

Transcript Study Group on Use of Names for Countries and Territories Telephone Conference

12 October 2011

Attendees:

ccNSO

- Henry Chan, .hk
- Ian Chiang, .tw
- Annebeth Lange, .no
- Young-Eum Lee, .kr
- Leo Maluwa, .mw
- Kathryn Reynolds, .ca
- Paul Szyndler, .au (Chair)

GNSO

- Iliya Bazlyankov - RrSG
- Ching Chiao - RySG
- Heather Forrest, IPC
- Volker Greimann - RrSG
- Tony Harris- ISPCP

At-Large

- Eduardo Diaz (NARALO)
- Cheryl Langdon-Orr, APRALO (liaison), ALAC

Specialists

- Irmgarda Kasinskaite-Buddeberg, UNESCO

Support Staff

- Bart Boswinkel, ccNSO
- Marika Konings, GNSO
- Kristina Nordström, ccNSO
- Gabriella Schitteck, ccNSO

Apologies:

- Joke Braeken, .eu
- Keith Davidson, .nz
- Hiro Hotta, .jp
- Maarten Simon, .nl
- Tan Yaling, .cn

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Paul Szyndler: Good afternoon, good morning, good late evening to all of you. It's Paul Szyndler from AUDA here, chair of this study group at this stage. Thank you all for making the time to join us. This call is kindly organized by Bart. It is basically our first opportunity to catch up and to have any discussion of substance since our last get-together in Singapore.

Due to the various vagaries of European summer breaks and late periods of my own and others, there obviously hasn't been a great deal of progress since the last meeting. But what has occurred has been quite significant. I'll go into that a little bit later on. Obviously, the first agenda item was a roll call. I think you've already quickly worked through it, Gabi, but could you take care of the remainder?

Gabriella Schitteck: Sure. Yes. From the ccNSO we have Henry Chan, Ian Chiang, Annebeth Lange, Kathryn Reynolds, and Paul Szyndler. From the GNSO we have Iliya Bazlyankov, Heather Forrest, and Volker Greimann. From the At-Large we have Eduardo Diaz and Cheryl Langdon-Orr from ALAC. As a specialist we have Irmgarda Kasinskaite-Buddeberg from UNESCO, and staff we have Bart Boswinkel, Marika Konings, Kristina Nordstrom and myself, Gabriella Schitteck. And we have apologies from Joke Braeken, Keith Davidson, Hiro Hotta, Maarten Simon, and Tan Yaling.

Paul Szyndler: Wonderful. Thank you, Gabi. Was there anybody else --

Gabriella Schitteck: Oh, sorry, who else joined?

Young-Eum Lee: This is Young-Eum.

Gabriella Schitteck: Hello, Young-Eum, welcome. So, we have Young-Eum Lee as well from the ccNSO.

Paul Szyndler: Young-Eum, it's Paul Szyndler here. Yes, we've just gone through the roll call, so we're only just beginning to commence our discussions.

Young-Eum Lee: Yes.

Paul Szyndler: Thank you, Gabi. As I said, this is the first opportunity to have any discussion of any substance since Singapore. The main area of activity, as discussed at that meeting was, or one preliminary area was the involvement of UNESCO and the activities of this group. As everyone would be aware, there is a standing agreement between ICANN and UNESCO, the exact wording or description of which I don't have in front of me. A partnership agreement, I believe, in which UNESCO is willing and able to provide expertise to ICANN on various policy and other matters.

In this particular case, we developed a note to UNESCO through the auspices of [Yanish Conklin] to assist this study group with developing a typology for its work and how it would consider the use of country and territory names, TLDs.

Following Bart's e-mail, either the first one or the second one, depending upon which .pdf you managed to open, you would see that there have already been some preliminary advice in a very short time back from UNESCO already. And I have to admit, I'd only worked through it in a preliminary fashion myself. But to that end, I was wondering if I could call on Irmgarda, who is from UNESCO, to speak a little bit to the advice and to some of the commentary that UNESCO had provided. I hope everyone has had a chance to have a good look at that note. If not, I was hoping that Irmgarda might be able to expand upon a little bit. Again, the request was obviously how a typology could be developed and some of the headings and groupings that could be used.

Irmgarda, would you happy to talk to that annex that was included in that note a little bit?

Irmgarda Kasinskaite-Buddeberg:

Yes, yes, of course. Thank you. We are very glad to be part of this group, first of all, and you were referring to a partnership agreement that we have between ICANN and UNESCO.

So, what we did in this particular case, we have (inaudible) a working group on language-related issues at UNESCO. So, that is kind of the schedule which earlier in summer that we decided to do kind of internal, kind of, to look at this internally before we engage in any formal kind of communication with our member states.

So, members of this working group looked at the typology, which we find really quite well elaborated. We haven't been so much involved in the initial discussions, but we found that with the typology that was sent to us, a possible typology for country and territory, this example provided was kind of explicit enough. And we had some kind of, you know, more kind of recommendations rather than kind of, you know, instructions how this typology has to be developed.

So, if certain things you find maybe not appropriate already discussed, you can simply avoid them and not take them into consideration. If certain things you find useful, we'll be happy, if needed, to assist and provide additional information.

So, I understand why our letter was circulated to the members of the group, so there are some questions which we had. Not all answers we had as well for ourselves, so as I say again, we saw more kind of, you know, preliminary reviews rather than kind of instructions or strong recommendations how to follow.

Now, I saw what you want as well and the messages you wanted to kind of a little bit know more how UNESCO can assist you. And so why don't we -- point 12 in our letter, where we were proposing basically once we agree on kind of draft typology, we can assist ICANN and the group as well to make a first, let's say formal testing of typology in asking to basically, requesting our member states and the relevant institutions to provide first data. And we were thinking that maybe 20 countries from different regions, that would be an appropriate number to see what is responsive and if there are any kind of changes, modifications to be done before the project can be scaled up at large levels.

So, having said this, maybe if somebody has some concrete questions can ask me, if I will be able to provide a reply. And just in general, you know, it would be interesting to know how did you find it useful, those preliminary use expressed by UNESCO.

- Paul Szyndler: Thank you, Iliya. I thought I would open the call up at that point to any questions that anyone might have. I just reiterate in the first instance, obviously, this is the first opportunity people have had to see this and to discuss it, and then also to start thinking about our draft document about policies and current rules in a little greater depth.
- So, obviously, with Dakar only a matter of a week and a bit away, we need not come to anything too formal in terms of a view on this document, but given Irmgarda has given us a time, I was just wondering whether anyone had any particular questions about this first input from UNESCO?
- Bart Boswinkel: Hello, this is Bart. Maybe it's an idea that I first went through, say, because let's say the initial typology which we more or less came up with, so I'll stop sharing this document and give a bit of explanation, say, on the background typology, or the (inaudible) for the typology.
- Paul Szyndler: Yeah, go for it, Bart.
- Bart Boswinkel: So, I'll open up that one in the Adobe room. This is (inaudible) following the discussions of the working group in Singapore and this is one of the main activities. And one of the - I think, Heather, you made a reference to the UNG -GN.
- So, what we've done is look at, say, the work of the UNG-GN, and one of the documents they produced and is included is, for instance, a glossary of terms. Now, my basic idea was, or our basic idea was to use that glossary and see if they have some descriptions of country names or geographical denunciations that we could use as a study group.
- So, what I've done in this case, I just, you see there is -- this is a summary from the glossary with all the, I think, relevant sections relating to the geographic names and different types of geographic names. I have put them in a spreadsheet. In one of my brasher moments I applied them for The Netherlands, so just to see if it would work.
- Now, based on this typology and involving UNESCO, I sent -- we sent this typology as a starting point to UNESCO to see, say, from that perspective it would work, and that resulted in the letter I just shared with you.
- So, what you see, the document that I have included in the pack is more or less a installment for typology and the suggestion is to have a closer look at it during the Singapore meeting and to reflect on it including the, say, the notes from UNESCO for clarification, etc. So, this is a starting point, or this is intended to be a starting point for the discussion on the typology. Thanks.
- Paul Szyndler: Thank you, Bart, and again I'll -- with that clarification, although it may be a little bit premature, it is our opportunity before we meet in Dakar to deliberate over this. Does anyone have any questions about either where Bart started with the typology that he presented or the input that UNESCO has given so far?
- Annebeth Lange: Paul, this is Annebeth speaking.
- Paul Szyndler: Yes?
- Annebeth Lange: You know, I think this kind of spreadsheet you made, Bart, is a very good example to show how complicated these things are. But this is one of our main goals here, to try to show how complicated it is and which way we can solve these different questions. And the input from UNESCO is a very good starting point, also, to illustrate the theme. So, thank you for what you have done so far.

Paul Szyndler:

Or, Irmgarda, to follow-up on the preliminary advice, and I acknowledge that it has been accepted as expert advice, not an official UNESCO position, so in the spirit of collaboration as we work through this is appreciated.

With regard to a pilot project, at least on the surface it sounds like an imminently reasonable approach to this is a mountain, this is a problem, this is an issue that we all suspect we are aware of what the scope of it might be, but we're not exactly sure. Therefore, a pilot may well enlighten us as we begin down the path.

But if there were to be a pilot project starting from preliminary list of, say, 20 countries, do you have any indication of what sort of time frame that sort of input and the time we would have to allow to gather that input, and then to process it and then present it would be? I'm not trying to formalize a timeline, but just very roughly speaking? It's an important step, so it's therefore important for us to have some acknowledgement of what the timeline might be.

Irmgarda Kasinskaite-Buddeberg:

Before I speak about pilot projects, maybe I can just give you a little bit of an idea what it would mean, because we call it preliminary views and we don't call it yet an official UNESCO position.

Normally, when we say an official UNESCO position, we organize international expert meetings. We organize international consultations, so basically a group like yours would be invited to UNESCO and would stay a number of days with us, and we would be working together on, let's say, something like typology proposed in advance. And we would be reviewing and coming at the end of the meeting with some kind of one common opinion. Think what, for example, the proposed typology is acceptable for the experts who were attending the meeting, as well as basic (inaudible) of UNESCO, and in some instances, of course, if the documents -- in this case, of course, typology, we will not need to have an endorsement from member states. But that would be kind of a formal way of coming to an official opinion of UNESCO's official position.

This is why, because it was an internal review without consulting external experts who would be really selected under a certain kind of criteria, established in advance this is what we are not in a position to call this an official position.

Now, speaking about this pilot project, our proposal would be, what we would select, UNESCO has five major regions around the world. So in this case we would have several countries, depending, again, it's not necessarily they have to be equal, but a good geographical distribution and plus in terms of linguistic aspects. And to identify at least, let's say 20 countries which would be requested to complete online questionnaire. This is what, at least it looks like for us. It could be done kind of an online tool which would have digital data already entered by member states. And contacting official institutions in those member states which are responsible for language policies, first of all, informing our permanent delegation to National Commissions of UNESCO and asking them to assist us to contact those institutions in cases where we don't have contact.

And so if the tool is prepared rapidly, we think it can be done, let's say, between three to six months, or even faster, let's say three months would be something like would be feasible we think. From a practice we would need maybe several reminders toward institutions to do a work. So, that would be some kind of a first pilot phase completed, let's say at the end of three and six months. This is what the timeline, what we would think.

Now, we can give shorter timelines. It depends on how fast, how rapidly we need the result of the pilot phase project, because we can give shorter timelines. But sometimes

we leave more space and time for those institutions to reply, because some institutions can really develop (inaudible) and really would be able to provide rapidly this data. For some institutions maybe it would require some additional time.

So, basically, this is what I say maximum six months adoption, like, let's say short term maybe three months.

Paul Szyndler:

Wonderful. Irmgarda, thank you for that, both for the clarification of the status of the input from UNESCO, the processes that you go through, and also those indicative time frames. Obviously, the work of this study group does work to a deadline; however, the involvement of UNESCO and the execution of a pilot project or subsequent work from that is very important in terms of enlightening us and the broader ICANN community as to exactly how complicated this issue might be. So, that is very useful to know, and obviously I would ask members of the group to take a position on whether that's a reasonable first step in the dedication of time at this stage. But it certainly informs our deliberations and I don't see why after Dakar I would be too surprised if that were one of the steps that we might head towards soon after.

Were there any other questions or input on those comments received from UNESCO at this stage?

Tony Harris:

Yes, good morning. This is Tony Harris.

Paul Szyndler:

Tony, go ahead.

Tony Harris:

Yeah. I was reading the UNESCO document and my question is Article 2, which says referring to the ISO 3166-1 standard alpha-2 codes. It would seem to indicate that there is an opinion here that list of codes should be expanded with the investigation on other -- of the names which could be in use and perhaps more than two letters or two characters.

The question I have -- excuse me, I have a bit of a cold -- the question I have is would this impact on the current guidebook, because the *Guidebook for New Top Level Domains* is very specific about names which are included in the ISO 3166-1 list. And it doesn't seem that there would be time, I'm just curious, to modify this before January 12, when the new program is launched.

Irmgarda Kasinskaite-Buddeberg:

We were not proposing to, kind of -- we were proposing to have maybe two separate columns in the table, one referring to ISO standards and another one maybe with kind of other possible frequently used versions, like we provided one example.

So, I mean, in this case maybe it would not require really much of the modifications, it's just only providing another space which would be maybe not exactly ISO standards, or would not be ISO standards, but this would be something like other versions used frequently.

So, of course, in this case we are recommending to speak with ISO colleagues and see how -- what kind of advice they would have in this case, because when you stand with standard-to-standard and basically it's not UNESCO who is in a position to kind of provide recommendations. We just support maybe if you would introduce an additional column in the table, which would describe -- give an opportunity for all countries which have shorter versions frequently in use, and which could be in some cases misleading, just to be identified.

Now, after the pilot project, if it will be implemented, those kind of details we expect will come because member states which indicate those institutions responsible they would be

as well required to indicate what kind of difficulties we have in completing this table, and as well as many other elements which maybe were not reflected it or were reflected and maybe not accurately.

So, it's just in the proposal if you consider to have additional column included.

Tony Harris: I understand. But I also recall, I don't have the guidebook here in front of me right now, that there is, in addition to the ISO 3166-1, a standard, the reference to this list. There is a reference to United Nations list, which is three characters, acronyms, which define countries and territories. So, basically what you are saying is there would be -- what we are looking at here is an entirely different, a new column of possibilities.

Irmgarda Kasinskaite-Buddeberg: Yeah. We were not referring here to United Nations list, because it's an official document; we were referring to something like, an example, we think it's not so -- in some countries it can be not real official, so it could be a shorter version of nonofficial, let's say, term of a country.

Tony Harris: Thank you.

Annebeth Lange: This is Annebeth again. Could I ask a question?

Paul Szyndler: Please do.

Annebeth Lange: What you are saying now is that all the suggestions in the UNESCO annex compared with the guidebook on Section 22141 about what's regarded as the content territory names today can [either] be a contradiction there, so that somebody applies for something that is not in the exception in 22141 that could be accepted already now in the first round as a name, in the gTLDs.

Paul Szyndler: Yes.

Annebeth Lange: So, then, if we make a new list afterwards, then it could already be too late.

Tony Harris: Is the question for me?

Annebeth Lange: Well, it's more like a clarification. Have I misunderstood this or --

Tony Harris: No, not at all. Actually, I was pointing at that because I was not too sure whether this was to be produced before the launching of the program or afterwards. If it is produced afterwards, well, of course, it's not in the guidebook. I think there is still a safeguard because looking at the way the guidebook is written today, the GAC has ample space to present objections and stop any application. I mean, that's the way I read it, anyhow.

Paul Szyndler: Annebeth, it's Paul here again. It certainly sounds as though that is a particular element of our deliberations that we should expand upon at Dakar, and obviously we have that meeting. We haven't yet fleshed out the agenda for that session in great detail, which is an agenda item for this call. But I think that is something that we could look into in greater depth there, if you both agree.

My own personal interpretation is, obviously, for the sake of completeness, this is preliminary advice or input from UNESCO regarding being complete in the full range of acronyms and codes that we could end up using, so all referring to. So, I think that is certainly something that we could cover in a fuller discussion on typology when we get to Dakar, if you both agree, just for the sake of us moving on. Is that acceptable?

- Annebeth Lange: Yeah, yeah.
- Tony Harris: Sure, I'll be in Dakar, that's fine.
- Paul Szyndler: Excellent. Thank you both. Sorry, Bart?
- Bart Boswinkel: Yes, because this discussion goes right into, say, the overview of policies that are applicable today. I've updated the previous version to take into account that the African guidebook has been adopted by the board. So, maybe it's an idea just to run through and that's a starting point for the Dakar discussion as well.
- Paul Szyndler: It's also a wonderful segue to our next agenda item for this call. Bart, are you happy to speak to a couple of those most recent changes, all those changes? Unless I'm very much mistaken, I didn't have that document attached to my e-mail.
- Bart Boswinkel: Okay. It's on the Adobe room. So, this is version 2. I just highlighted the major differences. First of all, because of the adoption of the African guidebook by the board, say, the current policies which are applicable has changed. Policy under development is the IDN ccPDP rules to date. And what I've also included, that was already in the previous version, is the current contention rules now includes the new gTLDs. Now, look into that one in more detail later on.
- And say contention rules under development are, say, the IDN ccPDP contention rules. To date they are very similar to what some of the (inaudible) rules.
- So, in my view this more or less provides a good overview of all the rules and -- yeah, all the rules that are in place which the study group has to look and which applies to the use of country names or territory names as TLDs.
- So, the current policy, so that's two letter codes, that's pretty simple and straightforward. I would say fast-track process, IDN ccTLDs. I think that is pretty straightforward. I've included the criteria and procedural requirements, and the new elementary treatment of country names on the new gTLD process.
- This is just copied from the African guidebook, and I think Tony and Annebeth, you were referring to this list of --
- Annebeth Lange: The list on page 4 in your version 2 document.
- Bart Boswinkel: Page 3 and 4.
- Annebeth Lange: Yeah.
- Bart Boswinkel: Page 3 it is, yeah. So, it starts with an alpha-3 code listed in ISO 31.
- Annebeth Lange: Yes, yes, right.
- Bart Boswinkel: ISO 316, yeah.
- Annebeth Lange: This is what will be excluded in the first round, first application round.
- Bart Boswinkel: Yes. So, going back to Tony's question, I think -- but that's my read of the statements, say, this study group was established to deal with issues as of the second round of applications. So, in that sense we have time. So, what happens right now is -- what happens right now in the study group will not be able to address any issues, but that's my opinion.

- Paul Szyndler: Thank you for that clarification.
- Annebeth Lange: I agree with you, Bart, but what was my point was that if someone applies for something that is not in this early thing, in the first round, it might easily be in the study group's intention to have it in there in the second round.
- Bart Boswinkel: Yes.
- Annebeth Lange: But then it might be too late because it's already in the system when -- if nobody objects. So, the confusion we have talked about earlier, the confusion between the gTLDs and the country and territory names still might easily arise anyway.
- Bart Boswinkel: And unfortunately it is a fact of life.
- Paul Szyndler: Yes, Annebeth, with 93 days and counting, I think we have to concede that that's a very real possibility.
- Annebeth Lange: Yeah.
- Bart Boswinkel: When we started the study group, it was envisioned that we need to, well ahead of, say, of the second round, it needs to produce its final recourse. But let me continue. So, that is included in this section, say, a policy under development it's the IDN ccTLD overall policy, I just invite you to read it in preparation of the Dakar meeting.
- And what is probably the most interesting bit is the contention rules. There are contention rules in the fast-track process. There are contention rules in the new gTLD process, so one is, for instance, [strength] similarity check. This relates to ccTLDs and you can already see what will happen if there is, say, in future this was one of the gaps I noted. I don't know if, for instance, this strength similarity check applies if a new gTLD string looks confusingly similar to one of the excluded strings. But that's another question.
- Another one which I have included is -- and this is all in the African guidebook -- is objection procedures. And, again, I am not very familiar with the African guidebook. I just included, say, for discussion by the working group and maybe with advice from the experts in the African guidebook ICANN staff, whether, say, for instance, the objection rule by the GAC may -- or where the GAC may provide advice is applicable to country names and whether the public objection and dispute resolution process, either community objection or limited public interest objection is applicable as well.
- So, these are just questions, so that is probably for the Dakar meeting is again a point for discussion by the working group is to understand whether this list of policies and this overview is complete or maybe some people, or some sections need to be stricken out, so not included. That's the overview, Paul.
- Paul Szyndler: Thank you, Bart, and you've basically stolen my thunder here. So, that's actually what I was going to say, given the second version is largely new to most of those in the group. The question was as per the agenda, have we missed anything? Have we captured all of the policies and rules associated, all the relevant policies and rules? And is there a possibility of any misinterpretation there? Again, we don't expect answers on this call, but that is something that we'd like to sharpen anyone's thinking about as we come into having our session in Dakar. Sorry, I'm getting some background noise there. I thought it was a comment.

Basically, that document is one that I'd like everyone to consider before we come to the meeting, and we will dedicate some time when we have a session to working through it in some greater length. Because it is one of the major -- it's a foundation of a response to one of the major responsibilities of the study group, and that is the complete mapping of the uses of country names and the various processes that currently exist or have existed that are relevant to the use of country and territory names. So, we'll discuss that more expansively in Dakar.

With that, I thought, and also keeping an eye on time, I thought we'd move on to the following item, which was a bit of an introduction to a straw man proposal alluded to earlier, the straw man for how topology would be addressed. Again, we sort of touched on it before, Bart, but did you want to expand on that so that everyone can at least become familiar with it?

- Bart Boswinkel: No. I think the major points say what I've said to the group is just the overview, and some people on the call already requested if I could send, say, to one for [deSingel] I filled in privately. And maybe it's an idea for those on the call, if you start -- if you see how it works for your own territory or country and see if whether this is a reasonable approach. And that together and have a discussion on it in Dakar as well, unless somebody has any questions.
- Paul Szyndler: Of course. Were there any at this stage? Okay. Well, we'd set aside a time, Bart or Gabi, could you remind me, that was scheduled for a little bit later in the week. Was it Wednesday?
- Bart Boswinkel: It's Thursday, but I'm not --
- Gabriella Schittek: Thursday.
- Paul Szyndler: Thursday.
- Bart Boswinkel: I don't know about the time.
- Gabriella Schittek: Sorry, I work from mute. Actually, Christina, you scheduled it. The 27th at 10:00 she is typing to me, okay. It's on the 27th, Thursday at 10:00.
- Paul Szyndler: Okay, fantastic. What I propose to do is we have identified a couple of issues out of this call just as having a preliminary chat about the import from UNESCO, the need for more expansive discussion on typology, and also the possible next steps and time frames that we will be working toward in collaboration with staff. I propose that probably Becky and I would have a bit of a chat about a few other agenda items that we'd like to see to flesh out the decision without being too prescriptive. Again, obviously, by the group e-mail it would be great if anyone saw any particular issues that they would like to be addressed in detail.

The purpose of this call was largely to expose you all to some of those more recent deliberations so that everyone is a little more informed before we start in Dakar. Again, if there is a particular item that you'd like to see discussed on the agenda, let us know, but our plan is within the next day or two or the next few days we'll circulate something that will have color and flesh out the agenda for the session in Dakar. And then also probably finishing with next steps where we see it then going as we come to the end of the calendar year and into the early next given our overall time frame.

From my perspective, that was the majority of the major issues that we wanted to cover and not excessively bombard everyone with the important advancements on the various issues so far. Was there any other business? Were there other matters that people wanted

to bring up or questions they had of other members of the group or of Irmgarda at this stage? That's my kind of silence. Excellent.

Thank you, everyone, for your time. At this stage we will expect to send a note out in the next couple of days. If anyone has got anything, by all means please let us know. I'm sorry, I was just busy being distracted by my chat room, but thank you all and look forward to seeing you all in Senegal. Safe travels and we'll see you on the mail list in the meantime.

Annebeth Lange: Paul, it's Annebeth again. As you know, I will not be coming to Dakar, but as long as I know the time, I will try to follow you from Norway.

Paul Szyndler: Absolutely.

Bart Boswinkel: There is the opportunity for remote participation anyway.

Annebeth Lange: Yes. All right. Have a nice time in Dakar. See you next time. Bye-bye.

Paul Szyndler: Thank you all.