
BUENOS AIRES – Cross-Community Working Group on Use of Country/ Territory Names as TLDs

Monday, June 22, 2015 – 13:00 to 14:30

ICANN – Buenos Aires, Argentina

HEATHER FORREST: Thank you everyone for being with us today. I would like to begin by introducing myself and my colleague to the right. My name is Heather Forrest.

ANNABETH LANGE: I'm Annabeth Lange from .no and we're presenting ccNSO.

HEATHER FORREST: And our two other Co Chairs of the CWG?

PAUL SZYNDLER: Paul Szyndler from .au representing the ccNSO side of the world.

CARLOS GUTIERREZ: Carlos Gutierrez, GNSO Council.

JACQUELINE MORRIS: Jacqueline Morris, ccNSO.

RON SHERWOOD: Ron Sherwood, ccNSO.

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ANDREA: Andrea from .ee ccNSO.

SPEAKER: [Gurten Barnett 00:00:59], IPC, GNSO, Member of the Working Group.

SUSAN PAYNE: Susan Payne, IPC, GNSO.

SPEAKER: [unclear 00:01:24].

MAXIM ALZOBA: Maxim Alzoba, GNSO.

[ULGA BRAGA]: [Ulga Braga], .eu.

NORA HUTCHINSON: Nora Hutchinson, .uk.

[DRIGO]: [Drigo 00:01:39] ccTLD .an, ccNSO.

PATRICK JONES: Patrick Jones, ICANN staff, and Liaison to the UN Group of Experts of Geographic Names.

SPEAKER: [unclear 00:01:56], staff.

NIGEL CASSIMIRE: Hi. I'm Nigel Cassimire with the Caribbean Telecommunications Union.

YJ PARK: YJ Park, At-Large.

SPEAKER: Good afternoon. We're from [GAC 00:02:21].

[SHANA BROWN]: [Shana Brown] north [unclear].com.

SPEAKER: [unclear].

ROBIN GROSS: Hi, I'm Robin Gross with IP Justice and the Non-Commercial Stakeholders Group.

SERGI [GERVONOFF]: Sergi [Gervonoff], [RE] center.

[SEAN JAY]: [Sean Jay 00:02:42], Google.

JOHN PIZARRO: John Pizarro, [OETD].

GLORIA: Gloria, Uganda.

JOHN RODRIGUEZ: John Rodriguez, US.

[CARL ABRAHAM]: [Carl Abraham 00:02:55], [JTU].

SPEAKER: [unclear], Cayman Islands.

DANIEL EBANKS: Daniel Ebanks, Cayman Islands.

SPEAKER: [unclear 00:03:06] from the Minister of Foreign Affairs of [Toulouse 00:03:08] and GAC Member.

SEBASTIAN BACHOLLET: Sebastian Bachollet.

SPEAKER: [unclear 00:03:14] from .berlin.

SPEAKER: [unclear Thomas], Dominica and GAC Member.

PATRICK MILES: Patrick Miles, CENTR.

MARTIN [SEYMOUR]: Martin [Seymour], SIDN.

SPEAKER: [unclear] from Brazil, lawyer.

SPEAKER: I think we've heard somebody on the phone line as well.

KIM CARLSTON: Hi, it's Kim Carlston, ICANN staff.

SPEAKER: Thank you.

CAROL LANCE: Carol Lance, ICANN staff.

STEPHANE: Stephane [unclear 00:03:55].

SPEAKER: [unclear], .si.

ELEEZA AGOPIAN: Eleeza Agopian, ICANN staff.

SPEAKER: [unclear].

MARY UDUMA: Mary Uduma, .ng.

HEATHER FORREST: Excellent. Thank you very much, and we are supported by two fantastic...

SPEAKER: [unclear].

HEATHER FORREST: Do we have anyone else on the phone by chance? No. Bart Boswinkle and Lars Hoffman are two fantastic ICANN staff members. Excellent. Ladies and gentlemen, we have the Agenda in front of us on the screen. You'll also see it in the Adobe Connect. Our welcome complete, let's move to Item #2, which is the presentation of achievements, which is

perhaps a rather lofty way of saying let's talk about what we've done to this point. There is a document in paper form. If you would like some there are some copies around. The document is a progress report.

We had our first progress report published in September last year. That progress report largely set out our Charter, our Members, and set a preliminary roadmap for where we were headed. This second progress report is of a more substantive nature. The key achievements are, number one, the methodology of how we're going about our rather complex work. Two, the substance that has been undertaken in carrying out that methodology, namely looking at two-letter ccs and namely where we are in relation to two-letter ccs. We have a fantastic group of people in the room today. We're rather well attended. That's excellent.

For those of you who are not already familiar with the work of this CWG, it w3t be helpful to begin with a very brief summary of who we are. You'll see this is identified in our progress report. Our Cross Community Working Group was established as a continuation of, or enlivening the recommendation of an earlier study group on the use of country or territory names. This is a draft document. We intend to finalize it after this meeting.

This CCWG, what we've achieved to-date, our very first task in our to-do list was to review the Final Report of the study group that preceded this Working Group to see if there were any changes, any additions, anything missing in relation to ICANN policy and uses of country and

territory names as TLDs. Important to bear in mind we're very strictly limited to the top level and we're very strictly limited to country and territory names. We're limited by our Charter to those two things.

That has some interesting implications we can talk about later in terms of ongoing efforts in other areas of the ICANN community relating to other types of geographic names, and those at the second level. For absolute clarity, this CWG deals only with the top level and only with country and territory names. We confirmed the study group's report and made no substantive additions, save to note some particular examples that had arisen out of the New gTLD Program.

The second item on our list of achievements here, decisions of the CWG, we decided to commence with the following in interpreting our Charter: two-letter codes, three-letter codes, and country and territory names. We've taken these in the order they're presented there. Beginning with two-letter codes, on the understanding that this is a very challenging topic we're dealing with, it's a very difficult question, and we hope we could test our methodology of how we went about dealing with these difficult questions on an area we thought was perhaps slightly less complex, given its history within ICANN policy - hence we started with two-letter codes.

We agreed just prior to Singapore, and really finalized in Singapore, on a straw man options paper that was structured along these three substantive topics, and the structure of that paper has developed significantly since Singapore, largely in terms of adding the context to our work, and trying to understand as fully as possible how ICANN

policy in relation to country and territory names, two and three-letter codes, has come to be - really what is the background? We believe as a group - at least this is a driving force - that it's important to understand how we've gotten to where we are today.

This group as a CCWG is charged with making recommendations as to future policy, and we felt it wasn't possible or wise to make recommendations on future policy or even attempt to do so, without a good solid understanding of what comes before. We can speak more to that in a moment. The fourth item there is an issue of ongoing involvement. We've reached out to the GAC Working Group on the Protection of Geographic Names. This is a Working Group that originally started out as a Sub Working Group of a larger Working Group related to new gTLDs, and has since taken its own Working Group status.

This is an area of ongoing question for our group, and we have raised various questions with our chartering organizations; with the GNSO Council and ccNSO Council, and these things will be discussed in the upcoming GNSO, ccNSO Councils' Meeting. Really what we're concerned about here - and I'll merely offer an overview - is that there is, there remains, apparently, an overlap between the GAC's Working Group efforts and our own efforts.

We've expressed concerns on the GNSO and ccNSO Councils that to the extent that we keep working in this space and come up with a recommendation or recommendations that differ from the recommendations that are achieved within that GAC Working Group,

that this really doesn't serve the ICANN community at all. We made various entreaties in Singapore to the GAC Working Group, to the GAC Chair, in reaching out to say, "Let's please combine these efforts." They were very positive statements made in a public session in Singapore, acknowledging the work of the CWG and the value of combining forces, or not having two parallel threads.

Unfortunately, no effort has progressed in that since Singapore. From a personal perspective I think that's fairly unfortunate, but we will keep trying, so it's really to put that as a marker that we are working quite hard to rationalize these efforts and not end up in a situation where we come up with differing alternatives or differing outcomes to other efforts happening within the ICANN community.

Does anyone have any questions, comments, in relation to any of these four achievements or progress items? No. Very good. Perhaps we'll scroll down to the progress to-date. That offers a pretty good summary of where we are in relation to two-letter codes. We are working with in our group and we've sought input specifically around how two-letter codes could potentially be used; like options, options of the use of two-letter codes going forward. The methodology we've used and are testing, for future application to three-letter codes and names, is to discuss the status quo.

There's a fair bit of effort in this, because there is a substantial history of restricting the use of two-letter codes as ccTLDs going back to RFC 1591. Then, options - what are they? It's important that this CWG, if we read our Charter expansively, it's not charged with questioning the

New gTLD Applicant Guidebook and reaching a decision as to whether the Guidebook is correct. This CWG is not chartered so narrowly as to examine a status quo and determine whether the status quo should be determined. This CWG is chartered to make recommendations going forward.

We've asked for very broad input as to what are the possible options out there in relation to two-letter codes. We'll spend some time today talking about the substance of that. Before we go further into the CWGs, let's scroll down to definitions. I'd just like to flag this. One of the difficult areas we face within our work here is defining the scope of our work. This seems on the surface a very basic thing, but as Paul can certainly attest, having chaired the study group, this was the bulk of our work over a year and a half, two years; trying to understand in our case what country and territory names mean.

It's fantastic that the GNSO and ccNSO have chartered us to make recommendations about these things, but they haven't told us what these things are, and it's up to us to decide this. We've really started by looking at two and three-letter codes. We understand two-letter codes to be part of our mandate. Codes are not names, but they have an inherent relationship to names, and they have this inherent relationship to ISO 3166, and that is an area that's been explored in a fair amount of depth in the context of our straw man options paper.

We can talk about the substance there. Further down the road we are going to have to talk about names, and that is going to be a challenge, and we need to come up with a strategy as to how we work on defining

names. You'll see at the end a brief paragraph that's largely in line with what I introduced in relation to the GAC. Before we move on, does anyone have any questions about this document? I realize it's something you've only just seen. We can go back and make tinkering changes to it, but if anyone has any questions about how we've come to now, questions perhaps as to how come we've only gotten this far...

If that is lingering in your mind, the answer is this is an incredibly complex issue. It's taken us a number of months now, since Singapore, that we've worked on the context and tried to understand exactly what it is we're dealing with. I think we've made some very good strides in relation to two-letter codes - that's my personal view. Paul?

PAUL SZYNDLER:

Not so much a question but a point of clarification. Yes, we've made some progress, but when someone mentions CWG or CCWG we tend not to be the one they're thinking of at the moment. Obviously everyone's been fairly distracted. I wanted to offer an expansion on the point Heather made about the ISO list being the basis for our starting point - we need an anchor to start from. It's also the place where the term country and territory names comes from, because the list is not exclusively countries.

I'll use the example of Australia - we've got .nf for Norfolk Island, we've got Heard and McDonald Island, Cocos Keeling and Christmas Island. They've all got their own country code. They're recognized as territories of Australia. Similarly to others, they've got extra territorial land masses. That's why we use the term territory. In that context

that's how we use the term territory. Territory is not to use region or sub-region or part of a country or something like that - it's strictly with regards to the way they're defined and used in the ISO list. We've mentioned that extensively throughout the work of the study group.

I imagine at almost every meeting or external briefing we do on the topic, as this Working Group progresses, will reiterate that, because that theme of confusion seems to come up again and again. I just wanted to offer that clarity of what we mean when we say territory.

HEATHER FORREST:

Thank you Paul. Any further comments on this document before we move into substance? Excellent. We'll turn our attention to the straw man options paper. The paper draft we have, there's a PDF issue and a few entries in the context section that are missing. We might be guided in large part by what's on the screen, and just make a note on your paper copy that it's the correct version but missing some text. I'd like to start by looking at the Table of Contents, because I think it's a helpful roadmap of where we are. [background chatter]

The reason I'd like to start off with the Table of Contents is I think there's a very big achievement that's been made since Singapore. We've moved from random thoughts or a collection of ideas and concepts and comments and history to a structure. This structure has taken form, taken shape. You'll see it here in the Table of Contents. We have some explanation as to the purpose of this paper, just so it's not misunderstood. This paper really is a working document at this

stage. I anticipate it's not perhaps the normal course of events that a group would necessarily draft its initial report as it goes.

But I do anticipate this is how this will turn out for us - that this options paper will ultimately become our initial report. We have this general high-level background on country and territory names in the DNS, and this points us in large part to how things have been done in the past, what ICANN policy is relevant. We cross reference, in large part, the work of the study group, because this group is not really here to repeat the work of the study group. That work was extensive, so we rely on that. We have the background then to that study group and the background on this CWG. Then we move into substance.

We have our methodology - how it is that we go about attempting the work that we're doing, and this is something that I personally have pushed quite hard to ensure gets inserted into the document and is articulated. Given that this is an issue of great interest to various groups within the community, individuals, corporations, public sector bodies, governments, I think it's very important that we explain how it is that we've gone about our work.

I am afraid, particularly given Bart's quite sensible observation that we're not the only CWG out there - and we're certainly not the CWG getting the most face time - it has been rather difficult to maintain a momentum within this CWG, and that perhaps also speaks to the speed, given accountability and IANA transition and all these other efforts that are happening. Hence I think there's a real risk that when we get to the end, or at any point, when IANA transition moves off the

menu, that there will be folks who join us and don't understand how it is that we've gotten to that point, whatever that point is, when they do join us.

So I think it's very important that we explain how it is that we've gone about our work. Definitions of course is also a key part of this, and if we don't get the definitions right then we're really in trouble. The Charter that we have doesn't pre-determine any definition, except insofar that we have this overarching country and territory names. We're really tasked with if we are able to, determining whether a framework on the use of country and territory names is possible, and then further making recommendations in relation to such a framework if it is indeed possible.

"Framework" itself, that term is also an open question and leaves much for us to think about. Framework, you see our two overarching sub points there - country codes, two and three-letter, and country and territory names. There are comments in this document. It's very much a work in progress, but I'd like to think we've made significant progress here that what's sitting in the context here is fairly solid, at this stage. It's certainly well developed in comparison to Singapore. Here we really need to acknowledge the work of Bart Boswinkle and [unclear 00:25:14], who've contributed greatly to ensuring that this represents not only the documentary background but the realistic background.

It's certainly been revealed along the way that some of the old documents you can dig up about this sort of thing, they are not necessarily still in practice, or perhaps were put into practice in a

different way than was envisioned in documents. This is an attempt to get it right, if you like. We have formative years. We have the early background and how we come to be ICANN, and what the relevance of that information is to country and territory names, namely the early DNS, and how it was established, and how names initially came to be used in the DNS.

The next page has information specifically about RFC 1591, and you'll see here that this is the information that's missing from the copy that you have on paper in front of you. Bart, can you help us to understand the logic of why we put this document into boxes like this.

BART BOSWINKLE:

Yes, thank you Heather. One of the reasons - and in all the discussions we've been having around the use of country and territory names - is the question: how do the names of countries and territories get into the ISO 3166 list? Some of you will be very aware that the ISO 3166 list is a standard that's maintained outside of ICANN by the International Standards Organization. Because of the importance of that standard, and in particular the maintenance of that, and one of the things you have to realize is that the standard is dynamic.

The list changes over years, slowly, but it changes. Countries come and go, territories come and go. They are renamed, et cetera. In order to have an understanding and create a baseline, not just for this Working Group, we thought it would be very helpful to put a separate textbox and a description of how country and territory names get entered into the ISO 3166 list, how two-letter codes are assigned. It's

just a section of three or four paragraphs. We have somebody attending this Working Group who is also a member of the ISO 3166 Maintenance Agency, so we have expert knowledge to do this.

In order to set a baseline, not just for this Working Group, but broader - for everybody to refer to, this is the way how currently country and territory names get entered into the ISO 3166 list - and what happens next. Thank you Heather.

HEATHER FORREST: Thank you Bart. Again, thank you Jaap for your contributions here.

JAAP AKKERHUIS: I apologize that this text needs to be interpreted to the current situation, but I didn't have time to get all of it. It's also hard to view. If you really want to be sure, you should actually read the standard, which is 12 pages of text. Just bringing it down to a couple of paragraphs is just an attempt and not the final wording.

HEATHER FORREST: I think that's very helpful information Jaap, and I wonder... I know that the standard, given that it is a dynamic document, it might not hurt at some point in time - and it is also a document that to get the most current version of one needs to pay - but if we somehow were to append...

BART BOSWINKLE: The standard itself - but Jaap knows far better than I do - the standard itself, yes, you have to pay for it, but it doesn't set out the rules clearly how new entries get into that list. There are a couple of associated guidelines that describe how the Maintenance Agency and ISO works in order to get these on the list. We need to compile it and be aware of trademark issues and copyright issues, et cetera, but in order to get a base description of how entries get onto the list - so effectively it's the three steps, say, of how the Maintenance Agency does its work.

HEATHER FORREST: Thank you Bart. I'd also like to point out, you'll note the comment in the margin that this information needs to be updated. That's been highlighted by both Bart and Jaap. On the next page as well we have a note to insert a description relating to GAC involvement, GAC processes and ccNSO letters, and there's another area that needs some updating as well, that we've really only started to crystalize our thinking around, and that's in relation to IDN ccTLDs. We've been talking about this a bit and I think some work needs to be done there.

BART BOSWINKLE: Let me explain the background for including the work around IDN ccTLDs as well, and why in this section. Again, for a country or territory to be eligible for an IDN ccTLD, it needs to be listed in the ISO 3166-1 list. If it's not, it's not eligible for an IDN ccTLD. I would say that's the diverging line between IDN ccTLDs and IDN gTLDs. Therefore it is linked with this section on RFC. It flows from RFC 1591 and ISO 3166 as defined in RFC 1591.

HEATHER FORREST:

Thank you Bart. We won't say anything about the next two sections. That's the background. I'll leave that to you folks to have a think about, and we'll leave it here with methodology. Before we launch into methodology, please read these sections we've identified. We've identified areas where further refinement is needed in relation to that background information. If you have particular expertise, particular experience or knowledge that could contribute to that process, by all means please make yourselves known to one of us. Perhaps Bart is your best contact in this.

Please help us to make that section the most fulsome it can possibly do. Any questions? Would anyone like to make any questions, comments at this point? No. If we look then at the methodology, this helps you understand how we've gone about our work, and specifically those four points at the end. Leaving aside how we decide what our scope is, what categories, those four points set out how we're going about our work. We're talking about the scope of the category, and this helps to explain why we've made this decision to start with two-letter codes.

Two-letter codes are probably the easiest to determine what falls into that scope, so let's start there and try and get a win, before we move on and try and deal with some very difficult things. Status quo of ICANN policy. Where are we now, and justifications - why is the policy currently that way? It's important to understand the why, to the extent that we do change the status quo, or recommend doing so. That

equally is supported by a “Why?” and is therefore a rationale that can be used.

One of the things that dogs us here, and I only say this from my own research, is that in the early days of ICANN we were really more interested in building a DNS than we were in documenting what we were doing. There isn’t a whole lot of documentation on this stuff. It really is piecing together scraps of information and logically trying to do things. One group that has come before us and tried to explain - other than the study group - there was a Working Group within the GNSO; the Reserved Names Working Group, and it was tasked with looking at geographic names.

If you go back to that Working Group’s Final Report, there are some assumptions and some guesses in relation to why things were done. I wasn’t a Member of that group. If anyone was, perhaps you can offer some input, but I think this group is trying to fill the gaps; trying to understand as fully as we can why status quo is what it is. Third point there, issues. What are the issues? Given that we are tasked with two things - one, is a framework possible. Two - recommendations in relation to such a framework. This [unclear 00:35:58] issues helps us to answer, “Is the framework possible?”

And then finally the actual substance - if a framework is possible, what can we look at? Here’s where we’ll spend the bulk of our time in our meeting today. It’s a lengthy introduction to this point, but I wanted to make sure that everyone in the room understood where we were so that there’s absolute transparency in the community as to how we’ve

gotten this far, and why. If we then turn to our work on two-letter codes, I think that's the best place, because we're not in the best position at this point to talk about definitions.

We have definitions up there, and I think we come back to that later in our Agenda. Here we have information that Jaap and Bart have helpfully fleshed out in terms of the ISO 3166 standards and the relationship of two-letter codes to the ISO 3166 standard. You'll see, following our methodology, we've characterized this category as two-letter codes as identified in the ISO 3166-1 list. That is really the easiest scope for us to determine because it's a definition that's already in use.

In terms of the status quo, I don't think this will be unfamiliar to anyone in the room. At present, the two-letter codes are reserved for use as country and territory names. The specific language, in relation to the Applicant Guidebook is represented there, module two, and you'll see there's this language around gTLD strings in ASCII and gTLD strings in IDN script. You'll note there in 2.2.1 in particular, two-character ASCII strings are not permitted to avoid conflicting with current and future country codes, based on the ISO 3166 standard. The why, we've read that out. That one is easy to track down.

With that in mind, let's turn to substance. Let's roll up our sleeves. I'd like to open the floor. We have, for those who have the paper copy, Lars will help us by putting the current version, which is version 12 June, of our options chart for two-letter codes. We also have a summary as well. Everything we're doing is a work in progress, so the

chart is a bit of a pain. Let's think very broadly. I want to go back to that document, only because I want us to see the options before we talk about the summary of the benefits and burdens.

You'll see the options along the top of the page there. Option one: all two-character strings reserved for use as ccTLDs only, ineligible for use as a gTLD. That's the ASCII version. Option two, two-character strings. There are two versions of that. One, two-character strings eligible if they're not in conflict. 2.b there, two-character strings eligible if not in conflict with ISO 3166 and/or some other standard or list. Option three is on restricted use, if they are not in conflict with an existing ccTLD or string similarity rules. Option four, future two-character strings reserved ineligible for use as a gTLD. That's our IDN.

You'll see five, it's a much longer statement. If they're not in conflict with an existing TLD or any applicable string similarity rules, or perhaps some other conflict conditions. All variations on a theme, and they range from status quo to fully unrestricted, and shades in-between. What I'd like to do now is look at benefits and burdens. We'll put that on the screen - the summary of benefits and risk. That's only on option three? Then let's not do that. Let's leave the options up.

I'd like to just open the floor. I think these face-to-face meetings in ICANN are wonderful, because they give us an opportunity to talk in a way that we can't necessarily do on the phone. We're going to take down input that we hear here, and that will then inform this chart. There's no sense in going through the chart. The chart is fairly complex. In any event, this is the opportunity for all those here to

provide some input. With that in mind I'm very happy to turn the floor over. If you'd like to speak for or against any of the options you see before you, or indeed raise another option, please do that.

What I would impress upon you is the need to say why, and, "Because we do it this way now," or, "Because I want it," are probably not very helpful reasons. If we have some sort of justification - be that technical, legal, policy or otherwise, that would be very helpful. With that in mind, I open the floor. The silence in the room illustrates the difficulty that we face in the CWG!

SPEAKER:

I see the key words here, for example [joke break-in 00:42:54] - his interpretation. The clear distinction between ccTLD and gTLD based on the TLD length is lost. The key word is the clear distinction. In order to prevent any confusion, how to have such a clear distinction, if we are allowed to use two-letter strings. Maybe we can find another way, not based on the length. I suggest to have another distinction, based on the color or the flag of the country for any ccTLD. In that case, visible, you can see each country code, because you see in the browser that there is a flag of this country.

This will be a clear distinction, and in that case you will not have any confusion. Practically, it's possible to do, in corporation with the WC3 Consortium. It's only a representation in the browser. I think it's one of the possible ways to help customers understand each country code. Thank you.

HEATHER FORREST: Thank you very much. This is a fascinating suggestion. So you say this is technically possible; to distinguish, other than the code –

SPEAKER: Without any problem necessary, to put this in the browser, as a standard, WC3 standard. Each browser will see each country code... Like we see when we have HTTPS, you see that you have a green representation. We see it's a secure connection.

HEATHER FORREST: It's a very interesting idea. Yes please?

SPEAKER: My name is [Yoka] for the record. I was the one that drafted that comment regarding the clear distinction. I think it's overly complicating to implement a technical solution that avoids this type of confusion that could be easily avoided by sticking simply to the two-code format for ccTLDs. There is already a distinction, so why complicate matters by developing this technical solution?

SPEAKER: [unclear 00:45:37] is impossible to implement. You think it's impossible to implement this solution?

SPEAKER: No-no, I'm absolutely not saying so, but I think it's maybe not necessary to go that way.

MAXIM ALZOBA: Maxim Alzoba for the record. Actually, [unclear 00:45:53] letters to browser software, hardware, like firewalls, they need to distinguish real addresses and attempts to do something bad. There's a universal acceptance effort going now, and each are devoted to stations where some software have these issues, and some don't. It's a huge issue from the PR perspective, from software perspective, educational. My thinking is that it is possible to do this, but information may become old and stuck somewhere, and it might not be the best idea. Thanks.

HEATHER FORREST: I'm trying to do a queue here. Jaap, did you wish to speak?

JAAP AKKERHUIS: I just want to point out that we are not talking about implementations. We are really talking about a very abstract notion of what's a country and what's not. Looking at how you do things in browsers and so on, I don't think that is really part of this discussion. This is for more abstract notions. That has to do with what's a long name of a country or not, and there are way more things than just semi-simple technical solutions. I want to point out the difficulties of making a conclusion out of domain names was just published in an SSAC Report, which talked about the suffix lists, where people add attributes to a domain name just on certain criteria.

The country and territory names this group talks about is just about the name space, and not about how to implement it. The real issue is that.

HEATHER FORREST: Thank you. Paul?

PAUL SZYNDLER: Thank you Heather. I think we're getting back to a key point here about the status quo and the way things are, and Heather's quite appropriately asked us to talk about why we believe things should change, or why things should stay the same. For better or for worse, there's a certain amount of inertia when it comes to the situation as it currently is. Why? Because it's been that way since it was established. Whether the decisions way back when in the formation of the Internet were correct or not, a reasonable question could be, "Why do we start with the ISO list?"

Because when policy was being established in the first instance, that is the list that was referred to. Is it perfect? No. All lists are fallible, and the study group that preceded this certainly found that on many instances. But it is the way it is. Should we abandon what we have at the moment for an alternative technical solution? Possibly. Just because we can do it technically, doesn't mean we should. I'd have to be very firmly convinced that any alternative that comes along is almost infinitely better than what we have at the moment.

Ultimately our discussion is going to get back to the very core issue of what is a country, and that's inherently a very political question, a very difficult one, and in a way that's why we took the easy option of starting with two-letter codes, because it's a historical basis upon which we're doing all of our work. I'm happy for people to air their concerns as to whether that's an appropriate place to start or not, but again, I highlight the fact that the inertia's quite strong and the onus would need to be on anyone that wanted to advocate change to put forward a very strong counter-position.

HEATHER FORREST:

Thank you Paul. Annabeth?

ANNABETH LANGE:

I just wanted to ask Gregory about that solution you just put forward. We are talking about something in the browser that shows that you are dealing with a country name, but a lot of the country codes are used outside as a kind of trademark, and there are lots of other places in the browser where this is visible. If some two-letter codes are printed and representing a country, and then another should represent something else, it will be impossible. Even if it might be possible in the technical sense, you can't say that if you have a country code then you should put a flag after it every time you print something with the domain name.

It will take a lot of things to convince me that this change is a good change. I follow up on Paul. If we should change something that's

been working very well for all these years, and it started with Jon Postel wanting to separate between giving each country their corner of the Internet, that the local Internet community could decide how this reserve should be used. Then the rest, from three-letter codes and full words, were left for the gs. It started with only three-letter codes, but now it's expanded, as you know.

So to change this and take away the differentiation between two letters for countries and three letters or more for gs, there should be a really, really good explanation to change something that has worked so well as it has.

SPEAKER:

I want to say in that case we will solve the solution with ASCII [three 00:52:20] letters also. There are not only two-letter codes, there are also three-letter codes. If there was assigned a country name that has a three-letter code in the table, and a point that it's a country code, using a different color or addition of flag in the browser string, there's a second problem also. Any problem in future, for example if somebody would like to use a country name, for example Armenia, if this will be what the Armenians like, everybody will see that it's Armenia. If it will be without a flag, everybody will understand that it's not Armenia.

I think it's the universal solution. Maybe it's not usual to accept immediately, but necessary to think about, because it's a way to resolve it. Of course we will have problems with emails. It's impossible to show that in emails, but in any SMTP server it's easy to change the

address from. It's not a problem. From that you can print whatever you want.

HEATHER FORREST:

What I'd like to do is pose a question, and it's a question that picks up on some of the comments that have been made. At this point I'm more of a facilitator than anything else. It's a question that picks up comments that have been made to now, and it's a question that comes out of the comments that we've received to-date. One of the things, threads, that we're seeing in comments, has to do with differentiation and the need for differentiation. Can we speak specifically to that? If anyone has any views on whether differentiation is needed between country or territory, or between a government affiliated or ccTLD and a gTLD?

It would be very helpful to have your views on that, as that would formulate this group's work. Maxim - and would anyone else like to join the queue? Susan, and Jaap. Thank you.

MAXIM ALZOBA:

The very important difference between all gTLDs, I am talking about old gTLDs, new gTLDs, altogether, and ccTLDs, is that ccTLDs act on behalf of their country, and in certain jurisdictions with its own rules and deep and all ideas behind it, and gTLDs are just commercial contractors, and they have to behave in different ways, and some of them have obligations before the relevant governments, like new gTLDs. But I'm not talking about this case.

I think that a clear distinction should be in place, because when you go into some ccTLD you understand that you're going to this domain, in a broad sense, which has something to do with the ideas and will of this particular country. In my opinion we shouldn't mix commercial things and things relating to sovereign jurisdictions.

HEATHER FORREST: Thank you Maxim. Susan please?

SUSAN PAYNE: Thank you. I'm going to say something a bit controversial, but I'm going to ask people's views then on .tv, .pw. I can't think of another one off the top of my head, but I in fact probably agree with Maxim, that I think it would be good to have a distinction between the country codes and the commercial, but there are a number of country codes now that are commercial. I would like to ask people what their views are about that, because I think we can't put the genie back in the box, and so to talk about this as being a distinction between the country codes and the gTLDs, that distinction has been eroded, and so we're trying to protect something that no longer exists.

HEATHER FORREST: Thank you Susan. Jaap?

JAAP AKKERHUIS: Well, what I wanted to say is there are, really, in the DNS, they are just names. There are no attributes. There are no commercial names or

non-commercial names. It's just a string. Putting a meaning on the string is something people do. The other thing I want to say - and now I'm putting my ISO hat on - is that if you are following a standard, you should follow it completely, or not. You cannot just pick and choose from one or the other one. You should go all the way. It's not just you can add back various things, like, "I like this part of the standard, let's take this, and I don't like that from the standard so I'll just ignore it."

A standard is for people to exchange information. That's why this standard is there. There are rules of how to do that, and one of the rules is two-character names are signed by ISO, and if you're following the ISO standard, you don't use the names that are not allocated. As long as you are following the ISO standard, you should go all the way. If you don't want to do that, well, make your own standards, but don't quote the ISO standard. There's a consequence on that. As an ISO person I say, "Just follow the ISO standard and go all the way. Don't just pick and choose."

HEATHER FORREST:

Thank you Jaap. Jaap, next to you - forgive me, I don't know your name.

[YOMI]:

Thank you. [Yomi], for the record. I'm hearing what I've been reading online so far, and I'm hearing the arguments that have been made during the teleconferences made again. I would like to express my views again, and this relates to the comment about .tv being

commercial. The two-letter code space has been allotted to yes, codes, but behind those codes are countries and territories, yes, but as Maxim has just said, it is being run by cc's that represent countries. Yes, some are commercial, but it is up to that country code to run it however way they want. It is their right.

I don't think that .tv being run as a commercial should be a factor in the decision between the cc space and the g space. The other thing I'd like to add is that the cc space is a space that represents the many, many countries of this world, and just because some of that space is not being used, and I think this is a comment that agrees with what Jaap has just said, that space is for the ISO list. The g space has the three characters, four characters, five characters, whatever. That space is unlimited, and it's much wider than the two-letter code space. I would like to ask why the two-letter code space should be used for anything other than the cc space? Thank you.

HEATHER FORREST: Thank you very much. Mary?

MARY UDUMA: Thank you. I just want to echo the intervention the last person made. I just want to say that countries since the standard had been that the two-letter code included in the ISO is reserved for the countries, for [unclear 01:02:28] way the country decides to run that. It is their prerogative, and we should maintain this standard, because we would be looked at as if we want to deny the countries who are - "Why is the

interest coming up [unclear] the country code?” .tv and .pw, when you go back, it would have been that the country decided to run it like that.

.co for instance is being run and they are making a lot of money out of it. But there are some that don’t even charge fees for their country code, so that variety and flexibility is there. I think the g space is so wide that I think we should, for me, the third option is what I think we should be looking at. My cc is being run on a commercial basis, but the government supervises what I do. It doesn’t change from that. It has a sovereignty connotation and we should bear that in mind.

HEATHER FORREST:

Annabeth?

ANNABETH LANGE:

I just wanted to comment on your intervention, Susan. Yes, it is that some country codes use the resource they were given, commercially. They are usually small societies and if they should use it just to their inhabitants it would not be the resource that a big country can use their country code for. We must also remember there are a lot of gTLDs that run the opposite way - in a public interest, for the community.

So it’s not a demand that you have to run it not-for-profit and not commercially. It is up to the local Internet community in the country, or sometimes the government it depends, to decide, “How shall we use this resource to the best interest of our Internet society in our country?” I agree with the interventions to keep up the differentiation.

HEATHER FORREST:

Thank you Annabeth. I would like to pick up on a few of the comments that were made, and I noted in particular Jaap’s comment, which is several comments ago. I recall language before RFC 1591. It might have been 883 or something. It’s an early RFC that said there is no technical distinction between ccTLDs and gTLDs. It was one of the early RFCs dealing with the DNS. That is an interesting point.

Another thread that’s coming out of our comments here is the value of maintaining a standard, and if that is a value that we recognize as a CWG then that certainly goes into our justification for why we do what we do. I personally feel that there’s not only value in maintaining a standard and maintaining it completely, not cafeteria style. I believe it if of value in maintaining a standard that is objective, and there are particular benefits to dealing with a standard that is external to ICANN.

It was acknowledged from the beginning... Of course, the famous statement in this context that all of you may have heard: “IANA is not in the business of deciding what is or is not a country.” That statement really sits over our heads in this work that we’re doing, and of course the logic for adopting the ISO 3166 standard was precisely that - was not to get into a political discussion. That standard has the benefit as well of objectivity.

I think that to the extent we’re acknowledging - and perhaps this helps us to make decisions within the group - if we acknowledge what values or goals we want to achieve, and then we work, we pick the option based on that, as opposed to pick an option and then attach goals to

it. That said, I think there is a valid point when we say pick out a standard and use it universally. Susan quite rightly points out that ccTLDs have not been used universally the same way, and I raise the question about distinction in the DNS, because I'm not convinced, based in my own work in this area, that users actually care - that Internet users do see a difference.

I think we're premature in considering that question until we really have full implementation and roll out of new gTLDs. We don't know what the impact of new gTLDs will be on the Internet users' minds. We don't. It's difficult. We have to do a bit of finger in the word determining here - guessing - as to what is happening. I personally am of the view that this distinction is an idea that doesn't necessarily bear out in practice. It would be an interesting question, if we were to undertake that question, to somehow survey this - to somehow get some empirical data to see what difference there is.

That of course takes us into a very difficult... That's years in the making, and this is not the time, and we have new gTLDs and this sort of thing. But I personally see the value in objectivity. Whatever we do, it needs to be objectively applied, and if it can't be, quite frankly we can't do down that road as a community, I don't think. My views. Paul?

PAUL SZYNDLER:

Thank you Heather. I think the conversation after the last two comments ran a bit, and Heather went in a little different way to when I was first going to interject. I was going to pick up on what Susan said,

and it's an interesting point, because if I was to play devil's advocate, about the blurring of the lines about what's a c and what's a g, I could then look at what Annabeth and that some gTLDs act for the social good as well. I could take that strength into my argument and that's actually blurring the line even further.

So the difference between the two of them becomes even more irrelevant. Then you can build on top of that the fact that Heather said, "Well, the technology doesn't care. The DNS doesn't care. There is no technical difference," and so far we're gathering quite a few elements that make a strong argument for the deletion of any distinction. Why would we maintain it when it's been so obviously compromised? I've got a few points in response to my own question. As people have mentioned before, the two-letter codes that have been used for commercial use, as Annabeth pointed out, generally they are smaller territories where there is greater value for the community in selling off the names to a higher... Trivolu.tv.

In Australia there's an example. One of our subordinate territories, with .cc, commercialized by VeriSign. The agreement with the community and the government and the operator results in funds and benefits coming back to the community. But ultimately that operator - and it is a commercial operation - is still answerable to the community, is still answerable to the authority, and that delegation could be taken back away if they fail to meet the terms of their agreement. There is, at least in principle, still a difference.

The most important thing is that two-letter codes are all that countries have at the moment. As others have said, there are bigger codes. Any three, four, five-letter combination is available in the g space, but I understand the commercial imperative to shorter is better. If you get a shorter name that's always going to be better. It's almost ironic that .ip is still available, because I don't think anybody uses that at the moment. That could be of interest to some. It's not a technical issue, it's a practice issue, it's a historical issue. Again, I still think that there is no real grounds for change.

Speaking of change, the issue I've got is every country and territory at the moment has their own code. What's going to happen when it changes? Do new countries not have a right to their code later on? We're creating a discrimination between countries - those that exist and those that do not yet exist. When the list was established we had .su for Soviet Union and the separate states therein didn't have their own codes - they do now. That would be a very political, very unsavory situation if, in 10-20 years' time, countries divide or reform and are unable to have a cc because it's being used for another purpose. Fundamentally, that's always the big stumbling block that I've struggled to deal with as a reason for change.

HEATHER FORREST:

Nora?

NORA HUTCHINSON: Thank you Heather. Paul's just said pretty much what I was going to say, so thanks. I was picking up on Susan's point about the commercial ccTLDs. I appreciate it does blur the line, and as Annabeth has said there are also examples of gTLDs that blur the lines, so it's not a clear-cut case. But there is a framework that's in existence. I think Heather's point about whether end users understand the situation, I expect the answer is probably no.

But there is a framework in existence, and going back to that framework, what does happen in situations where future aren't able to register their cc? That has a massive detriment on their ability to have a national space, which may have serious repercussions. Thank you.

HEATHER FORREST: Thank you. Maxim and then Jaap. We'll close the queue at Jaap, as I'm conscious of the time.

MAXIM ALZOBA: Actually, there is a technological distinction between new gTLDs, old gTLDs and ccs. Because some policies are technologically enforced, like URS policy, when you know that if you are not happy with someone who's using your trademark you can apply for the process and it will be blocked in 24 hours, by example, by technological needs. It's just not [unclear 01:13:52].

HEATHER FORREST: Thank you. Jaap?

JAAP AKKERHUIS: I want to add some last words. If you are not [unclear] adapting strictly to the standards, it means that the two-letter codes, it's predictable, what it means, and so it will cause stability in the long run.

HEATHER FORREST: Thank you. I'm conscious of the time. I think this has been a very fruitful discussion, and as I say, in perhaps in thinking of our methodology, this is a more helpful way of doing things; that we talk about the goals that we want to achieve and then attach the option to the goal, as opposed to the other way around. There's been some comments expressed in relation to differentiation, but I think if we want to base our decision on differentiation, we don't know whether there is a difference.

So that's perhaps not the most reliable reason for what we do. If we want to base it on technology, I take the point about the URS, but there isn't that clear, technological difference in terms of a g and a cc, if we look at that. I don't think technology is the right basis for our decision. If we want to base our decision on the use of a standard, and consistent use of a standard, then that's a very different story. What I'd like to do is I propose we continue that dialogue on the list - anyone who perhaps wasn't comfortable to speak up today, or didn't have a microphone, let's do that - let's continue that discussion on the list.

Lars, could we return, just to close off with our Agenda, please? There are two final points on our Agenda. One is the work of the GAC

Working Group and how we interact with the GAC Working Group. I think what we'd best say to this is that we will continue to reach out, we'll continue to make efforts to communicate with GAC Members. We very much appreciate GAC Members who are here today and contributed to the discussion.

We understand there may be some discussion this week around the GAC Working Group's current proposal. Do you know when that is? It might be on Wednesday. Tuesday at 8:45. Very good. I can say this - that certainly the Co Chairs and Members of the CWG here are not any more clued in on what's being presented than anyone else is, so that will be a "watch this space" and we'll continue to make some efforts there.

Also, even if you're not in the GNSO or ccNSO communities, those who are interested in this discussion in terms of how the councils of those chartering organizations will take up this issue, you're more than welcome to join us for the joint councils' meeting, because the issue will be discussed there. Roadmap to ICANN 54 in Dublin, I would suggest that we work to finalize immediately this fantastic second progress report so that we document where we've come up to the point of this meeting. We capture the work that's been done in this meeting; the fantastic discussion we've had. We'll do that soon after we all get home.

Then I think what we'll do is we'll continue our discussion on two-letter codes, and with a view to seeing the options more clearly and perhaps having a more favored option before we get to Dublin, and we then use

the approach we've taken up to now to begin our substantive work on three-letter codes. I think there's tremendous value for all that we deal with the Internet here. I think we've done our best work, and perhaps that's also the pace of things, in these face-to-face meetings. Perhaps another substantive discussion like this in Dublin around three-letter codes would be very useful. Clark, please?

CLARK: Just from a mathematical point of view, two-letter ccs have 676 permutations. Three-letter codes have 17,576 permutations. We'll see if we can preempt all of those. Thank you.

HEATHER FORREST: That right there tells you why we started with two-letter codes. I thank you all very much. It's wonderful to have so many people in the room.

JAAP AKKERHUIS: Maybe in addition to your one, if you look at the current exclusion of country and territory names, as is in the Applicant Guidebook, think about this permutation - all countries and territory names in all languages of the world, so I think depending on the list you use for all languages, I've seen one with over 7,000 names.

HEATHER FORREST: Excellent. Thank you very much everyone for contributing to our fantastic discussion. We can stop the recording and you may go about your day.

[END OF TRANSCRIPT]