Heather Dryden:    So let's move to the next item on our agenda this afternoon. And the topic here is Country Code Delegation, Redelegation and Retirement. And one of the reasons why we wanted to put -- why I propose to put this on our Agenda this week is because of the work happening in the Country Code name supporting organization, they have a working group looking at this very same issue of Delegation, Redelegation and Retirement. And certain pieces of their reports coming out of that working group have just been released and we will be meeting with them later this week.

And I know that there issues here that are of considerable interest to GAC members. And as we also have two GAC liaisons to that working group, the United States and Sri Lanka, this is an opportunity for them to give us a bit of an advance brief on what we can expect and where that work is at. And of course we will discuss this with the CCNSO. I think it's on Wednesday, yes -- no, Tuesday, Tuesday.

So on that basis, I have asked whether Suzanne would be willing to give us a brief on what the CCNSO working group has been doing, and the state of their progress. And if there's time, we can have a brief discussion on you know some of the issues that may be of interest to us here to look at further. Okay. United States.

Suzanne Sene:    Thank you, Heather. As Heather noted I am on of two liaisons to this particular working group. And [Jiante] and I both are on their email list and kept apprised of all of their conference calls and

exchanges. And I will say I'm in absolute -- I respect this process enormously.

This group has taken on a collection of some fairly challenging issues, and yet parsed them out in a very constructive way and they've gone through, and I did send around, let me just pause for a minute, to recall that I did send around, of course exactly when you needed it, when you were loading up your suitcase with the other 8,000 pages of documentation to come to the ICANN meeting, I sent out several other -- but not so long, I think it's only about 20 pages; the Delegation, Redelegation and Retirement working group, which it's easier to use the acronym, DRDWG, so the DRD did just post right before we were all preparing to travel their third progress report. And that is what I circulated, and noted that on the CCNSO site itself, you will see the different reports that they have posted for public comment.

So they've tackled the issues in a really comprehensive and very constructive manner. I mean it's been really interesting to observe this from you know from the GAC's perspective as to how they're tackling some very substantive issues pending before them. So they broke out the issues of Delegation, Redelegation and Retirement and tackled them quite separately, which makes a lot of sense.

So as you will see in the progress report on the issue of Retirement, the working group is recommending that a policy development process be initiated on the issue of retiring a Country Code Top

Level Domain, because in doing their research and analysis, and as I look around the room, I do trust that is there is a ccTLD in the room who thinks I have it wrong, hopefully put your hands up and clarify for the group.

But in the method of work used, and I think that progress report or one of the earlier reports that they had posted, did explain the methodology, look through all the existing policy documentation and policy guidance that currently exists for these three issues. And they are largely, they're very familiar to us and we're part of them. One is RFC5091, sort of your core basic document. Then there is ICP1, which is the ICANN staff generated document several years ago. And then there are the GAC principles which we updated in 2005 on Delegation and Redelegation.

And you will note that our principles did not address -- none of those three sort of sources of policy guidance address the issue of Retirement. So hence that's the rationale for then proposed that there be a PDP on that specific issue. With regard to the Delegation of ccTLDs, the DRD is recommending that as a first step the CCNSO counsel undertake the development of what they're calling, and I put this in quotes, "a framework of interpretation;" which seems to be a very constructive first step to look at areas in the existing policy guidance, the existing documents that may need to be updated, may need to further refined, may need to be further clarified to provide better guidance to deal with some of the issues that arise vis-à-vis Delegations. So that's a very constructive step.

**EN**

On Redelegation of ccTLDs where the incumbent operator can sense, because as we all know there are two different kinds of Redelegation requests. There are the uncontested or consensual, and then there are on the rare occasions, there have been contested Redelegations. I don't believe that report has quite been finalized yet. But the one based on consent has, and again the recommendation is that the CCNSO undertake the development of a framework for interpretation.

So I think this is a very -- I mean from my perspective, it also suggests that the GAC, as being the source of one of these three basic policy documents, it gives us an opportunity to consider whether we might want to review the 2005 version of the GAC principles and possibly update it, refine it ourselves to help contribute to the process. That is just a personal observation, because that needs to be left to our exchange with the CCNSO on Tuesday, and it's my understanding, and this is where I would look to the CC representatives to correct me.

It's my understanding that during our exchange with the CCNSO, we are not going to be formally asked to contribute to the next steps on Tuesday, because the DRD working group's recommendations will not be reviewed by the CCNSO counsel until, I think, Wednesday. So it's -- but it's simply a timing issue. So the counsel needs to deliberate on these recommendations, because they're coming upstream from a working group, and whatever the counsel decides, I'm fairly confident, we will get an

overture from the CCNSO inviting the GAC to consider how it might want to contribute with a particular focus, logically, on the GAC principles.

So I think I've covered everything well, but I will turn around and look at my colleagues in the room to see if I have. Nodding from the CCs, so I think I've captured it. Thank you.

Heather Dryden:     Thank you for that Suzanne. Are there any questions or observations on this topic, either to Suzanne or for the GAC to consider in general? Norway, please.

Ornulf Storm:       Just thank you. Just an observation. I think this might be a perfect example of what we have actually discussed earlier today about how GAC can interact in the policy development process and ICANN through the other supporting organizations. So I think it's very welcome that we can have -- be able and have an opportunity comment on that. Thank you.

Heather Dryden:     Thank you, Norway. Sri Lanka.

Jayantha Fernanda:  Just to say that I fully concur with the entirety of what Suzanne just said then. There will certainly be an opportunity, according to my assessment also, for us to review the ccTLD principles and I think it might be worth considering the inclusion of that as a potential Agenda item or a discussion item as we planned, maybe at the Planning Committee Meetings in the next few days, thank you.

Heather Dryden:     Thank you.  Next, UK, and then the United States.

Mark Carvell:       Yes, thank you Chair, and thanks to Suzanne for bringing this report to our attention, which is a very instructive piece of work. It's revealed quite a lot of problems and deficiencies, and some of it's quite shocking actually, things I've noted down, no public documentation of process in some cases, failure to consult the ccTLDs, no accepted definitions, policy changes without consultation, there's quite a lot that's worrying in here, and I think the working group has done a very valuable job in examining all these issues relating to Delegation, Redelegation and Retirement, and come up with a very sensible approach to addressing these problems.

We all know that PDPs take a hell of a long time to work through. And Retirement perhaps is the less pressing of the three.  So that seems a very sensible approach to recommend a policy development process for the other two, Delegation and Redelegation, where there is consent the framework approach is a very sensible one in addressing some of these issues expeditiously and in a way which is inclusive and with a clear objective in mind.

And with the ultimate sort of caveat well if the frameworks don't produce the desired results, then the PDP could kick in.  So I think this is all a very sensible approach, and certainly I'll want to follow progress very closely.  Thank you.

Heather Dryden:     Thank you, UK.  United States.

Suzanne Sene:       Thank you for permitting me to take the floor again.  I just wanted to kind of follow up on Ornulf's comment.  I think it is a very good example.  And I just wanted to remind us all that if you will recall going into the Nairobi meeting I believe, as the liaison, I was formally asked if I could reconfirm that the GAC considered its 2005 principles to still be valid.

We did the survey and I was able to respond to them in a timely enough fashion to meet their needs.  And it's been an extremely sort of collegial and respectful sort of understanding and exchange.  And it's been my strong impression that the ccTLD community is very, very interested in getting the GAC's views on not only our own principles, but on the issues that they have identified.  So I do think you're right.  We can continue to cite this particular sort of working relationship, as a very good example of something that is constructive and seems to work well.  Thank you.

Heather Dryden:     Thank you, United States.  Netherlands.

Thomas de Mann:     One question about the follow up.  Basically what recommendation for -- I don't know, I lost the words, to have all the things locked in -- what was the word of the thing which was recommended to be --

Suzanne Sene:       Framework of interpretation.

Thomas de Mann:    -- the framework of interpretations, yes, basically this is a -- you could see this as a kind of juris prudence of let's say all the cases are and what's -- and something was judged or whatever on the basis of the instructions or the laws, you could call them.

My question is whether this is sufficient for us, and whether we would not like to have and I recall I think Sweden, a long time ago, one of your predecessors asked for let's say the whole Redelegation procedure taken up by [Iana], whether it's good, it's let's say completely detailed and transparent. And I wonder if that's something which came out of this group if -- let's say if something which we as GAC always have wanted to have this process for Redelegation, how it's dealt with, whether that will be renewed, or improved?

Heather Dryden:    Thank you Netherlands. Would the United States like to respond on that particular point? Otherwise, I have Italy next. So --

Suzanne Sene:    Just to give my personal observation, I would strongly encourage you to read the reports themselves, not just the progress report, but there are distinct reports on each of these issues that have been posted. And I think you will get a flavor for what the CCNSO membership is seeking.

So in doing their analysis of the history of decisions, they have come to this particular conclusion. And that -- I probably shouldn't say any more -- anything more, because it is really the CCNSO to

tell us what their intentions are and what they see as the next step. And I see there is a ccTLD operator right behind you.

Heather Dryden:    That's excellent, we have CCs in the room ready to advise.  Okay, so then we have Italy and Kenya.

Stefano Trumpy:    Okay.  So this study is really interesting.  You raise a lot of nice questions, so that are also of legal nature of someone, and but this is something that in the past, when the first and second versions of ccTLD were -- principles were built up, GAC avoided to talk about Retirement, about Redelegations in particular.  And we -- so I'm convinced that the problem of -- we find that GAC principles on country codes of 2005 we will perhaps say that they are still valid; rather maybe there should be another part, if we want to deal about the Delegation, Redelegation.

Concerning the Retirement, there are a lot of very, very good arguments, but this is the case of Yugoslavia, the case of -- also the Russian Federation before the present situation, and then there are plans around to solve the problem with the time line of several decades, and this is very interesting point.

And the real problem here then is the GAC may be involved because there is also this detailed study and then to at least say something or say that we agree or we suggest something else.  And so I think that before the process and policy of PDP ends, we should have a role.

Heather Dryden:        Thank you, Italy.  Kenya.

Alice Munyua:          Thank you.  I just wanted to agree with my colleague, especially UK in terms of just how interesting this report is.  It's an act -- quite a number of challenges that are you know quite interesting to read through.  And I agree with the US here, that we may want to also consider perhaps reviewing our own ccTLD principles and also ensuring that the GAC is involved very actively in the policy development process, because it hasn't really started, based on this -- on this report.

And it's also very important to re-emphasize the point that we do need to have some of these procedures and you know clarified, and some of the various issues clarified as well, especially for some of our countries, that are still struggling with the Redelegation processes.  Thank you.

Heather Dryden:        Thank you, Kenya.  Additional comments?  Okay.  I think that is probably sufficient on this topic for this moment.  And we will obviously take this up again when we meet with the CCNSO and we can ask questions to them directly about what is in those reports and what their next steps are.

So thank you United States and Sri Lanka for serving as the liaison to that working group, and I think Norway is quite right in pointing out that it is a good example of how a cross-community cooperation can work.  Okay.  So let's move to the next topic,

which is to prepare for our meeting with the GNSO. We're scheduled --


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