TRANSCRIPT

IDN PDP Working Group 2 Meeting in Prague

28 June 2012

Attendees:

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Hiro Hotta, .jp (Chair)
Daniel Kalchev, .bg
Paulos Nyirenda, .mw
Giovanni Seppia, .eu
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Support Staff:

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Bart Boswinkel: Just around these two, the working group has already agreed that in principle for all the others, et cetera, it is one member, one vote, with a small caveat that the members need to be from different territories. That is not under debate, so we're just discussing this bit, still.

So, the way I presented it and this was what happened on the last two calls, that one vote per territory, again, what is the -- and that's the way the working group, at least those members who attended these calls discussed what is the underlying principle or distinguishing factor for the ccNSO. And I hope I captured it well but this is more or less the idea of Demi is -- at the end of the day if you really look at it, what the ccNSO is about, the ccNSO is an organization of peers whose eligibility to the ccNSO, so why they are members of the ccNSO is a result from a direct link of the ccTLD with a country or territory listed on ISO3166. So, this is for IDN ccTLDs and this is inclusive and this is currently for the ccTLDs who are members of the ccNSO and this is also reflected in the membership definition we all agreed upon. So, if you -- and say this is reflected in fact in the voting on a territorial basis.

If you were to go -- and I hope I captured this correctly, if you go for one vote per member and I know this is more sardonically proposed and I think that's captured in the final report, captured the idea it is not one member per vote but if you run one or two IDN ccTLDs that will only county as one vote in the territory. But just you have one vote per member as an idea is that at the end of the day the underlying principle is that the ccNSO is more or less Andre's language, the ccNSO is a professional organization based on the understanding of equal peers that is -- I hope I captured this principle correctly for those people who are in favor of the one vote per member idea. And what was raised I think particularly by Demi is again the question what is the difference if you go from this starting point, what will be the difference with the GNSO. Because at the end of the day this is also a group of equal peers or especially with the registry constituency. There's hardly any distinguishing factor any more between the registry constituency and the ccNSO if you look at this from this perspective.

Okay, so what happened during the meeting? These slides I just presented were -- I used for the IDN ccTLD meeting itself as well -- sorry, for the IDN session during the ccNSO meeting as well and so we asked -- this is not binding, just to have an indication to assist the working group, what is the sense of the meeting? How do they perceive the ccNSO. And based on -- I think we had this is the green card, yellow card, and red card thing. Based on that sense of the ccTLD community present was that the one vote per territory idea -- that's, to recap what happened. I think next steps, I think it's a matter of taking into account results and reframing a bit the one vote per territory, one vote per member, and taking into account the account during the ccNSO meeting itself. I think what is important is the question for the working group, whether it's possible to reach a consensus position or are we going to move forward with a majority view and a minority view, I would say what is important as well in this context is on the last call before the ICANN meeting, so that's two weeks ago at least.

I think that was clear from the transcript as well that all members present on that call indicated the direction of one vote per territory. It's more to see if we can find consensus on this one. I think from the reporting perspective we can include both but it will make life easier if you start moving forward in the sense of going to the next phase, including it in the final report, and then for the council and for the members themselves, the current members of the ccNSO. They always can vote against it but at least you have one set of consensus recommendations over the working group. So, I think that is -- in my view that is what we need to understand. If the working group can reach a consensus position at this stage or that we go on and move forward with a majority and minority view.

Hiro Hotta: Thank you, Bart. Let me add about that. Two weeks ago at the conference, we had Bill Young and the Marriott and they also supported the one vote per territory and one vote per territory option. Do we have any comments on that? Daniel?

Daniel Kalchev: I think we have not exactly a problem but a bit of a situation because not all the working group members are present here and actually the last part of that one vote per member are not present anyway. So, if we here agree that we support this view, this still may not be the final opinion of the working group. So, we need to understand that. That's one point. The other point is the question, who is the difference with the GNSO. It's actually in the public because it is not the relationship between members that made the difference. It is the relationship to the domain, not the members themselves. Of course you can look at it this way but the ccNSO and the GNSO are professional groups so I don't see any point in that question anyway. It's sort of diluting things. But what I think is important that we do not remove from our reports or the discussion on why one or the other but there are some issues that are potential problems with the one vote per territory. They are not obvious right now because they're not so many ideas with this but there may be more when the normal -- because if it's engaged -- and so then we

	may face some situations like what we just discussed, the attempts by governments to directly influence the opinion of everybody in the country which is not desirable I think. At least we need to keep this documented.
Kristina Nordström:	Sorry to interrupt. I just want you to know this meeting is being transcribed. It would be very helpful if you can say your names before you speak. Thank you.
Hiro Hotta:	Thank you. Yes?
Bart Boswinkel:	I think without -- I think if you write off including that we need to include say the arguments of both sides, I think it makes a difference the way it's presented if it's perceived and this goes with the question whether it's appropriate or not appropriate to put in the question what's the difference, say from a perception point of view, it is important to include that question because it will be asked and so that's one. The second thing is and again, this is a difference -- not a difference. I fully agree that the deliberations over the working group should be included, say why, say that we had alternatives because that's the way it's presented right now and say we had a long outstanding debate but it makes a difference whether this working group can present its recommendation say as a consensus recommendation, including all the deliberations around it, or that you still have a minority and majority view in expressing it and even you can record this but at the end of the day there is a consensus recommendation of the working group going out to the council and to the members and the members in the council can still disagree based on the arguments and can vote against or in favor of the full package of recommendations. So, this is not an attempt to remove anything relating to the one member one vote argument from the report. It's just seeking to come up with a consensus recommendation, whether we can achieve it, yes or no.
Demi Getschko:	This is Demi, one question and an observation. The question to Hiro is how many members are missing on the meeting. Who are these members? Just to answer Daniel's question. I really don't remember the position of those other members but as you said, the majority of the members with the other position are not here.
Hiro Hotta:	May I answer the question now? This is Hiro, the chair. In the last meeting we had Bill Young, Hiro -- me, Paul, Giovanni, and Mary. And today we have Demi and Daniel as well and Siavash as well. So, in the last meeting and today's meeting, we get all the members' opinions. In the last meeting it was ended as saying yes, we go with the context.
Demi Getschko:	Those missing members are in this meeting?
Hiro Hotta:	Yes. Today we miss Mary and Liam. But they were in the last meeting and they said clearly they support --
Demi Getschko:	I was not at this GNSO meeting where the straw poll was taken and I offered to say that I support the majority view. The observation I wanted to share is about the point Daniel rises and I really do not agree that the influence of the government will be greater or less if you go one way or another because mainly all the propositions for IDNs comes from the government and if you put more power in this segment of the ccTLD you're going exactly against what you said. Most of the power will be in the hands of the proposed IDN strings that came from government. Some of the ccTLDs are not for profit or in the government organizations and you have a mix of those things. Really, the IDN strings are mostly by government. Thank you.
Hiro Hotta:	Daniel?

Daniel Kalchev:	I think there's some confusion in what they said about how you got it. My line of thinking is there are fundamental differences between ccTLDs and gTLDs and the difference is not whether those governments are involved or not. The main difference is what is the purpose of this gTLD? And with exception of several well-known cases when ccTLDs are run as gTLDs but ccTLDs are actually having a role to serve their own community. Which is more or less your base -- cultural base or language base and the difference is more emphasized that you have that in the gTLDs. Because ccTLD's impact is useless outside of that community. So, it's not - I mean it's not proper to compare ccTLDs and gTLDs in the way they're run or the government involvement and so one because it may happen with the new gTLD program that there will be governments that will be involved in a number of other domains, ccTLDs.

I just wanted to point out on whether one of the cases it will look more like the gTLD, there is also another opinion in the other case to the extreme it will look more like the GAC. So, I think we should remove these qualifications from our result of -- |
Hiro Hotta:	Which qualifications?
Daniel Kalchev:	The question whether if we support the one member one vote principle, the ccNSO will look more like the gTLD because one can argue that if we select the other one which is the one vote per territory then the ccNSO will look probably like the GAC. I mean in the way this --
Demi Getschko:	Sorry, Daniel, this goes to what is really -- this is about the ccNSO itself and I think I heard you say that you think -- and I think that's the bottom line of it, that's reflected in this one vote per territory argument, the ccNSO at the bottom line is linked with the territory in everything it does. Policy is set locally. Everything is set locally. And the argument is therefore formal voting should be done on a territorial basis. That's the line of thinking. And if you don't do it that way, because this was the view of Andre, he sent an email around and said at the end of the day it's a group of technical operators. Why create a UN system? At the end of the day it's just a group of people who are coming together and they should vote on an equal basis. That's the one vote per member. Then you're -- if you follow that reasoning, then you change the nature -- or not change the nature, then you view the nature of the ccNSO as it's a group of peers without any further qualifications and then the question comes in, if you view them as a group of peers, the question comes in, what is the nature -- what makes the ccNSO?
Hiro Hotta:	That is why we put this first, what makes the ccNSO is that this is a group of peers that happen to be running ccTLDs that are very closely tied to national or territorial budgets. So, I think we're trying to fit several incompatible definitions here. It is nothing that the ccNSO -- it's a group of technical bodies and people that are -- not people but organizations that perform technical tasks for GNSO management. The other group that is again linked with the territories, and that is the GAC, and they do the political or policy part of this work.
Demi Getschko:	Just a confirmation -- GAC is dealing with countries, not territories. It's a very different thing. You don't have problems with the government, you don't have the impact of the government. You have a lot of -- first of all, GAC is rated to countries, not territories. The second one, just to remember, we had a very big discussion before Stockholm when it was the GNSO between Gs and Cs because of the inner differences, just not to lose the difference.
Hiro Hotta:	I have Siavash and Paulos.
Siavash Shahshahani:	Listen, I think dwelling too much on the historical natures of the ccNSO and GNSO isn't going to be very useful because the way I see it, in a few years GNSO will be quite

different as well. Just imagine even one fourth of the applicants making it to the new gTLD and that's certainly going to change the nature of GNSO especially if you get in some IDN gTLDs. So, we can't really be sure it's illustrative of any long range work. My proposal is at this time that we should somehow record all these ideas that have been presented for future discussion. Whether it's majority, minority, or whether it's consensus -- I don't think that matters really less because I think in a few years you're going to have to reexamine this whole thing. My proposal is in an interim way we come to a consensus that for the moment, for the next few years, we're going to live with this idea of one vote one territory, that we should record all the concerns that Daniel is presenting. And I've had these concerns. I'm certainly very sensitive about the relationship between GAC and ccNSO. I don't want to get into a long discussion about what the role of the government is in this but I said this discussion, I don't think it's the simple fact that governments push for IDNs. It's not that simple. There's lots of things be said about that. So, my proposal again is this. Maybe we should come to a consensus on a short-term basis, but record all the concerns for future discussion.

Bart Boswinkel: As I said, if you look I think at the last final report, I think the different views of both the majority and minority were captured and the choices were made for one direction or the other and while there was a minority view and why there is a majority view. At the same time and this is probably important to note and formally you don't know but as far as the IDNs working group run, what you see is there is something -- there is included a review paragraph so that in five y relationship it needs to be reviewed and as well as if there are circumstances which make it necessary to review the results of the PDP. It's easy to extend to both the two elements or the two parts of this whole PDP, that's the overall policy, and it's the inclusion of IDN ccTLDs. I think it's worthwhile because it was five years ago, almost ten years ago when the ccTLD itself was created and you do have the regular reviews anyway. If it comes up sometime, a review doesn't mean it needs to be changed but that you are consciously busy with are the concerns valid, yes or no. I think that can be done very reasonably. I think it's wise to do it. That would be my advice to the working group.

Hiro Hotta: Thank you so much, Bart. Paulos?

Paulos Nyirenda: Yes. Thanks, Hiro. I was going to raise the same issue. Maybe we shouldn't really be spending a lot of time comparing CCs and Gs at the moment because the Gs are really in transition. I think if we spend a lot of time on that, in a very short time, things will change significantly.

                     My second issue was -- I think that the issue of putting forward both the majority view and the minority -- I think that's what was agreed in the last meeting, maybe just to draw on that, the point that the people who are not here today did agree to this in the last meeting. So I think we have a consistent view on this already.

Daniel Kalchev: This opinion of yours that you might have, I have no problem with the one vote, one territory principle because this is what we have right now as reality. If we talk about today or maybe the next year or maybe the next year after that whether we accept the one vote per territory or one vote per member, there will be absolutely no difference. So, I still see as we have discussed, I think, that in the future, all this ccTLD space will be very, very different. In my opinion the main difference will happen in the ccTLDs. The ccTLDs, if they grow in number, the principles will remain the same. The relationships will remain the same and so on. I don't particularly see any more influence of governments with this because this is just a technical role. The governments want this internet thing and their job is not to run the technical part like the ccTLDs but to create the frameworks so this can be done effectively and better. So, I really don't have any problems with one vote per territory but I think it's extremely important that we include these concerns and discussions in the documentation just to be able to go back in two

years and hear the thinking we have now because in a few years we may view all these things in a different way. We may easily -- I don't know.

Hiro Hotta: Thank you, Daniel. Demi?

Demi Getschko: I suppose we have all the views in the document already. I'm certain. But I agree with Daniel that things will be changing. I agree also with Siavash. But in my view, the things that are changing, putting more difference between CCs and Gs we now and in the future -- why do I say this? Because first of all the Gs will be the majority brand names. Brand names are totally different than CCs. And probably we will see more and more conceptual differences between the community oriented CCs and the commercial brand names and Gs and prefer the future things about the new generic brand names that have these in the domain name space. I'm quite comfortable to have the difference between CCs and Gs we have right now and really I think this difference will be easily seen in the future because the Gs will have another road much more in the action of brands and the commercial enterprise and so we may be hopefully we can remain within the original internet space. Thank you.

Hiro Hotta: Thank you, Demi. Yes, of course.

Siavash Shahshahani: One short remark that's currently relevant. We can't forget that the CCs are sometimes not very different from Gs. What's dot-TV or dot-co now? You can't ignore that either.

Demi Getschko: Yes. But these are conceptions. We can't argue based on conceptions. Even dot-TV is also open for everyone. Dot-co is open for everyone. But this is the decision of the Operator of the CCs. But these CCs exist by virtue of the IONA ISO list, not by virtue of a concept or virtual of an commercial initiative. By the way, I agree with you. There are some CCs that behave like Gs.

Hiro Hotta: Thank you. Any other comments? I think as the chair we have considered that we write down the document with one vote per territory, with for example a clause with future discussion that we have to revisit this discussion with the discretion of the okay of the members. Thank you. Thank you very much. So, what's are next step?

Bart Boswinkel: Next step is I have to write it down, send it to you, and then it's done and the working group, what I'll do is I'll update the rules and guidelines accordingly because this was also an open issue and then we have a full package. Then the working group is done.

Hiro Hotta: In three weeks?

Bart Boswinkel: Yes. I'll try. Probably next week.

Hiro Hotta: Thank you very much. Any other business? So, I'm very happy to -- thank you very much.