

---

ICANN75 | AGM – ccNSO: ccPDP4 Working Group on Selection IDN ccTLD Strings  
Sunday, September 18, 2022 – 15:00 to 16:00 KUL

KENNY HUANG: Okay, good afternoon, everyone here, and good morning and good evening for someone online. Welcome to the ccPDP4 session. I think it's quite unusual, we have real, physical, face-to-face meetings here. Eventually, people, it's probably the first time seeing me here. Okay. So, let's start the session. We're coming to the roll call, and Kim, do we have any apology?

KIM CARLSON: Kenny, we haven't received any formal apologies.

KENNY HUANG: Okay, right. Thank you. So move on, Admin session matter. The first will be Action Item. Any specific action items, from Kim or from Bart? If not-

BART BOSWINKEL: No, not for me. Go ahead.

---

**Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.**

---

KENNY HUANG: Okay. Move to the next one, Update Timeline, taking into account, and so move to the next one. Discussion Updated Policy document. You probably have received the update on Policy document, so let's review for the Update section, that will be second reading. Bart, can I send it over to you?

BART BOSWINKEL: Yes. For the good order, you have Stephen Deerhake in the room, as well. Can we swap, because I know he did a presentation, they prepared a presentation that we spent some time on the presentation from PDP.

KENNY HUANG: Sorry, Bart. Just a bit of moment. Can we switch back to the agenda, because I mean, I just recommend we have -- go to agenda number four first.

BART BOSWINKEL: Yes. That's the same thing I wanted to suggest.

KENNY HUANG: Okay. Right. Sorry. Okay. So switching that, agenda number four. So we're starting from the agenda number four, goes to ccPDP Review Mechanism.

---

BART BOSWINKEL:           And that's Stephen Deerhake.

KENNY HUANG:            Okay. Thank you. Stephen, over to you.

STEPHEN DEERHAKE:      Thank you, sir. I'm going to run through this pretty quickly and not hit every slide, but you'll have it for the record and it'll be part of your archives as well, I assume. Next slide, Kimberly. Thank you. You can see the agenda there, but I'm going to focus not so much on the background, but really just focus on the Principles section of the Working Group Policy, as we've developed it to date.

So Kimberly, if you can skip down to the Working Group. Here are the Principles. This introduction is we're really stressing that it needs to be a low-cost process, and it can't drag on forever. It needs to have a limited duration and there has to be really good accessibility for the process, for anyone who wants; a manager who wants to use that process has access to it.

One of our other fundamental principles that we spent a fair amount of time developing is that notion of fundamental fairness within the process, so that the scales aren't tilted either towards

---

the internet functions operator or the CC manager. Next slide, please.

That's where we are with it, and we have stress tested what we've developed to date, and we're actually beginning to work on language that will constitute the Policy proper. We spent some time just prior to this meeting, in this room, going through a very rough draft and incomplete, about where we are today. Next slide, please. So the key elements of this Policy. Next slide, please.

Decisions covered by the IAR, this is the question. We have limited -- we've got it down to questions of delegations of new ccTLDs, transfers of ccTLDs from the existing manager to a new designated manager. Revocations, which only come about if it's determined and a manager having engaged in substantial misbehavior. Another area that's covered is -- this goes back into the Retirement Policy, which hopefully the board will approve at their meeting, later in the week.

The way the Retirement Policy is structured if asking ccTLD code drops out of the ISO 3166 table, the Policy stipulates that the internet functions operator has to give the -- well, it stipulates that if that happens, then that code needs to come out of the root so that it remains a one-to-one correspondence with a couple

---

historic exceptions between the entries in the root and the entries in the ISO table.

The way the Policy is structured, if the ISO drops a code, then the IFO has to grant the existing ccTLD operator at least a five-year minimum for them to wind up their affairs, so to speak. The Policy also has in a provision where the manager can request an additional, up to an additional five years. So it could be up to 10 years before a code is retired. This has impact for the IDN CCs, since they're tied to ASCII CC on that. So next slide, please.

The objective of this review that we're working on is to do our best to ensure via that Policy, that the IFO follows its procedures properly and fairly is a very important concept here. ISO has it complied with the relevant Policy in making its decision so that we're trying to box them in basically so that they don't just make things up and say, this is what we're going to do, not tie it back to the Policy.

Whatever they do has to be tied back and justified under the Policy. Next slide, please. The terms of process highlights, the IFO takes a decision that is subject to the review, the manager doesn't like what they see in the way of the IFO decision, so the manager can request the review. The structure of the review process involves what we're calling the review manager, and both the IFO and the CC manager get to pick what a review person of

---

their choice to help the review manager, so it's basically a three-person panel.

They go off and do their thing and they come back with a decision, and if they conclude that there are no significant issues with what the IFO has done after studying the review Policy, then the process is concluded, the IFO decisions confirmed, and everything ends. Next slide, please. So, what if the reviewers decide that well, the IFO really did not do what they were supposed to do, and they find issues, significant issues, significant conflicts, really, between the Policy and what the IFO has done?

The IFO has got three options at this point. One is to accept the results of the review and change what they've done, adjust their decision in other words, and that would also conclude the review process. The IFO can also wave the white flag and accept the results, but it gives them the option to also redo the process, their decision making a bit, which resulted in the original decision. That basically starts the process over from the beginning yet again if the manager still has issues with what's going on.

Lastly, the IFO can simply outright reject the results of what the review panel is found. Next slide, please. If however, hopefully the IFO would never do that, but if, however, the decision that the IFO is made does require board approval, the Policy obligates the

---

IFO to include in its review the findings from the review panel in their report to the board so the board not only sees what the IFO is recommending, but they also see why the review panel had an issue with what the IFO is recommending.

If the decision that the IFO has made does not require board approval, then in any event, the ICANN CEO and the ccNSO council will be advised of the situation. Next slide, please. Once the IFO completes the redo of the process, the management must decide again, to mention earlier, to either accept new results, which will conclude the review process because the IFO has modified their original proposal to the satisfaction of the manager or the manager can, under the Policy, request to review the new decision by the IFO.

In other words, the IFO has change what they originally said, but the manager is still not happy with the results, so the manager can request a second review, basically. Next slide, please. We limited the scope of who can request a review, which obviously we needed to do. In the case of a new ccTLD, any of the applicants can request review. I'm sure that would happen because no doubt if a new CC popped up into the ISO table, more than one person would apply to be able to be the manager of that.

So, anybody who applies can also get into queue for application of the review Policy against what the IFO decides because the IFO

---

can only pick one out of however many number applicants they are. Otherwise, for existing CC, only the manager who's the subject of the transfer, the revocation or retirement decision is eligible to request review. So, those three activities are not open to non-current managers trying to get in on the act, so to speak. Next slide, please. With request for multiple requests to review the same IFO decision, and this really applies to the eventuality that a new ccTLD is going to be put into the zone really. First application received is the first accepted, and in the case of a tie, in terms of timing, the process manager selects the request to be accepted. Next slide, please.

Our review process manager is first of all, funded and managed by ICANN and will be responsible for overseeing all aspects of the review process, in other words, because there could well be more than one going on at one time and the management would be responsible for overseeing the processes for all those reviews currently underway. Next slide, please. This is where we seek to have some competency.

They'll be part of the reviewers. They've got to be certified as impartial and they also have to have 10 years of relevant, practical experience. So, in all likelihood, it'll be either retired CC managers or CC managers of TLDs that are not a party to -- and there is no conflict with whatever's going on in that review. The



---

Policy stipulates that the reviewers who are selected will be paid for by ICANN or the IFO. Next slide, please.

So, we have allocations that we put on the IFO once a review is filed on something, they can't take any action on a decision that's the subject of the review request. ICANN internal reconsideration, excuse me, IFO internal reconsideration, mediation, or review. So they cannot do what they want to do until those three things, if the IFO, the first two, if they'd been actually attempted, but certainly they cannot do anything once review is filed by the affected manager and it's adjudicated by the review process.

If the IFO still does not adhere to the first bullet point item, then the council and the ICANN CEO will be advised accordingly as to the [00:14:16 - inaudible] of the IFO. Next slide, please. There's no applicability of any particular Review Mechanism decision to apply anywhere else. It's a strictly one-off for the specific incident under consideration by the review. Next slide, please. We looked at to whether or not we multiple reviews can be filed against a given IFO decision, and the answer we came up with was a clear no on that.

It's a one-off process and only one review per the issue at hand even if it doesn't involve multiple parties. So we're trying to keep the noise level to a minimum. Next slide, please. We're going to

---

have to -- we recognize that the Policy will have to be updated if there're really significant changes to the policies that it covers, but also if there's significant change to the ISO 3166 table, because at the end of the day, the way things are currently structured, that whole framework is based on the ISO 3166 table and if the maintenance agency makes major changes to it, or God forbid abolishes it, which I don't think would ever happen, then we're definitely going to have to go back to work on this.

Next slide, please. I think that's going to wrap it up. We're working on our initial Draft Policy Report. We hope to start the public consultation in the November timeframe. As chair of the group, I'm pushing it pretty hard to move along since we do have consensus on the stress test and the initial development of what we want the Policy to cover, the effort to incorporate those two documents really into an actual Policy language document I think will go pretty smoothly.

We meet every other week, usually for an hour, but we have another half hour of extra time if we need it, which we have used occasionally. I believe that's it for me. Thank you, guys. Back to you.

KENNY HUANG:

Okay. Thank you, Stephen, and also thank you for the contribution from ccPDP2 Work Group. Review mechanism is

---

mandatory by ICANN by law, so our working group also was requested to every Policy proposal we submit should consider the Review Mechanism in place. Anyone has any question before Stephen? Stephen's here. Okay. Sorry.

STEPHEN DEERHAKE: No, that's fine. By all means, if you want us to come back when we're a little further along with the Policy document, before we put it out for public comment, I'm happy to come back and present again, either on Zoom or in person, because this does apply to you guys for the IDN CCS, so happy to provide further input, just make the request.

KENNY HUANG: Thank you very much. Okay. Bart.

BART BOSWINKEL: Yes. This is Bart. Kim, can you go back to the slides around the Review Mechanism and go through slide, I think it's five or six, around the Decisions? No, scroll down, scroll down. Yes, this one. As you can see, the Review Mechanism, so what is intended to be the Review Mechanism does not apply by definition to the work the group is doing.

---

So my advice is there are two things that this working group needs to do is first check whether you are comfortable with the Review Mechanism as proposed, if not, then we need to define another one. Secondly, if you do identify decisions, which you believe should be subject, and as you can see, the delegation transfer, revocation, and some of the retirement decisions will be subject to Review Mechanism, not all of them, but some, and so therefore say this group should identify the decisions at the later stage, which should be subject to the Review Mechanism.

That's one comment. Can you scroll down, please? Just to the key object -- yes, this is fine. As you can also see, this is specifically dealing with decisions of the IFO with PTI currently. Again, most of the decisions around the Review Mechanism from ICANN Org, so from staff. For example, you will see some of them around say confusing or even an external panel. Like the confusing similarity, there is already an external panel foreseen.

If you look at, for example, deselection, with this in mind, if you identify something like deselection, the trigger point, trigger events you've defined, you could ask whether that is a decision of the IFO with PTI or of ICANN Org. So this group will need to either suggest other, say, expanding the decisions or reshape and redefine the deselection to make it clearly the point in time when the IFO gets involved.

---

Deselection for your consideration, the deselection the way you've had identified it as the trigger event is when ICANN Org decides on the basis of a, say, documentation provided that the IDN ccTLD needs to be retired. That's one way of doing it, and then it goes to, so you have the note of retirement, which is an IFO letter.

You could say if the IFO letter is based on something like the deselection, that could be a point in review. This is just an example, I just made it up, but that's for discussion, and these are some of the, yes, things that we need to work through, or you need to work through. Thanks.

KENNY HUANG:

Okay. Thank you, Bart. As in our previous meeting discussion, basically we try what we trying to do, we don't try to invent anything from scratch. So the best way to do is based on something already available, for example, the recommendation from ccPDP3 Working Group, and based on that, we can make a minor modification or some recommendation depends on how you propose.

So I will request all members to take a look at, the proposal and the Review Mechanism, to see based on what prospective, for example, like a delegation, transfer revocation, or even retirement of a ccTLD to see in under what condition that

---

required for IFO to step in to activate that kind of Review Mechanism. I think the public cannot make a decision right now, but I request everyone to look at the Policy proposed by ccPDP work group, and also try our best to integrate into the version that's available to the Policy recommendation. So, any other question? Yes.

EBERHARD LISSE WOLFGANG: Eberhard Lisse Wolfgang, I'm the Vice Chair of the PDP3. There are several members of both working groups that overlap. Peter Koch, Elena is one, and I think one or two more. So it's actually quite important before PDP3 submits that we don't overlook anything that is important for PDP4. Otherwise, we have to then amend, again.

So it's important that we liaise a little bit with the timeframe that when we are ready, that we have at least the important issues deselection of the string simulator is something that we haven't considered. We have only considered the obvious things that happen that can happen delegation of new TLDs revocation, that kind of things, but string issues we haven't discussed. So if that's an issue that you consider reviewable, you should inform us early and fairly soon so that we can write it into our thing.

---

**KENNY HUANG:** Right. Thank you. Thank you for the last notice. I would like to hear any member who just happened working in the both working group probably you can provide a better feedback regarding to the proposal. Stephen.

**PETER KOCH:** Okay. So this is Peter Koch, for the record. Thanks, Eberhard, for that heads up, and I think we are aware of the timelines. My impression is that so far, we haven't missed any things that are ready by now, but there are, I think at least two very interesting issues on the schedule of ccPDP4, which is the confusing similarity and which also is the whole discussion about variants and so on and so forth.

While it is very hard to predict the future, I could imagine that issues might come up that would suggest an additional -- would be additional issues subject to review. It's premature to actually discuss that or flag that to ccPDP3, because my understanding is that the decisions haven't been made yet, but of course, I for one, and I'm pretty sure Elena and the others are looking into this and are pretty much aware of these competing or parallel working groups. Thank you.

---

KENNY HUANG: Okay. Thank you, Peter. Any other member who would like to contribute your feedback and who has an experience working in both working group? Okay. Sorry.

BART BOSWINKEL: Maybe what we'll do, say, today will focus on the variant management with the full working group, say that over the next once the full working group has completed its work, that we start focusing on say on the variant management, so the full document that we start focusing on the decisions and a little bit more detail on this overview. For the members of the PDP4 working group, for your information Tuesday morning Eberhard and Stephen will give a far more detailed overview of the substance during decision is our meeting.

KENNY HUANG: Okay. Thank you, Bart. One more comment than I switch back to you. Yes, go ahead.

UNKNOWN SPEAKER: Thank you, Kenny. This is Irina [00:27:25 - inaudible] for the record. I'm not ready to provide any comment right now, but I will definitely look closer and will comment online.



---

KENNY HUANG:                    Okay. Thank you. Right now we switch it back to agenda item three. Bart, can I put it over to you?

BART BOSWINKEL:                Thanks. Kim, can you go to the document? I think we start with probably the most contentious point in the update, that's the scope of the ccPDP versus security and stability concerns when talking about the introduction of IDN ccTLDs and variants. can you scroll to, I think it was page number -- it's at the end somewhere. It's A5, so it's really -- so Section 9 A5. Scroll down, scroll down. Yes, there we go. A5, and scroll a little bit. There we are, staff note. Scroll up a little bit. Scroll up.

KIM CARLSON:                    What page are you looking at?

BART BOSWINKEL:                A little bit up.

KIM CARLSON:                    There's a little bit of a lag.

---

BART BOSWINKEL:

Yes, there you are. The grayed-out area, so the staff notes. There we are. Yes. Thanks. if you recall from the previous meetings, and I just put this up to so you can read it, and for those of you who attend these meetings for the first time.

The variant management group started to look at the, say, the issues around variants at second level because that was part of some of the questions of the, say, in staff papers originally, and there was a clear, no, no, not a clear, there were support for the view that because IDN ccTLDs variants or variants in general are effectively say treated as one and the same domain name either at top level or a second level and should be treated that way is they should be delegated either as a top level domain or a second level domain to the same entity.

This is for security and stability issues, to avoid them. So therefore for stability, interoperability of the DNS, it was necessary to do this. So that was the starting point. At the top level, this is what the working group discussed. It was supported, and therefore you will see a recommendation in the document that top level domain and their variants, IDN ccTLDs and variants have to be delegated to one and the same entity, so to one ccTLD manager.

So although they're technically different TLDs, so they will be entered into the root zone file as separate entities, say from a

---

Policy and probably user perspective and operational perspective, they should be treated as one and the same, and therefore they should be, I think the word is synchronized, but I don't want to go into the details of this, but at least they should be delegated to the same entity.

If they're operated by a backend provider, however, say on the contract with this ccTLD manager, then that backend provider should operate the selected IDN ccTLD stream and the variants. So that said, the top level domain. The variant subgroup discussed this at an earlier stage, and for the reasons of security and instability, they advised, excuse me, advised to do this as well for second and maybe even for lower level.

This is clearly, and this is a point that came up in the discussion, this is clearly outside because this part of a Policy would be directed at ccTLDs is clearly out of scope of a PDP. So, that was the starting point and that's why you see if we discuss this, and that's the fundamental issue. Over time, and also as an introduction, over time, the working group developed another method that was related to, and I think the best example in this document is around IDN tables.

The working group, or the subgroup developed the mechanism that, okay, we'll look at the I would say the purpose of, of the question and what we need to achieve with respect to security,

---

stability, and interoperability issues, because that is paramount, and whether this would be, excuse me, whether this is a recommendation as part of the Policy or an advice directed at ccTLDs.

So it's strongly advised, but not mandatory. So a ccTLD manager is expected to act in a certain way, just out of the stewardship and to ensure the security, and stability, and interoperability, but because of the limitation of the Policy, a scope of decision as though you can't turn this into a recommendation and also, for reasons of compliance, for example, there is no contract, it cannot be enforced over time.

So that's the fundamental issue that we'll have to discuss and have to find a balance in how to deal with the introduction variants and balance the, say, requirements of stability and security and interoperability against, say, the requirements and also the limitations of ccNSO Policy making. So we'll go into details in a minute. Can you scroll up please, to one of the red lines?

So A5 is a very good example. This is where it's clearly stated that, oh, and this is a Policy recommendation directed at the ccTLD, so therefore out of scope, and they're probably say using other language, and I'll show you an example. We can maybe achieve the same thing by recommending it, and then it is within the

---

limits of decision zone Policy process. So can you go to section, I believe the IDN tables, let me check. You go, scroll up, Kim, to I think -- and scroll up again, scroll up. I think it's section four. No. Yes, section four.

We need to discuss this anyway. Yes, here you are. So this is clearly -- so if you would scroll up again a little bit. This is just to explain the structure and then I'll open the floor. So, again, there are some initial observations from the variant subgroup around variant management and the scope of PDPs, et cetera, and also about the purpose of IDN tables. Can you scroll down? Scroll down, scroll down, just scroll down to the next bit. Thank you.

As you can see the recommendation of the subgroup is now formulated as an advice, and this advice is directed at ccTLD, so therefore it has a different status than a Policy recommendation, which according to the ccNSO PDP process, so NXB or NXC can only be directed at ICANN Org. So that's the fundamental point that we need to discuss today, and now we can go to A5, please. So scroll down.

So let me first, if you scroll down, let me ask if there are any questions at this stage around this, I would say, fundamental issue between, say, on the one hand side, you got the scope of the PDP and the other hand side, the requirements around security

---

and stability in this case, which are highly valued by the variant management subgroup? Anybody. I don't see any hands up.

PETER KOCH:

This is Peter for the record. Kenny, just nudged me to the mic. So I haven't been part of the variant management subgroup and I might have missed something, but I'm always alerted when there's a strong reference to SSR without any detail given.

That happens in draft regulation as well as in draft policy proposals. So, I would appreciate if we could receive a bit more substantial information why this is considered or why not following this recommendation would be considered a risk for security, stability, and interoperability of the DNS rather than the experience of the user of the web. Thank you.

BART BOSWINKEL:

Thanks. It is available. So, it's captured in the discussion document of the variant management group. So, we'll circulate this. I don't know if Sarmad is in the room. Maybe he wants to allude to it.

SARMAD HUSSAIN:

This is Sarmad. Yes, I'm here.

---

**BART BOSWINKEL:** Yes, go ahead. Yes, I can see it. Go ahead, please. Maybe Sarmad, you want make an initial comment, but we'll definitely circulate the -- and maybe another member of the variant management group, because This was broadly supported by the variant management group, This recommendation. Sarmad, go ahead first, please.

**SARMAD HUSSAIN:** So generally for the second level there have been IDN implementation guidelines which have been developed by the community. Normally they're updated from time to time, and the current version was developed back in 2011, which is version 3.0. Since then, there was actually another IDN guidelines working group, which updated these guidelines and the version 4.0 was published in 2018.

It is still under consideration. The way it was updated was that there was actually a request to the community, and we had representatives from ccNSO, GNSO, ALAC, as well as some individual contribution from members of SSAC. They were looking at how ideas are implemented at the second level with the two significant inputs, one from obviously the script communities and how they have been defining the rules and the code points which should be used, which are obviously referred to as IDN tables for all the different scripts and languages.

---

So these are recommendations coming from the community itself. Then, also, there has been some learning over since 2011 since the last guidelines on some of the technical sites. So there has been, for example, RFC 6912, which is an information RFC, and there's some other work done by SSAC.

So the guidelines were put together by the IDN guidelines working group, went through couple of public comments for review, and has been finalized and published for further consideration, of course, by GNSO and ccNSO as well. As far as the guidelines content is concerned, we are happy to share the link so that you can get more details on the specific guidelines.

Version 4.0 has 19 different guidelines, some of them are related to adhering to standards like RFCs 5890 to 94, which is the IDN 2008 standard, for example. So some of them are very focused on how IDN are recommended to be implemented from the technical community. There are also, as Peter pointed out, some guidelines, which are more focused on security of end users.

However, there is actually also, of course, security end user is also relevant from a security, general security perspective as also noted by SSAC in SAC 89. So, it's a combination of multiple guidelines.

Again, we are happy to provide more details if needed and the link to the IDN guidelines latest version as well, but I hope that



---

provides some background into, well, into the IDN guidelines and the tables, and happy to provide more details if needed. Thank you.

**BART BOSWINKEL:** Anybody else on this question from Peter? Maybe a member of the variant management group, who can you recall the discussion we had, why the group felt it was, say, advisable that this was done as a recommendation instead of an advice.

So there is this assumption, there is a security and stability issue, but at the same time, yes, there is an alternative way of dealing with it, as I said, as an advice and not as a recommendation, but in this case, people considered the recommendation to be more appropriate. Anybody from the subgroup?

**KENNY HUANG:** Bart, this is Kenny speaking.

**BART BOSWINKEL:** Yes, go ahead.

**KENNY HUANG:** Just a quick question. I didn't follow the management subgroup very detailed, but just a question because we raised the security

---

and sustainability issue, but somehow we probably out score the working group. Hello? Can you hear me?

BART BOSWINKEL: Yes, I do. Go ahead.

KENNY HUANG: Hello?

BART BOSWINKEL: Yes, I can hear you, Kenny.

KENNY HUANG: Hello, can you hear me? No voice.

BART BOSWINKEL: Yes, I do.

KIM CARLSON: Testing.

KENNY HUANG: Okay. Anyway, we have some technical issue here. Can you hear me, Bart?

---

BART BOSWINKEL: I can hear you. Yes. Hello?

KENNY HUANG: Okay. Thank you. Thank you, Peter. Okay. Can you hear me, Bart?

BART BOSWINKEL: I can hear you, yes.

KENNY HUANG: Okay. Continue. Just try to continue. So my question will be, what if you propose or recommend anything regarding to sustainability and security issue in the Policy recommendation, and what happened -- what kind of recommendation have conflict with IDN guideline for latest version, for example, because we are now fully follow up what the guideline going to describe and going to suggest any limitation or any recommendation. That's it.

BART BOSWINKEL: So is that a question Kenny, or?

---

KENNY HUANG:                    Sorry, that's a question.

BART BOSWINKEL:            Yes. So if I understand you correctly, the question is what would happen if you make a recommendation which is not in accordance with a guideline, et cetera, or a technical standard.

KENNY HUANG:                    Yes, correct.

BART BOSWINKEL:            Yes. Okay. Thank you. At the end of the day, your autonomous is what you do with your Policy development process, however, and I don't want to speculate, but as I understand and this was one of the issues with respect to or is not an issue, it will happen with every recommended or every Policy developed, and there will be a review because a Policy needs to be in the best interest of ICANN and the broader community, and this is a board action.

If they find something which they believe does not meet certain standards, at the end of the day, they could ask questions and ask for clarifications, et cetera. I think you've seen some of this analysis through the board going on in say, for example, the GNSO area, and in that sense, the ccNSO is not different.

---

Policies are policies, and they need to be reviewed at the end of the day, and it's your role as well as working group to review and check, and you need to have some arguments, whether you want to deviate from standards and guidelines.

However, maybe take a next step, and this goes back to the, for example, the section under the IDN tables if you would look at IDN tables. So there is a clear limit on what the ccNSO can do through its Policy development processes. One of them is definitely not set Policy for ccTLD managers through the annex.

However, they could do an advice, and it's at the end of the day is looking at the purpose of these guidelines, et cetera, and whether Policy is the best way or the optimal way of achieving that purpose or that goal taking into account all the limitations or look for an alternative manner. The alternative could be an advice or something else. Thanks. I hope that answers your question.

KENNY HUANG:

Thank you. My question is answered. In that case, I would suggest probably advice is much more appropriate or more harmonized than the recommendation. That's my own view. Thank you.

---

BART BOSWINKEL: So that's more in line with something like if you scroll up, Kim, again to the bit about the IDN tables, and not saying that we need to do it, but that the subgroup will be advised to do something like reframe it in something like an advice. So first the observation. There we go. So start with the observation, why they think something is needed, et cetera.

So with a clear documentation, and then go into the advice, et cetera. Would that be a way to handle these various, say, recommendations of the second level, and maybe I'm looking at Peter and others as well? Because that will be additional work for the variant management.

PETER KOCH: Peter.

BART BOSWINKEL: Yes, go ahead.

PETER KOCH: Yes, this is Peter, for the record. So, I think that is a way forward that we should explore or ask the subgroup to explore, and then look at it from the other angle in terms of what the Policy implications for the overall ccTLD system are. There's some

---

wording in the text that says, for example, implementing of the advice is not mandatory, but is expected.

Of course, as you said, it is not enforceable, and here we, we get to the overlap maybe with the ccPDP3 in terms of what is a reviewable election. So what if that expectation wouldn't be met, is that some lever or an entity to then again, force, suggest, motivate, or in any other way, an IDN ccTLD operator to do certain things, which would be incompatible with powers that are available right now?

BART BOSWINKEL:

Depends on -- look, that language is used as well in the context of the fast track. I think going back to the Review Mechanism, as you will know, the Review Mechanism does not contain any language with respect to the ccTLD manager in the sense of that, say, there is a decision from the IFO and that is reviewable, it's not that there is a decision of the ccTLD manager that is reviewable, so that's not the scope.

That's out of scope of the Review Mechanism, and I believe even out of scope of the IRP as it currently stands. So there is no clear, but there is almost a moral, that's why the language was used, almost a moral, ethical lever, that's too strong a word, so I was a bit hesitant to use it, but at the same time, not saying anything doesn't work either. So, it is formulated as an advice.

---

PETER KOCH: So, this is Peter, for the record, again. I appreciate your hesitance regarding the moral lever and then share it. Maybe I was a bit too cryptic in what I try to convey here. The point is that if there is this advice and it says it is expected that the operator do this and that and the operator doesn't for one reason or another, or for better, or for worse, I'm a bit concerned that that might be interpreted as a what is it, the consistent misbehavior or something under 1591. That would actually turn the advice in a recommendation or even stronger than that, and I would be less nervous if we [CROSSTALK].

BART BOSWINKEL: You mean as an incident that would create the possibility for revocation.

PETER KOCH: Yes, a forced voluntarism.

BART BOSWINKEL: At the same time, let me be the devil's advocate a little bit. What would happen if a ccTLD manager, including IDN ccTLD managers do not abide to the basic RFCs? So effectively because that's say like you are far better in this than I am, but do does not abide to



---

the basic RFC? So I'm ccTLD manager, I'm king in my own kingdom, and I do whatever I want. How would you treat this? So it really becomes disruptive because they're not abiding to basic RFCs.

PETER KOCH: So, you're asking me?

BART BOSWINKEL: Yes.

PETER KOCH: Peter, for the record. In that case, the only winning move is not to play here. I don't think that is a fair question in response, because there is a longstanding history or a long-standing pass where this hasn't happened or it has happened, but then it wasn't the violation of the RFCs, which is something that is really hard to do because either your implementations are broken, but usually any misbehavior would be on a completely different level.

I think we are entering really new territory here because we have a situation where we do have TLDs that are distinct from each other, but they really aren't given the suggestions that we've heard.

---

I understand it is important that these variants be managed in a "nice way," but on a higher flight level, on a more abstract level, we are about to set a precedent, and I just wanting to make sure that the ccNSO colleagues or ccTLD colleagues understand that this is an interesting moment here, and we not rush this in a way, but at the same time give those of us who run and want to run IDNs and variants a fair chance to move ahead, but not at the cost of sacrificing the very special in particular roles that ccTLDs have. That's enough for the moment.

BART BOSWINKEL: Yes, thanks. Anybody else on this topic?

STEPHEN DEERHAKE: Bart, if I could --

BART BOSWINKEL: Yes. Go ahead, Stephen.

STEPHEN DEERHAKE: -- make a brief clarification on Peter's remarks. Stephen Deerhake, for the record. The phrase substantial misbehavior came out of the work of the FOI. There is different language, I can't remember the exact phrasing now in IRA 1591. So that's what that's based on.

---

Surely, it's a very high bar to initiate a transfer and delegation, but surely even for the IDN CCs, if they exhibit technical instability either repeatedly or a single incident over a long period of time, and we recently had a CC get dinged rather badly, that threatens the stability of the internet, and certainly that meets that high bar. I don't see why that same criteria should not apply to IDN CCs as well. Thank you.

BART BOSWINKEL:

Thanks, Stephen. Any comments, questions for Stephen or additional remarks for this discussion we had to know or otherwise? So because as we said and as we discussed, this is a fundamental issue.

This has been a fundamental issue within the variant management subgroup as well. Dennis, as chair of the subgroup or acting chair of the subgroup, do you support that we revisit the, say, items in Section A4 and A5, and try to reformulate them in a way like the IDN tables, so that we say the broader group has a comparison of what it implies? Like, can you suggest it?

DENNIS TAN:

Hello, Bart. This is Dennis for the record. Yes, having heard Peter, he brings good points in terms of the balance between introducing balance to the root zone and second level for that

---

matter, and on the other hand, the expectations of behavior and president on Policy making, I mean, the ccNSO, and just as a way to context in the GNSO, we as well are finding implications to the already processes in place in the future, how is that going to impact?

So we have to move carefully cautiously as to how we introduce this in a way that we encourage adoption, but at the same time, we also put on the balance the conservatives of our processes and Policy making.

So to answer your question Bart, yes, I agree let's revisit the language and how do we present this report, right? Recommendations, advisor, whatever you want to call it, at the end and be mindful of the established processes and policies in place.

BART BOSWINKEL:

Thanks. So that will have implications for, say, the further adoption. The good thing is this is really in an area and about a topic, which can be separated out in a way, because we did have the first second reading of parts of the variant management or the inclusion of variant management.

So, hopefully we'll be able to do this relatively quickly, and we do have a lot of material in the notes from your discussions. So I'll

---

look it up and yes, unfortunate thing is we do need another meeting of, probably two meetings, at least, from the variant management subgroup.

That being said, so we touched upon Section 9a, Section 9, and Section 5. I think, my advice, Kenny, would be that we do not continue the discussion in these two areas, that we revisit this after the subgroup has come up with alternative language so there is a comparison.

KENNY HUANG:

Okay. Right. Thank you, Bart. I'm sorry, because we're running out of time, we certainly will revisit the basic document, and starting from where we come from, Section 9 A4. So should I move to the agenda number five, next meeting?

BART BOSWINKEL:

Yes.

KENNY HUANG:

Okay. So the next meeting, for the full working group meeting, that will be hold on the 4th of October, UTC 13:00, and the next one will be 18, October, also UTC 13:00. Also, next one will be 1st of November, UTC 13:00. The last one will be the 15th of November, UTC 13:00. Bart, do you want to raise a question?

---

**BART BOSWINKEL:** Yes, around this, because this was under the assumption we get the document completed. What we need to pencil in is a one or two meetings of the subgroup variant management. So, my suggestion would be not to overload the group, maybe first do the 4th of October meeting with the full group again to go over the final details, and then use the 18th of October for the subgroup.

**KENNY HUANG:** Okay. Right. Take it. So the first will be full working on the 4th of October, then the next one, 18th of October will be a CS subgroup meeting. Is that what you mean?

**BART BOSWINKEL:** The variant subgroup meeting.

**KENNY HUANG:** Oh, so sorry. Variant subgroup meeting.

**BART BOSWINKEL:** Yes.

---

KENNY HUANG:                    Okay. Right.

BART BOSWINKEL:                Then the meeting afterwards, variant subgroup as well, and hopefully by the 15th, they will be able to present the updated version around IDN tables and the second level, how to handle the second level, because they will need at least two meetings to do this.

KENNY HUANG:                    Yes. Okay, right. Thank you. So any proposal, any meeting will be considered tentative meeting schedule, and also, Kim will circulate the final one to the mailing list as well. Okay. Any other question? Move to the agenda number six. Any other business? Hearing none, I conclude our meeting adjourned. Thank you very much. Sorry. We have a question from Anil. Sorry.

BART BOSWINKEL:                Go ahead, Anil.

ANIL KUMAR JAIN:                One clarification about what we are suggesting about the next meeting. First, 4th October will be the full working group.

---

BART BOSWINKEL: Yes.

ANIL KUMAR JAIN: Then, 18th will be the variant management group.

BART BOSWINKEL: Yes.

ANIL KUMAR JAIN: Then, 1st November again will be full working group, or we are talking about this also too variant management?

BART BOSWINKEL: Yes.

ANIL KUMAR JAIN: So I think 18th, 1st November and 15th November is the variant subgroup, variant management.

BART BOSWINKEL: Yes, 15th, hopefully the full working group we will be able with the variant management group to conclude, say, the discussions by the 1st of November.



---

KENNY HUANG:                    Okay, right. Thank you. Any other question or any other business? Okay. Hearing none, I conclude the meeting is adjourned. Thank you for your participation. It's great to see you in-person here. Thank you.

BART BOSWINKEL:            Thanks. Bye-bye.

**[END OF TRANSCRIPTION]**