

Summary of ccTLD Community Discussions on ccTLD Involvement in GNSO Working Groups

5 November 2012

Background

On 30 October 2012, the ccNSO Secretariat received a request from the GNSO Secretariat to forward to the ccTLD email lists an invitation to join a GNSO Working Group on the Protection of Certain International Organisation names in all GTLDs.

The invitation was posted by the ccNSO Secretariat to the ccNSO members, ccTLD Community and ccNSO Council email lists.

Initiation of Discussions

As a reaction to the invitation, Sabine Dolderer, .de sent out following message:

We received a couple of invitations to gTLD related policy developments during the last couple of weeks "to the ccTLD Community to join a policy wg of the gNSO" and I am not sure what the intended status is or the result can be. From my understanding the ccNSO has no role whatsoever with regard to gTLD policy development nor it has a mandate to represent the ccTLD Community as a whole. In the consequence - even if we find volunteers - the ccTLD Community cannot join. I would suggest to clarify this to our colleagues from the gNSO.

Nevertheless each individual ccTLD Manager can of course choose to participate in gTLD policywork on behalf of their individual organisation but to avoid further misunderstandings I would advice not to use this list for that discussions.

In summary, Sabine Dolderer expresses her concern that the ccNSO Secretariat uses the ccNSO and ccTLD Community email lists to post invitations to community members to join GNSO Working Groups, as this encourages ccTLDs to participate in GNSO Policy Development Procedures. If ccTLDs are getting involved in GNSO policy development procedures, their participation could possibly legitimise the developed policies to be applicable on ccTLDs as well.

In a follow-up email, Sabine Dolderer develops her view:

"As there are existing examples which proofs different and existing irritation at least in the German environment I would argue for much more clarity to avoid further confusion.

To point to the existing examples.

The ICANN IDN-Guidelines are dealing with registration policy on the second level and are foreseen to become binding for registrations in IDN-ccTLDs (outside the scope of the CCNSO but also without any PDP in the CCNSO) and while they are not binding (and not btw implemented) in ASCII-TLDs like .de with currently 650.000 IDN-registrations on the second level.

Change of whois-policy in gTLDs. We saw several publications in the German press about the new whois policy for gTLDs where there at for most journalist it was not clear

that they doesn't affect .de and therefore the publications mentioned explicitly the changes for .de."

Reactions from the ccTLD Community

Bill Semich, .nu and Oscar Robles, .mx shared the concerns raised in Sabine Dolderer's first email. Oscar Robles added *"I heard someone during this ICANN meeting calling for the ccNSO/gNSO reunification."*

However, in the email exchange that followed between a wider group of ccTLD Community members, Sabine Dolderer's thoughts did not gain any real support.

Following three aspects were addressed in the discussions:

- 1) Whether it is desirable to cooperate on certain issues with the GNSO - and subsequently, if the ccTLD email lists should be used to post such invitations;
- 2) Whether GNSO Policies could be binding on ccTLDs;
- 3) Whether there is any truth to the rumour on the ccNSO/GNSO Reunification.

Some emails were also posted only to generally show support other community member's emails that addressed some of the issues above.

Whilst the community agreed that there is a need to keep ccTLD matters separated from gTLD policies, it generally welcomed the invitations from the GNSO to join their Working Groups, and was interested in a continued cooperation on relevant matters. It was also felt that it would incorrect to ban postings of such invitations from the email lists.

It was furthermore clarified and understood that it is clear that GNSO policies could not be binding on ccTLDs, as a ccNSO Policy Development Process would need to be applied for that.

No one had the impression that there existed a serious proposal to reunite the ccNSO with the GNSO and felt that this would not be a realistic scenario, as ccTLDs would be strongly against such a reunification.

Extracts from Community Input

1) Cooperation with GNSO/Posting to email lists

There has been cross constituency participation all along /.../ nothing could be further from the desirable than shutting down discussion about something like this on any list. (Eberhard Lisse, .na)

/.../we have a proud history of working in a collaborative way with other parts of ICANN and of providing input based on our experience. (Chris Disspain, .au; ICANN Board Member)

/.../ Here we have an opportunity to make heard our view on important issues. (Annebeth Lange, .no)

I think the cross constituency participation request from the gNSO is very welcome and the ccNSO should participate as it sees fit. /.../ it seems weird to bar the ccNSO from participating in the process. I think it is healthy that the gNSO has called for this ccNSO possible input /.../. (Paulos Nyirenda, .mw)

Will be always important for our community to participate in policy discussions for the gTLDs not only to identify good practices from their side, but also because could be an important place to identify points where our community can give some value to that constituency and the Internet users contributing with the discussions. (Eduardo Santoyo, .co)

/.../ I think that, as this is a "call for volunteers", we would be just providing input to the process, and in a very "personal view". (Demi Getschko, .br)

I think that they are interested in learning about how the cc's handle this issue. (Becky Burr, .us)

/.../ I am in agreement with those who are in favour of having some volunteers from the ccNSO community. (Ope Odusan, .ng)

The invitation was for ccTLDs to voluntarily participate in this GNSO Working Group, on the basis that ccTLD's would have valuable knowledge and experience to offer. (Lesley Cowley, .uk)

2) GNSO Policies Binding on ccTLDs;

/.../ none of the gNSO work is binding on ccNSO or ccTLDs in any way. (Eberhard Lisse, .na)

/.../ ccNSO participation on a WG can not by any means impact the ccNSO, as policy for them is exclusively developed by the ccNSO (Eberhard Lisse, .na)

/.../ whatever input the ccNSO will give in this process does not necessarily become binding on the ccTLDs /.../. (Paulos Nyirenda, .mw)

/.../ Any ICANN policy that seeks to be applied to ccTLDs must firstly be developed through the country-code policy development process (ccPDP). In addition, any ccNSO position or statement also has to be developed through the agreed ccNSO statement/position process. (Lesley Cowley, .uk)

3) Rumour on ccNSO/GNSO Reunification

/.../ there is not even a hint of a suggestion of a merger with the ccNSO. (Mike Silber, .za; ICANN Board Member)

/.../ there is absolutely no "discussion" about merging and there is an acute awareness, at least at board level, that the cc's are entirely independent, come to and finance ICANN on an entirely voluntary basis and make their own policy in territory. You can rest assured that even a hint of a change to that view would be immediately communicated to the ccTLD community by me and Mike. (Chris Disspain, .au; ICANN Board member)

I attended an SO/AC Chairs breakfast /.../ to discuss the impact of new gTLDs on ICANN's structure and processes./.../ No-one present suggested adding or re-adding other constituencies to the GNSO. (Lesley Cowley. .uk)