrant. I guess the comment is that based on SSAC as well, that obviously activated variants should be minimal as possible. Of course, some communities, this is a desirable activity but only to a certain level, one or two variants are automatically activated. I guess the ICANN comment is saying that where the script community, of course, agrees with that kind of suggestion, then for that particular script, that limit of automatic activation should be fine. But the NIS2 based on the SSAC's portion, there needs to be balance between automatic activation because it creates too many variant labels or domain names to manage. Thank you.

SAEWON LEE:

Michael then Edmon.

MICHAEL BAULAND:

Thanks. I just had a quick chat with Maxim in the chat, where he asked me to speak up to the topic. I think there's some confusion around the expression automated. While EPP requests are, of course, almost always automated in the way that they are sent by a machine and to machine, the thing we mean with automated in this context, I guess, refers to domain names which are not explicitly mentioned in the EPP request or any other way how domains are registered or activated. So automatic activation is referring to domain names which the registrant and registrar have not actually communicated to the registry, but the registry received one domain name, and then automatically also

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activates one or other variant domain names which have not been referred to in any communication. Thanks.

DONNA AUSTIN: Thanks, Michael. Edmon?

EDMON CHUNG: Edmon here speaking personally. So I guess a big part of this is Chinese. Because I think, as far as I know, Chinese is probably the only one that recommends automatic activation of simplified and traditional Chinese variants. That is because of the nature of the language. I guess my point is maybe one of the ways to say it clearly is to be explicit. Can't we add a sentence that says, for example, the Chinese situation, blah, blah, blah. And that makes it extremely clear what we're talking about, rather than trying to make it overly generic. I understand that policy specifications should be more generic. However, this is a case where it is very specific. So maybe it adds to the clarity if we give an example and use the Chinese example.

DONNA AUSTIN: Thanks, Edmon. I don't know how we've explained this in the rationale. But it seems like if we start trying to put examples in then is that more appropriate in the rationale than it is in the implementation guidance? Michael and then Sarmad, and then we'll try to draw a line under this.

MICHAEL BAULAND: Sorry, old hand.

DONNA AUSTIN:                   Sorry, Michael. Sarmad?

SARMAD HUSSAIN:               Thank you. A couple of points. I think putting Chinese as an example still leaves things slightly open-ended. The other example is the single character TLDs recommendation, which very clearly says that it applies to script. Something like that, of course, is certainly clear and limiting. But I guess just listing Chinese as a potential example doesn't really make it a closed set. Just making that comment. Also, I guess in Chinese, there can be many more variants. So I guess the question—I'm not really sure whether, Edmon, you'd like to comment or not—but automatic activation, is it for Chinese? Should that, for example, be limited to two even though four more variants may be possible in some cases, not in all cases? Or should that be left open-ended? Because even if Chinese is explicitly called out, SSAC does still suggest keeping that conservative. Thank you.

DONNA AUSTIN:                   Thanks, Sarmad. I guess one of the challenges that we potentially have here is that this is a business decision, I suppose, by the registries in how they're managing a variant. It seems like we're trying to add another layer to a business decision. And one of the challenges that I have with all of this is that we've got no data to understand what the risk of any of this is. Edmon?

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EDMON CHUNG:

Actually, I put my hand up to say that we do have data. The VIP reports, which is part of the issues report that informs this working group, does have data. It does have data, for example, Chinese, 1 out of 20, which is 5%, consistently types of variant, and that's the variant that is suggested to be automatically activated. And then there is the staff issues paper on user experience, which gives data on why explicit activation is good for all the other languages. So I guess we can certainly reference that. But we do have data that actually says that.

I put my hand up, though, in response to Sarmad's suggestion. Actually, Donna, your question, it's probably correct that maybe the example should be in the rationale. The rationale should reference a little bit more into some of the documents that I just mentioned, like the variant issues project reports, and they use experience reports that has been done. I think I guess staff's suggestion of at least there has to be some indication from the language community that such automatic activation is called for, I guess from Sarmad's perspective, Registries is just saying, "We'll automatically activate anything for you," is probably not a good approach. But then again, Donna, as you said, this then borders into the business model case, and whether we trust the registries to do the right thing or not. I generally think that what we have right now, if we have the references then everything should be sufficient. If you look at the real-life examples today, nobody's actually doing anything crazy. I think a policy that points to the guidance should be sufficient, rather than having to prescribe what registry policies need to be.

DONNA AUSTIN:

Thanks, Edmon. Hadia?

HADIA EL MINIAWI:

Thank you. I would like to ask Edmon. My question, maybe—

DONNA AUSTIN:

Now we've lost you, Hadia. Sorry, Hadia. Maybe if you can make your comment in chat. I saw the exchange that you and Michael had about defining what we mean by automatic activation. And maybe that's something that we already have in the rationale as well, but we'll note that too.

I'm not sure we have agreement to accept ICANN Org's comment in total, but I think there's an agreement to have another look at this and see if there's a way that we can better explain what we mean here. I think also we'll have to look at the rationale and just make sure that what needs to be covered and this is actually covered.

Okay. We're going to move on, Saewon. How are we going? We're almost at the top of the hour. So we have an hour to go, folks.

SAEWON LEE:

Yes, still an hour to go. Again, back to the non-substantive comment from the Registry Stakeholder Group. Again, especially based on the discussion that we've just had, I don't know if this is of relevance. But I did just want to raise this to the team as it was an additional comment provided by the Registry Stakeholder Group. It was just a question asking, "What guidance should be provided when choosing a minimum value for the number of elements in the variant set to ensure the interoperability?" Again, after what has been discussed for ICANN Org's

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output, this may or may not need to be considered or need the team's discussion and may be more relevant for the technical group at the implementation stage rather than here with this group. But again, just in case this team felt the need to provide more clarity to this particular guidance, I wanted to run this by the team. But if no comment or response, I think we can move on. Donna?

DONNA AUSTIN:

Sorry, I was talking to myself, Saewon. Just wondering whether any of our registry colleagues want to speak to this? Is this something they're expecting a conversation around or action on? Or is it just a comment? Dennis?

DENNIS TAN TANAKA:

Hi, Donna. Maxim and Jen, please keep me honest here. This is more of an observation and just sharing information as registries and some of the registrars are in conversations around that we do need a technical implementation profile, if you will, that it will fit into the future variant deployment requirements and what have you. So this is just an observation that we're starting to look at these issues. Because as we go into the implementation phase, from a technical standpoint, we do need values, right? If we're talking about minimum, there has to be a number, just a reflection of the thought process around technical implementation. We're not suggesting any numbers or values for the policy, just a reflection of the thought process of the technical implementation.

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DONNA AUSTIN:

Thanks, Dennis. I think we can move on, Saewon.

SAEWON LEE:

Great. Okay. Next, as we have looked until 7, we can go on to Recommendation 8. Again, this recommendation also goes in pair with the Preliminary Recommendation 9, and we'll look at these two together as they are under the same Charter question and also related to the source domain name. So the main comment requiring significant change, which came from the Registry Stakeholder Group, was actually only specifically linked to the Preliminary Recommendation 9. But staff linked this to 8 as well as the comment also concerns this recommendation. Same as IG 2. To recap, I'll read the Charter question and the outputs.

Charter Question 4. Regarding second level domain names, should a variant set behave as one unit, i.e., that is the behavior of one domain name is replicated across the other variant domain names or should each variant domain name have its own independent domain name lifecycle? Consider the operational and legal impact of the same entity principle, if any, to all aspects of a domain name lifecycle, including, but not limited to, registration, including registration during the sunrise period, any limited registration period, any launch program, and during general registration, update, renewal, transfer lock, suspension, expiration, redemption, and deletion.

Preliminary Recommendation 8 says, "A registrant and its sponsoring registrar must jointly determine the source domain name which must be registered for calculating the variant domains that under a given

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gTLD and its delegated gTLD variant labels, if any. The registrants and sponsoring registrars have the grandfathered variant domain names pursuant to preliminary Recommendation 3 are exempt from this requirements.”

In Preliminary Recommendation 9, “The same entity principle, as set out in Preliminary Recommendation 1 must be adhered to in all stages of the domain name lifecycle of the allocated variant domain names in the same variant domain set. The grandfathered variant domain names pursuant to Preliminary Recommendation 3 are exempt from this requirement.”

Sorry, I’m just checking the chat again. I think there’s still discussions over the value but we’ll just move on. Again, ICANN Org’s comment was already dealt with so we’re not going to look at that today. Straight going into Registry Stakeholder Group’s comments. Basically, the Registry Stakeholder Group is requesting that a critical wording change needs to be made in the rationale. Specifically, this is within Preliminary Recommendation 9 and not the outputs necessarily, but the rationale and that without these changes that it is not supported. Again, we’ll have to look into both the rationale of 8 and 9, but it is requesting that term needs to be defined. So the term initial source domain name needs to be defined and approved and included in the rationale.

This was also raised in the Registry Stakeholder Group’s general comments for Glossary section. And just to note, it was also included in requesting that, this initial source domain name be defined in the Glossary Section 3 of the report. Here it mentions that the initial source domain name refers to the first source domain name registered from a

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variant domain set under any TLD in the gTLD variant label sets. The Registry Stakeholder Group suggests a way in how they should be defined in the Glossary. It also shows in which part of the rationale it should be revised. But I do want to open the floor to the Registry Stakeholder Group to talk more about this and elaborate more on this input if possible.

While waiting, just an attempt at an easier way of explaining, and again, please feel free to chime in from the Registry Stakeholder Group. But it just seems like they are requesting that defining like an umbrella term that governs and affects the rest of the chain an updated, automatically be included in the rationale. But again, both. This actually is linked what is requested in the Glossary, as well as Preliminary Recommendation 8 and 9. Though this request was linked to Preliminary Recommendation 9, it was also something that was mentioned in the Glossary where this term they defined, but also in Preliminary Recommendation 9, the rationale is also updated accordingly. So, yes, they're both linked in a way. Hadia, would you like to speak?

HADIA EL MINIAWI:

Yes. Thank you. I have a question here. The Registries actually suggest that the definition of the initial source domain is the domain that is registered first. Maybe if we can scroll and get the definition. Somewhere in the report, we say that the initial or source domain is the domain that the registrant and the registrar agrees upon. I'm not sure here if the registrant and the registrar agree on a domain. That's not the domain that has been registered first, then suggested by the Registry

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group. Just noting that there could be some kind of conflict with some other parts of the report.

DONNA AUSTIN:

Thanks, Hadia. I think that it's a fair call out. I guess, from a registry perspective is the intent with what you're suggesting here, or do you think that two are inconsistent? And if so, then we need to have a conversation about how are we going to bridge the gap. But if what you're calling out for inclusion in the rationale, if it's not inconsistent with how we had been thinking about what the source domain was, then I think we're okay. Hadia, I think the intent was when we said that it would be the responsibility of the registrant and the registrar to identify what the source domain name is, I think the intention was always said it would be the source domain was going to be the domain that the registrant wanted to register, so that by registering that name would create the variants associated with that. So I'm not sure the two are inconsistent, but we need to just hear from the Registries whether they took that into account. Jen, go ahead.

JENNIFER CHUNG:

Thanks, Donna. I'm going to have to apologize because I didn't catch everything what Hadia just said, but I'll respond first to Saewon's question. I guess looking back at Recommendation 8 and 9 together, the impetus of us putting in such a wordy comment is really to clarify the lifecycle of all of them. And also, specifically regarding the source, because when we're looking at and when we went through in our small group, going through having independent lifecycles for the different

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variants will be fine except for that one exception at the very end there. And we thought that having a definition for this particular instance might make it more clear. If this actually muddies the water when we're looking at the Glossary, then we're happy to go back and take a look further, but I also note that our current comment is a little bit at odds with the Registrar comment about changing the source. We're generally—I don't want to use the word changing source because it really depends on how we're looking at the lifecycle, especially when we're looking at pending delete. So I think for us, this has to be very clearly defined before we're able to support Rec 8 or Rec 9. Actually, let me see Rec 8. Oh, yeah. No. Rec 8 is not specific to what we're saying. But staff added this to that. I don't think that—I'm sorry. I'm trying to read this very small print on my screen. I don't think it's inconsistent, because we did put it in Recommendation 9. But because Saewon did mention that it does affect a little bit here, we're more concerned with the lifecycle. And I want Maxim and Dennis to keep me honest here when we're discussing in a small group as well, we're clearly concerned about the accuracy of what the operations will look like when we're looking at the lifecycle of the whole set. Thanks.

DONNA AUSTIN:

Thanks, Jennifer. Notwithstanding what Hadia has called out—and I guess assuming folks have read the Registry comment, and now we have a little bit of context from Jen—is there any objection at this point to the Registry suggestion? But then, as Jen noted, we might have a Registrar comment that has a different perspective. So we might have to resolve that. Okay. I think we're going to move on from this one and see if the leadership team can sort out, can work out the path forward.

SAEWON LEE: Okay. So we'll review the language suggested by the Registry Stakeholder Group and come back with the updates.

DONNA AUSTIN: Thank, Saewon. Just a reminder to everybody that the process that we followed when we did the Public Comment for Phase 1 is that we work through all of these comments, and then we'll draft up where we think we need to make changes to the report as a result of the comments received, and you will have the 14-day turnaround to review, and then we'll come back and finalize language. This is our first run through. There's still an opportunity for further input. So let's keep moving, Saewon.

SAEWON LEE: The next again, we'll see three recommendations or three outputs as a set, starting from Recommendation 10. So we'll look at these outputs, the Preliminary Recommendation 10, 11, and Implementation Guidance 12 altogether. They do have separate Charter questions. But I'll just read them altogether so that everyone is reminded. I'll just simplify the questions first.

Charter Question D6 for Recommendation 10. Basically, it's asking to what extent should the Transfer Policy be updated to reflect the domain name relationships due to variants and the same entity requirement? The recommendation that was given was in the event an inter-registrar transfer process is initiated for a domain name, which is a member of a

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variant domain set, the process must encompass all of its allocated variant domain names, if any, together. The grandfathered variant domain names pursuant to Preliminary Recommendation 3 are exempt from this requirement.

Then Recommendation 11. The Charter Question D6a was should transfers ordered by the uniform domain name dispute resolution policy or any other dispute resolution mechanisms be treated the same way to follow the same entity requirement. The recommendation was in the event a domain name is ordered to be transferred as a result of a UDRP administrative proceeding, the transfer process must include the domain name and all of its allocated variant domain names, if any, together. The grandfathered variant domain names pursuant to Preliminary Recommendation 3 are exempt from this requirement.

The last, Implementation Guidance 12, the question was, should the suspensions ordered by the URS or any other dispute resolution mechanisms be treated the same way to follow the same entity requirement? And the guidance was a URS complaint is responsible for deciding whether to include allocated variant domain names, if any, of a disputed domain name as part of their URS complaint.

Going back. Again, we will skip the ICANN Org's comments related to the grandfathered terminology. Before we do go into the substantive comment for all three outputs, I just wanted to point out GAC's support for Preliminary Recommendation 11. GAC did not explicitly select this support recommendation as written option. But again, the staff categorized it here as the recommendation for Charter Question D6a was in support. The comment was that the GAC is comfortable with the

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recommendations in the report and supports this increased effort to provide outreach to rights folders. Again, no further action needed here. But I thought I would share this support from GAC.

Again, to go straight into the Registry Stakeholder Group input again which requires a significant change for all three outputs. So basically, the Registry Stakeholder Group recommends that rather than recommending a particular change to this Transfer Policy, the team should recommend that the relevant policy be examined for the need for a possible change in the context of the results of the EPDP IDNs. This suggestion follows the example that's set in the Registration Data Policy PDP in its Recommendation 27. With this, I do want to open the floor for any further input from the Registry Stakeholder Group or any suggestions or feedback on this. Yes, Jen?

JENNIFER CHUNG:

Thanks, Donna and Saewon. This really came from one of our members who is very active in the Transfer Policy PDP, and they shared the sentiment that it's not a specific ask but more of an impact assessment. I think this would be prudent for us to do that unless we are absolutely wedded to this Preliminary Recommendation 10. The reason I say this is I think once we have our recommendations out, other policy development processes need to also consider, I guess, our work as a whole instead of picking and choosing exactly what it is. Basically, what I'm trying to say is because of the policy recommendations are quite complex and nuanced, both here and the transfer recommendation and also obviously in the UDRP and URS Recommendation and Implementation Guidance, we have to be careful here to ask for this

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impact because it could also impact other recommendations that come out of those processes. So, for the sake of being prudent, I think it's better to change our language here. Thanks.

DONNA AUSTIN:

Thanks, Jen. I appreciate the rationale that the Registries have provided for this. But then it also works the other way, right? We spent quite a bit of time on working through these policies to see how variants should be accommodated, and that's the only thing that we're recommending here. It's just changes to the policy to make sure that responsibility with this PDP to look at variants. So we have a recommendation as to how we want the variants treated, and I think that's appropriate. I don't really understand what the concern is here.

To me, if we want to ensure that what we want out of this policy process is adopted in another policy or another policy needs updating, then certainly that's within our remit, isn't it? I'm also not sure recommending that another policy be examined. It seems like extra time involved, whereas we've already done that examination. I think Ariel was talking in the background with other staff that are working on the policy. I'm just not sure. I'd like to get some clarity from the staff team about what's the normal process when you're in a policy development process that can potentially impact an existing policy. So I'd like to get some guidance on that. But I'm really struggling with why we would recommend that the policy be examined for the need for a possible change, given that we've given quite a bit of consideration to that. We are recommending that the policy will require change to accommodate variants or the same entity requirement. So I guess I'm

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struggling a little bit with the registry rationale here. I guess what I'd like to know is how important this is to the Registries and whether it would compromise any of our full consensus agreements on the recommendations. And of course, that's my personal opinion as the chair. If others in the team have views and they agree with the Registries, then we'll take that on board. But I do want to get some guidance from staff here as to what the process usually is. Michael?

MICHAEL BAULAND:

I tend to agree with Donna's idea. Our language is not really prescribing much with regards to transfers. We are only basically saying that the same entity principle must be upheld at all times. I think that language should be fine, and I don't see a reason to change it at this moment. Thanks.

DONNA AUSTIN:

Thanks, Michael. Jen, I understand what you're saying that Registries aren't asking to change cornerstone of the same entity, which is also part of what the SubPro output is, but really, the recommendation that we're looking at, it is specifically how we want IDN variants at the second level considered in those relevant policies. I think that's within our remit to do that. That's what we're here to do. I'm struggling a little bit to understand why the Registries want it done another way. Go ahead, Jen.

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JENNIFER CHUNG:

Thanks, Donna. I appreciate your view and, of course, from the others as well. I think what I can do is to take this back to the small group to have a thorough discussion and come back to the larger group. I don't think we are in any way asking to change the fundamental outputs of this group. If we can also understand a little bit more about what I guess in the background that staff is doing regarding any impact assessment with concurrent policy development or working groups, that would also give us some clarity as well, as well as peace of mind from the different processes as well. I think some of our members in the Registry Stakeholder Group are actually very active in those processes. That's why this this also surfaced up in our comment. Thank you.

DONNA AUSTIN:

Thanks, Jen. The conversation I was saying was happening with staff in the background, that was something that Ariel was doing while we were in the process of considering these Charter questions and coming up with recommendations. So it's not something that's necessarily active now. It was something that was taking place while we were considering these Charter questions. So just to provide that clarity.

Okay. Where are we, Saewon?

SAEWON LEE:

We are at Steve talking now.

DONNA AUSTIN:

Go ahead, Steve.

STEVE CHAN: Sure. I raised my hand. I guess that means I'm speaking. This is Steve from staff. I just want to see if I am hearing thing correctly, because it sounds like there's a little bit of nuance. The last comment from Jen seemed to say that there needs to be coordination between two concurrent efforts, which is this IDNs EPDP, and presumably, the transfers PDP versus what the comment says, which is sort of deferring making a recommendation in respect of transfer-related elements. And just saying instead, that there should be a study and impact analysis, essentially determination made at a future date after that analysis takes place. But I think I've maybe heard from Jen that there's two pieces to this. I guess I just wanted to seek clarity if I heard correctly. I guess maybe just taking a look at the idea of how existing consensus policy can be adjusted. Essentially, this is a process in which it can be changed. This PDP as part of its remit and scope is to look at the impact of variants on the Transfer Policy. That's one of its specific recommendations. So as far as I can determine, it seems to be within this group's remit to make recommendations in respect of existing consensus policy, which is the Transfer Policy. Thanks.

DONNA AUSTIN: Go ahead, Jen.

JENNIFER CHUNG: Thanks, Donna, and thanks, Steve. I'm trying to tease out the question you had for me. I guess the thing is if there's already coordination between, I guess, our process and the transfer PDP, then I think that is

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fine. I will still go back to the small group and see if we're okay to walk back on some of this language that we have in our comment to resolve this particular review of the public comment. I think that's about it. I'm not suggesting that it's a different process. I'm not suggesting that we need to do anything further. And I do agree that we do have agreement to make recommendations specific to our remit. So I guess the final thing is to wait for me to bring some language back or bring some input back at small group for the Registries next week. Thanks.

DONNA AUSTIN: Thanks, Jen. Go ahead, Steve.

STEVE CHAN: Thanks, Donna. I think why it was at least important to your staff friends to draw this distinction is because this question about the impact of variants on the Transfer Policy is specifically within our Charter, but is not within the Charter for the Transfer Policy PDP. So it seems to be this EPDP responsibility. And it doesn't seem like there's actually room for, I guess, overlap on this specific question. Because, like I said, it's not in the Charter of the Transfer Policy. Thanks.

JENNIFER CHUNG: Thanks, Steve, for that clarification. So, in other words, whatever we recommend the Transfer Policy basically has to follow. Is that correct?

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STEVE CHAN: I would say it's not a factor for the Transfer Policy PDP to consider. So I guess I'd say a little bit differently.

JENNIFER CHUNG: Okay. Thank you, Steve.

DONNA AUSTIN: Jen, this is one of the challenges, I guess, when you've got two PDPs active at the same time. So I can understand there's a little bit of syncing that has to be done. But as Steve said, the Transfer Policy isn't thinking about IDN variants at the second level we are. So it could be that we make this recommendation, but there is a recommendation from Transfer Policy at the end of the day that might, I don't know, be inconsistent with the recommendation we have. I don't know what the process is for sorting that out because I don't know whether there's often a situation where you have two PDPs going at the same time that run into that situation. But I find it very surprising if particularly this Transfer Policy recommendation that we have is difficult for the Transfer Policy PDP. Ariel? Special guest.

ARIEL LIANG: Hello, everybody. Thank you for letting me crash the party here. I just have a suggestion for your consideration, because we did make recommendations related to, for example, ccTLDs and that we did bring these recommendations to the ccPDP4 Working Group to take a look at and embrace any significant flag, if any. I was just wondering whether it could be appropriate to also ask the Transfer Policy PDP Working Group

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to officially take a look at the transfer-related recommendations. I think this is one but there are a couple of more, and consider whether there's any significant red flag that they want to raise. In that way, we're trying to make sure you get early input as early as possible and also respect their process and remit and scope. But this is just a suggestion from my end. It's up to the group to consider this.

DONNA AUSTIN:

Thanks, Ariel. I appreciate the suggestion. But one of the observations I will make is that we've been working on this subject for almost three years now. So we have considerable history with the context of our discussions and the reasons why we've come up with recommendations. There may be some of us that are also working on the transfer PDP. But in the event that none of us are working on the transfer PDP, I doubt that we wouldn't be in a position to go over there and be able to speak with any authority on the transfer PDP because that's not something we've been paying attention to. So I'd also be reluctant to throw our recommendations over to the transfer PDP and say, "Is this okay with you?" because they may not understand the nuance of the variants or the discussions that we've had around the recommendation. Unless instructed by the GNSO Council leadership team that that may be something we want to consider, I think I'd rather not go down that path at the moment.

Okay. Jen, I appreciate that you'll go back to the Registries and have a conversation around this. We'll try to do some work in the meantime to see if we can thread the needle on this one. But I'm not hearing a strong support for the suggestions made by the Registry team.

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Okay. Where are we, Saewon?

SAEWON LEE:

Okay. So the next one, it actually does tie in with the allocated time that we had. So we have like 20 minutes left and we are coming up to the two recommendations that had the most comments. That might need a bit of discussion on so we can get started on that, and then maybe pick up if we don't finish in time.

DONNA AUSTIN:

Saewon, what I'm going to suggest, because we have a break next week, I think if it's your assessment that you think this conversation will take a long time, is that we leave it until we pick up next week, the week after next. Because I feel that if we started now, we will forget. I think we've got a fair amount of discussion that the leadership team is going to need to go back and review anyway from this call and see if we can find a path forward as a result of the conversations we've had. So if there's no objections, I'd like to call an end to the call today. We'll pick up in two weeks' time after the Fourth of July break.

Just one thing I wanted to check. I believe that the call that we have for the following week, we may have some folks that aren't present because I think there's something happening in Asia Pacific. So I think it impacts Manju, Jen, and Edmon, but I'm just wondering—I can't remember the event. But I'd like to get a sense of who else is if we're going to be missing other people as well.

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Okay. Can someone tell me what the dates are for next week and the following week, please?

SAEWON LEE:

Currently, next week, we are off because of Fourth of July holiday in the U.S. And then we were to pick up on the 11<sup>th</sup> of July and then the next was going to be 17<sup>th</sup>, Wednesday, because 18<sup>th</sup> we have a GNSO Council meeting. Because if we are wanting to do the outputs 14<sup>th</sup> and 15<sup>th</sup> discussion, which does require a lot of the members to be present, I would like to suggest that we change the date for the next meeting.

DONNA AUSTIN:

All right. We're going to take this to the list. I really don't like changing the dates for the meetings. We have done it in the past four Council meetings. I'm also very conscious that we've got a lot to get through and we may lose people during August as well because of vacation. So we're going to put the timetable out to that list and we're going to see if we can keep pushing through this. Fourth of July is challenging because we'd have no staff to support the call. To the weeks following, I'd like to stay on the same cadence if we can.

All right, Saewon, we'll take this offline with the leadership and we'll sort out how we want to go forward with this. All right, folks, thanks for coming back. It's good to see you all, hear you all. We'll pick it up at a minimum in two weeks time.

SAEWON LEE:

Thank you, everyone.

DONNA AUSTIN: Thank you.

[END OF TRANSCRIPTION]