Report of the

35th Public ICANN Meeting

Sydney, Australia

22-25 June 2009

Prepared by the CENTR secretariat

Contents

Summary and Highlights

The 35th ICANN meeting took place in Sydney from 22 to 25 June 2009. It was well attended and had an overloaded agenda. Here is a summary of the main topics, more details can be found in the different meeting reports.

Fast Track Process for IDN ccTLDs
- New timeline: IDN ccTLDs will be in the root by mid 2010
- New issue: whois in non-ASCII characters. Rights holders realized that it will make it more difficult to identify a domain holder. This could cause delays for the implementation of IDNs in the root.
- The condition for financial contributions seems to have become voluntary. The condition for a (contractual) agreement between ICANN and the IDN ccTLD applicant is still in place.

Introduction of new gTLDs
- The most important comments from the ccNSO and GAC from the previous round have not been taken on board: the recommendation that a country name should always be a ccTLD is not reflected in the new text.
- New timeline: new gTLDs will be in the root by the end of 2010 the application process will start in February 2010.
- The IRT meets strong resistance from ALAC and non-commercial users.

SSAC condemns use of wildcards
- this can become another element in the discussion on the need for contracts in the IDN ccTLD Fast Track process.
- Board accepted SSAC resolution prohibition unrestricted use of wildcards
- The Board accepted a resolution on the prohibition of redirection and synthesized responses by TLDs.

Start ccNSO review process
- CENTR has requested an extension of the ToR: include non ccNSO members in the interview process

New ICANN CEO
- Rod Beckstrom replaces Paul Twomey at the end of the year. Rod Beckstrom recently resigned as Director of the National Cybersecurity Centre at the Department of Homeland Security. His resignation letter protested the increasing influence by the NSA and lack of funding of the Cybersecurity Centre.
- There is some controversy about the process when it was revealed that there have been "non-public" criteria which effectively prevented internal candidates to qualify.

ccNSO Meeting: Day 1

ICANN's ccTLD expenses overview

http://syd.icann.org/files/meetings/sydney2009/presentation-eag-reporting-23jun09-en.pdf

Introduction by Byron Holland. This is a first step towards greater detail and information the community has been asking for quite some time.

Kevin Wilson explained that the Expense Area Group reporting (gNSO, ccNSO, GAC,…) is the next step after the functional reporting (new gTLDs, IDNs, contractual compliance).

The chosen model accounts for 100% of ICANN spend.

Kevin gave an overview of the historical background, identified the categories of interest, explained cost accounting and looked at the next steps in the process.

A few questions from the audience addressed the costs allocated to IDNs. Hilde Thunem (.NO) and Roelof Meijer (.NL) asked if these are recurring costs and if so how they relate to the 3 million from the IDN paper? Roelof suggested to split up this EAG into functional reporting groups. Lesley Cowley (.UK) asked to extend the deadline for comments (currently Monday 29 June) Mathieu Weill (.FR) asked how these numbers are allocated over the different groups. Kevin explained that a meeting costs about two million USD. 1 million organizational costs and 1 million travel costs. This 1 million will then be split up over the different groups (e.g. ALAC will spend a bit more on translation).

ICANN Board update

Peter Dengate-Thrush and Paul Twomey

In PT's presidency there have been 37 delegations and redelegations – some very complicated.

Wild Card implementation is a risk to the security and stability of the DNS. See SSAC report.

Chris Disspain (.AU) asks if there is a way in which the ccNSO could use peer-pressure to make sure that no ccTLDs apply wildcards. PT thinks that external peer-pressure is not sufficient. Basically only contracts can get this solved. Part of the problem is that the ccNSO does not represent all ccTLDs.

PT: China has returned to the GAC and participation of the Russian federation as special guest to the chair. PRC's participation is likely to encourage participation of the Chinese community in the other ICANN parts.

Roelof Meijer asked if the use of wildcards is prohibited by the existing exchange of letters and Accountability framework? PT: probably not explicitly as the SSAC would like to see but it is probably included through the interpretation of the RFCs. Wildcards are currently a problem with 8 ccTLDs. Hilde Thunem: if anything is to be done about it, it should be started in the ccNSO according to the ICANN bylaws. This issue might address the timing for the Fast Track.

CNNIC is still concerned about the timeline for the IDN ccTLD Fast Track.

Chris Disspain asked about the timing of the SSAC advice: if this is to be dealt with anyway, why does it need to be dealt with now?

Improving institutional confidence: the Board is discussing the possibility of opening an office in Europe with both the Nelgian and Swiss government.

At the Board there are currently two proposals under discussion for reviewing mechanisms for Board decisions. Objective is to increase ICANNs accountability to its community. Currently the JPA is seen by many as the accountability mechanism.

1. The community could organize a vote to ask the board to reconsider its decision within 90 days (2/3 of the Committees and 2/3 of the members of those committees).
2. We expand and augment the existing independent review panel process. Establish a standing international independent tribunal. The experts on that tribunal would be drawn from different jurisdictions. That group would be empowered under three headings: infringement by the Board of rules of procedure, decision by the Board beyond its powers or if the Board decision was not rational. The tribunal could then instruct the Board to review its decision. It creates an international form of accountability.

PDT: this would mean that there are 4 levels of accountability: Procedure through the Ombudsman, a request to the board to reconsider (this is a very hard thing to do – not very effective), Community appeal (2/3), tribunal appeal process.

Martin Boyle (.UK) pointed out that these mechanisms are focused on those that are already involved in ICANN. How do you pick up the interests of the community that is not properly represented within ICANN. PT: one could expect that this could be solved through the GAC representative. Roelof Meijer: every ccTLD takes self regulation very seriously but this does not mean that they are above the law. Roelof asked why the tribunal could simply not be allowed to revoke the decision and tell the board that a different decision is needed. PDT: in a corporate structure this can only be the role of the Board.

IANA Update - Kim Davies

http://syd.icann.org/files/meetings/sydney2009/presentation-ccnso-iana-update-tld-ops-23jun09-en.pdf

Kim started his ppt with some more details on the much discussed "new IANA requirements" which are nothing more than basic Technical conformance checks:
The main goal is to bring the minimum technical criteria for root zone changes up to date. There are three main additional technical checks. These checks do not prohibit a change, they trigger a dialogue.

1. Prohibition on open recursive name servers (open to cache poisoning and amplification attacks)
2. Network diversity for name servers IP addresses used for nameservers come at least through two different networks.
3. Referrals should not fragment (classical limit for response size is 512bytes)

Currently there is more than 90% compliance on all three checks.

Implemented RZM automation software
Online webtool to check conformance. This is a separate tool from the RZM.
Quarterly audit emails will be sent to the registries as FYI on how their compliance performance is.

Documenting procedures has been problematic in the past (ICP-1 in 1999). Redelegation procedures will provide possibility for input through the ccNSO redelegation WG.

eIANA
NTIA authorized IANA to proceed with (online)testing. This will be in parallel with the current manual procedure. If after a few months it is proven that both processes give the same results the eIANA will be switched on.

Signing the root zone
ICANN and Verisign both submitted a proposal.
Media commented that internet experts supported ICANN proposal but NTIA instructed ICANN to follow Verisign proposal.

Other IANA activities
Service quality management
Trust Anchor Repository continues to function. Automated system, but TLDs are still replying manually rather than clicking "accept" links.

New Whois server
Will contain IP address objects as well as existing domain objects. The goal is to make the current system more scalable.

Asked by Chris Disspain, Kim explained that there are alternatives for the Verisign process for DNSSEC – if for political reasons one does not want to use Verisign, it could be possible to continue ITAR, but currently it is envisioned that it will be decommissioned after the root zone is signed.

Domain Name Front Running - Dave Piscitello, ICANN

Senior Security Technologist

In the stock and commodities world Front Running is an illegal activity.
What is domain name front running? An internet user checks the availability of a domain name. 3rd party monitors the availability check and preemptively registers the domain name and sells it off for a profit.
The difficulty is to figure out who these third parties are. Many different suspects.
Numerous claims, much speculation, no smoking guns.
SSAC study was inconclusive, Nominet study concluded that DNFR does not exist. Persistent belief that the practice exists despite lack of conclusive evidence.
A few comments from the room indicate that there are quite a few cases where a webdesigner or host registers in the name of the registrant for numerous reasons, but this is not really seen as front running. There are also no cases of monetization.

Internationalizing Whois
SSAC study on future of whois and automated interfaces. This study will look into the need for any form of standardization.

Overview of current net-abuses - Dave Piscitello, ICANN

http://syd.icann.org/files/meetings/sydney2009/presentation-dns-security-23jun09-en.pdf

The 4 main abuses are:
1. Attacks against registrants through registration services
2. Wildcarding, redirection, synthesized responses:
3. Botnets
4. Subdomain registration services (e.g. signing.ebay.pochta.ru) phishing domains but also used for email. No whois info, no zone file access. Over 6300 subdomains. More info on APWG website.

Sabine Dolderer pointed out that on ISP level (or hotels) apply wildcarding on a regular basis. The important thing is that the enduser has the choice to disable it. (E.g. Deutsche Telecom does this.)

Nigel Roberts suggested that under European laws wildcarding is interception of communication which is a criminal offense.

Cooperation with Law Enforcement Agencies in the Netherlands – Roelof Meijer SIDN

http://syd.icann.org/files/meetings/sydney2009/presentation-coop-law-enforcement-nl-23jun09-en.pdf

Why collaborate instead of just acting on legal instructions?
- Promote the public interest as steward of .NL
- Position .NL as a safe environment

Dutch Whois is currently very open (under strict data protection laws). This will change. New whois will not include any personal data of the registrant – only reference to the registrar. Number of queries restricted to 15 per day. For some government agencies this will be extended (number of queries and data set).

Notice and Take Down

Guarantee that any complaint will be processed. First by the owner of the information or the party hosting it. This is only about unlawful or criminal information. ISP or eventually registry will act if content owner or hosting provider does not.

Safe Internet Platform

Public-private sector collaboration. Goal is to enhance trust and safety by setting national priorities (filtering and blocking child abuse sites, fighting botnets, …).

Debby Monahan (.NZ) questioned how far a registry can go in being Judge, jury and executioner? Roelof: difficult question. This process is only used for very evident cases but there is no definition for very evident.

.SE co-operation with law enforcement – Danny Aerts, CEO

http://syd.icann.org/files/meetings/sydney2009/presentation-ccnso-members-aerts-23jun09-en.pdf

.SE is a foundation, so a self-owning financial independent unit not governed by the Swedish government.

Since 2005 less than 10 requests for information. (Mainly since a form needs to be completed before law enforcement agencies get access)
.SE refused to shut down pedofil.se or typo domains and used this as an opportunity to educate the requestors about the Alternative Dispute Resolution mechanisms.
.SE very rarely involved in law enforcement. .SE don't want to be perceived as the right arm of the Swedish police.

The Legal framework and ecrime cooperation initiatives in South Africa – Michael Silber, .ZA

http://syd.icann.org/files/meetings/sydney2009/presentation-coop-law-enforcement-za-23jun09-en.pdf

Support Your Local Sheriff Rodney Joffe, .US

http://syd.icann.org/files/meetings/sydney2009/presentation-support-your-sheriff-joffe-23jun09-en.pdf

ccNSO Review - Marco Lorenzoni, ICANN, Jean-Jaques Subrenat, ICANN Board

http://syd.icann.org/files/meetings/sydney2009/presentation-ccnso-review-subrenat-23jun09-en.pdf

Marco Lorenzoni presented the Terms of Reference for the upcoming review and welcomed comments an dsuggestions.
They responded positively to our suggestion to extend the interviews to non-ccNSO members and to examine if ccNSO was doing more than it is supposed to do under the ICANN bylaws.

Update from Working Groups:
-   Joint ccNSO/GAC WG
-   Geographic Regions
-   Tech WG
-   Programme WG

Regional Organisation Updates
AFTLD Vika Mpisane
http://syd.icann.org/files/meetings/sydney2009/presentation-aftld-update-23jun09-en.pdf

APTLD Ramesh Nadarajah
http://syd.icann.org/files/meetings/sydney2009/presentation-aptld-update-23jun09-en.pdf

CENTR Peter Van Roste
http://syd.icann.org/files/meetings/sydney2009/presentation-centr-update-23jun09-en.pdf

LACTLD Erick Iriarte Ahon
http://syd.icann.org/files/meetings/sydney2009/presentation-lactld-update-23jun09-en.pdf

ICANN Strategic and Operational Plan - Byron Holland, ca (SOP WG Chair), Patrick Sharry, Doug Brent, ICANN

Patrick Sharry gave an overview of the Strategic and Operational planning cycles and identified the need to set priorities. The panel then shared their views of how the industry would develop. This evolved in a very interesting discussion with input from the audience. The general consensus was that security issues will be very high on the agenda and that if the industry does not step up to the challenge, Governments might be forced to step in. Quite a few participants in the discussion expect that the increased discussion on Internet Governance which will raise more interest in ccTLD registries.

Input from this session will be used as the basis for a survey for all ccTLDs. The result of the survey will then be used to provide input in the strategic planning cycle later this year.

ccNSO Meeting : Day 2

New gTLDs – Kurt Pritz

Kurt gave an update on the geographic and country names treatment in the new version of the applicant guidebook for new gTLDs.

Roelof Meijer pointed out that relying on lists to make the distinction is risky.

Hilde Thunem pointed out that the new version still does not include the advice provided by both the GAC and the ccNSO: "if a name is a name of a country it should be considered and protected as a ccTLD.".

Main Principles of Opening of Registration in the New National Domain .РФ – Andrei Kolesnikov, .RU :

http://syd.icann.org/files/meetings/sydney2009/presentation-registration-national-domain-kolesnikov-24jun09-en.pdf

Andrei's presentation is the first that addresses very concrete implementation and policy issues for IDNs. An interesting feature is the "stop-list" that will automatically prevent registration of certain words or combinations that are deemed to be inappropriate. This dynamic list will also assist in preventing typosquatting.

IDN Tables and Variants – Tina Dam, ICANN

http://syd.icann.org/files/meetings/sydney2009/presentation-ccnso-members-dam-24jun09-en.pdf

According to Chris prearranged recommended contributions means "voluntary".

Katim (ICANN Board member) confirmed this.

- Ongoing fees on a percentage level
- Calculation 26700 USD per application

The 3% figure referenced in the IDN cost overview is covering both IDN and ASCII total costs. There is no clarity on what recurring and non–recurring costs are. Kevin Wilson will come back to the SOPC with more details on this aspect.

We asked written clarification on the relationship between the following three documents: expense area group – cost analysis – financial contributions docs.

The members of the ccNSO had many questions about the 3% figure. The bigger picture seems still very unclear.

Conficker issue – Chaired by Becky Burr

Summary of Tech Day Conficker session – Norm Ritchie (.CA)

http://syd.icann.org/files/meetings/sydney2009/presentation-conficker-panel-synopsis-24jun09-en.pdf

John Craine: lessons learned

- The session was good in the way that it looked at what went wrong and how it can be improved in the future. Good and honest post-mortem.
- First step in addressing some of the issues: resource page on ccNSO page.

CENTR presented the results from the recent survey:

http://syd.icann.org/files/meetings/sydney2009/presentation-conficker-survey-ccnso-roste-24jun09-en.pdf

Google - Jordyn

- Reaching out – offering to share expertise and support registries to become more resilient

- Requests an escalation channel that would allow the Community to communicate and coordinate in case of events.

Attack & Contingency Response Planning / A practical case for a small ccTLD - Louis Diego Espinoza, .cr
http://syd.icann.org/files/meetings/sydney2009/presentation-ccnso-members-espinoza-24jun09-en.pdf

Contingency Actions for the Operation of .mx - Oscar Robles, .mx
Oscar presented the vulnarabilities discovered during the recent influenza epidemic and the measures taken by NicMexico
http://syd.icann.org/files/meetings/sydney2009/presentation-ccnso-members-mx-24jun09-en.pdf

Business Continuity under .eu - Giovanni Seppia, .eu
Giovanni reported on the successful contingency plan test undertaken by Eurid.
Cost related to initial planning by third party: 150K Euro.
http://syd.icann.org/files/meetings/sydney2009/presentation-ccnso-members-seppia-24jun09-en.pdf

Redundancy for Registry Services - Sabine Dolderer.de
Sabine presented on the reasons for and the objectives of DENIC's redundancy plan to switch services to Amsterdam. Next steps: Project on redundancy and Failover to switch more automatically.

Lessons learned teaching ccTLDs world-wide about contingency response planning - John Crain, ICANN (skipped)

Designing, developing, deploying and operating an IDN enabled ccTLD registry - Chris Wright, AusRegistry
Very interesting presentation on many practical consequences of implementing IDNs including some of the less obvious effects (e.g. DNSSEC and bundling) and security considerations.

Commercial Strategies in Latin American ccTLDs 2007-2009 - Sandro Marcone, .pe
The domains and economics indicators referred to in this presentation touch on the same questions as the Zook study CENTR organized in 2008. Request from Sandro to give input and comments.
http://syd.icann.org/files/meetings/sydney2009/presentation-ccnso-members-marcone-24jun09-en.pdf

Policy changes under .pa - Edna Samudio de Jean, .pa
http://syd.icann.org/files/meetings/sydney2009/presentation-nic-panama-update-24jun09-en.pdf

ccNSO Council meeting

Minutes will be available shortly on the ccNSO website. The meeting mainly dealt with process and internal ccNSO business.

ccNSO Tech day
Monday 22 June 2009

Host presentation.
Chris Wright (.au) gave an overview of the .au domain, the registry and registry system. Among other things Chirs pointed at the relative high number of EPP inquiries compared to the rather small number of registrars and the relatively small zone. The reason for this, he explained, was that the expiry date of the domain names was not disclosed. Therefore most of the enquiries are checks if a domain is available.

He also gave a demonstration of the registration system.

http://syd.icann.org/files/meetings/sydney2009/presentation-au-wright-22jun09-en.pdf

Internet Exchange in Haiti
Stephane Bruno (.ht) gave a presentation on the Internet Exchange in Haiti and the years of preparation that preceded its setup.

http://syd.icann.org/files/meetings/sydney2009/presentation-aixp-bruno-22jun09-en.pdf

OpenDNSSEC
Roy Arends (.uk) gave a presentation on OpenDNSSEC, the project by Nominet, .SE, NLnetlabs and others to develop an automatic zone signing tool. He announced that the first version would be presented at the IETF meeting in Stockholm.

http://syd.icann.org/files/meetings/sydney2009/presentation-open-dnssec-22jun09-en.pdf

Technical Challenges to Small ccTLDs
Nigel Roberts (.gg/.je) led a panel to discuss the changeless small ccTLDs are facing.
A couple of their findings:
- registrants all expect their domain names to be part of a hosting package and the name has to be online as quick as possible
- when a domain is not available, some ISPs turn negative responses into a positive response and send customers to a landing page. Instead it would be good if customers were sent to a status page in which they can find information on how long it takes to get their domain online.
- it is important to educate registrars and end users
- anycast can be very costly for smaller zones
- small ccTLDs are confronted with a lack of technical skills in their local market
- if the local government identifies the ccTLD as a national resource, the government may have issues with outsourcing of some functions to another party outside the country
- it is difficult for small registries to have an influence and control on technical standards (eg via influence in IETF)

IDN, Technical Solutions
Chris Wright gave an overview of the issues .au came across when enabling IDNs. He showed why is necessary to fully understand the IDNA and discussed the different steps a registry has to follow to deploy IDNs.

He warned that introducing IDNs required a lot more than just applying the IDNA and explained amongst other things the use of canonical mapping and bundles.

http://syd.icann.org/files/meetings/sydney2009/presentation-idn-technical-implementation-wright-22jun09-en.pdf

CNNIC update on IDN
CNNIC gave a short presentation in which it demonstrated its readiness for the introduction of a .IDN and mentioned some policy issues, most importantly the prohibition of two-letter .IDNs which excludes an large number of two letter Chinese words.

Life before and after Conficker
Norm Ritchie led a panel on the Conficker worm.

Stuart Strathdee (Microsoft Australia) gave a presentation on the Conficker botnet and the most important variants since its discovery. He concluded that Conficker had become the victim of its own success. Because if became so big it raised the industry's interest.

John Crain (ICANN CTO) explained that while the Conficker A variant was targeting gTLDs the conficker C variant was making use of 116 different TLDs, mostly ccTLDs from around the globe. There was no pattern that could explain the choice of the different TLDs.
He explained that ICANN played the role of the messenger who passed on the information to the ccTLD community under the form of a list of domain names. He admitted that mistakes were made and lessons should be learned eg with regard to the communication. He also noted that the conficker experience had shown that there were no structures in place for this kind of communication and that the anti-virus community was not familiar with the ICANN environment.

The panellists agreed that ccTLDs did a good job but that lesson should be learned on how the community could better work together in the future. It was noted that the community had had an extremely long time (about a month) to communicate and prepare itself for the threat (1st April). the ,ext time it might be necessary to react within a couple of hours.

Jay Daley (.nz) explained that the .nz registry had decided not to block domain names, but instead slow down the registration process for specific domain names (eg with some unusual letter combinations). He said that it was important to show that the ccTLD community is well organised and force botnet writers to the conclusion that there are easier victims than the DNS.

Something interesting
Jay Daley (.nz) invited ccTLD registries to sit together to rethink the EPP protocol and come up with suggestions to do it better. One of the main problems with EPP, he said, is that a registry gives up control over its main processes.
Jay also introduced the NSCP/DCOMA, a standardised way of controlling different types of nameservers . He also suggested registries to work together to fight phishing urls.

Webcasts are available at http://ccnso.icann.org/meetings/sydney/workshop.htm .

GAC Plenary meeting
Sunday 21 June 2009
Tuesday 23 June 2009

Summary

40 GAC members attended the meeting.
A special welcome was given China, which returned to the GAC after a period of non-attendance and to Russia which attend the meeting as an invited country.

The two main topics on the agenda were:
- the IDN ccTLD Fast Track process
- the introduction of new gTLDs (versions 3 of the Applicant Guide Book)

The GAC had a rather harsh meeting with the GNSO Council and as usual some controversial statements could be heard during the GAC meeting with the ICANN Board (in particular with regard to the financial contributions for IDN ccTLDs, the objection procedures against applicant new gTLDs and the interpretation of public order and morality objections against implicating gTLDs.
There was no meeting between the GAC and the ccNSO Coucil.

Day 1, Sunday 21 June 2009

IDN ccTLDs – Fast Track implementation plan v3

The discussion in the GAC focussed on
- (1) the relationship between the IDN ccTLD manager and ICANN and the adherence to technical standard and
- (2) financial contributions.

Both issues were now included in new version (v3) of the draft implementation plan.

Adherence to technical standards
Chairman Karklins recalled the GAC 's previous Communiqué (Mexico) which stated that there should be a voluntary document which was not a condition for delegation and that it was in everyone's interest to adhere to technical standards.

Bart Boswinkel (ICANN) informed that the implementation plan v3 introduced a new option, a mixed application form with core commitments and a voluntary part.
Tina Dam (ICANN) explained that there were additional technical constraints for IDNs on the applications level, which required guidelines that were not included or didn't fit in the RFCs.

Bill Dee (EC) warned for the political implications of the creation of a two-tier system in which the ASCII-operators were the 'trusted' parties while the non- ASCII world had to adhere to technical standards.

He also pointed out that persuading operators to follow technical standards was not the issue at stake, as everyone acknowledges its necessity, but that the real question was whether there was a need of enforcement by ICANN.

Several GAC members were interested in the effects for the whole DNS in case an IDN ccTLD operator would neglect the technical standards.
Tina Dam (ICANN) answered that a lack of adherence to the standards would undermine the trust in IDNs which could incite developers to put restrictions on their applications so that they don't serve IDNs.

The Norwegian representative noted that the people who would be responsible for implementing IDNs in their own country would have all the interest in assuring that it works in order to avoid the negative national reactions.

GAC members sought a soft expression of the commitment to adhere to the technical standards.
The final GAC Comments speak of 'an indication of the intention to respect and implement appropriate IETF standards including IDNA protocol' which should be part of the application process.

Enforcement of technical standards
Bill Dee (EC) concluded that a voluntary agreement did not need to be enforced.
Bart Boswinkel (ICANN) reacted that a voluntary agreement could provide an arbitration procedure and referred to the accountability frameworks. He also added that in case both the IDN ccTLD operator and the government wanted to move to a more formal agreement, like for example the agreement between the .eu operator and the European Commission, this would still be possible.

Financial contributions
The GAC Comments[1] state that:
- the cost estimated (...) is prohibitively high and would introduce a financial barrier for new IDN ccTLD managers especially from developing countries
- the proposed revenue percentages still need further discussion between ICANN and the IDN ccTLD operator
- significant work on IDN preparations has taken place outside ICANN remit (...) and those expenditures haven't been reflected in the cost analysis documents
- all fees intended to recover costs associated with introduction of IDN ccTLDs should be kept voluntary

Bill Dee (EC) criticized the intention to charge a percentage of the revenue with the aim of cost recovery and wondered how ICANN would obtain the necessary information or if the organisation would trust the information received from the registry.

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[1] The GAC Comments on the new version of the IDN ccTLD fast track implementation plan are attached to the GAC Comminqué.

He and others remarked that it was likely that in several countries the ASCII and IDN ccTLD operator would be the same organisation which would complicate the calculation of the revenue from IDN ccTLDs.

Participants warned that a commitment to pay fees was a big concern for countries where the ASCII ccTLD was managed by non for profit organisations, or developing countries.

In a reaction Tina Dam (ICANN) suggested that if developing countries would give away IDN ccTLD domains for free, there would be no revenue and consequently the contribution to ICANN would be nil.
She agreed that it was difficult to predict both the costs and number of registrations for the coming years, but assured that the different processes for budget review were sufficient to deal with this.
Bart Boswinkel (ICANN) added that it was clear from the document that ICANN was not seeking full cost recovery.

Bill Dee (EC) remarked that the cost for IANA for entering a TLD in the root zone was the same for small and large registries. Consequently, an equal division of the costs over all operators could result in large registries in developing countries subsidising small registries in the developed world.

GAC members asked the ICANN staff about the mechanisms used to calculate the costs, provisions to refund the process costs in case the projection was too high, cross subsidising etc.

Comments on the new gTLD applicant's guidebook

The GAC Communiqué expressed concern about the following outstanding issues:
- root scalability and stability
- respect for national and public policy interest, in particular (...) adequate protection of geographic names (on the top and second levels) and delegation/re-delegation procedures
- protection of intellectual property rights
- lack of comprehensive analysis and of economic and competition impact
- lack of business awareness
- lack of analysis of the risk of end user confusion and/of harm
- the one TLD category and single fee structure
- complexity and cost of the objection procedure and its implications for governments

A small drafting group lead by the UK and France had identified a list of "big" issues for the discussion deriving from the Applicant Guidebook v2. The issues were discussed with Kurt Pritz from ICANN.

(1) The GAC underlined that there was a need to raise global awareness of new gTLDs, especially outside the ICANN/Internet community.

(2) GAC members were interested to hear whether the concerns regarding the <u>scalability</u> of the gTLD expansion and the <u>stability</u> of the internet were pertinent.

(3) The USA representative asked GAC members to send out a firm signal to indicate that the published preliminary reports on <u>competition and economic studies</u> did not meet the original objectives of the Board's request.

(4) Several GAC members said that they disagreed with the conclusions of ICANN's report on <u>defensive registration</u> and strongly suggested ICANN to conduct additional data gathering and study. Kurt Pritz (ICANN) answered that no such was planned at the moment.

(5) The GAC noted that the applicant guidebook does not address the issue of how new gTLDs will integrate with the existing gTLDs and whether there is a <u>risk of end-user confusion</u>.

(6) The Swiss representative said that the creation of <u>new categories of TLDs</u> could create new opportunities for small communities. He considered the creation of one or more non-commercial TLDs as being a matter of public policy.
   a. Norway expressed some concern regarding the use of geographical names.
   b. Bill Dee (EC) said that when a new TLD would be introduced for a small community within one jurisdiction the ccTLD principles should be applicable rather than the gTLD rules.

(7) The USA representative said that ICANN brings itself in an awkward position when it sets up a panel to decide on <u>public order and morality objections</u> against international treaties instead of allowing countries to interpret international norms. A WIPO representative informed that also trademark registrations could be denied or invalidated for reasons of morality or public order but that it were the national offices that had to decide on this.

(8) Bill Dee (EC) reacted against the requirement for governments to follow the <u>general objection procedures</u> which involves costs but also undermines the relation the governments have with the Board and the role of the GAC as an advisory body.

(9) Kurtz Pritz (ICANN) explained that the <u>application process</u> was able to handle between 200 and 300 application in 4.5 months. In case there would be 500 applications ICANN would deal with them in batches and the whole process would take 8 months. If there were more applications, extra batches would be created.
In general applications should be divided into the batches by lottery, however some applications should be taken in the same batch (eg in case of similar strings).

IRT
The GAC members received a presentation on the IRT.
The GAC members received a presentation from the European/American Business Council which presented its white paper asking for a review of the IRT proposal.
(white paper can be found at eabc.org)

Meeting with the GNSO Council

The GAC met with the GNSO Council to discuss the geographic new gTLD names and the GNSO reform process.

Many GAC members were surprised by the toughness of the GNSO delegation and the well-prepared list of questions. The GAC had it by times difficult to formulate well structured answers.

The GNSO asked the GAC regarding the geo names:
- Is it the GAC's objective that whatever solution the GNSO comes up with regarding geo names that the issues can be solved referring to third party external lists?
- What is the GAC position regarding the reservation of three letter codes (3166-1 alpha 3 list), and did the idea to reserve three letter codes come from the GAC or from ICANN staff?

> Janis Karklins repeated that for the GAC, as a general principle, meaningful country names should only be accepted with the support of the country.

- What were the justifications for the GAC's request to reserve country names at the second level?

> Janis Karklins explained that each country has a certain pride, history and sentiment which it wants to protect. He also said that during the discussion a number of GAC members came to the conclusion that there was no real threat in case of country.brand names but that this view was not taken over by ICANN staff.
> Bertrand De la Chapelle (fr) explained that the GAC in principle wants the three lists to be protected but that there is the desire to avoid that country names could be misused. He underlined that the message was not that everything that is not on any of the three lists can be exploited. However he admitted that it was not clear what kind of mechanism could be used to avoid such misuse.

- If the GAC is not opposed in principle the use of county.brand names would it be possible to grant a brandowner the agreement to use all the country names?

Day2, 23 June 2009

IDN Technical requirements

The GAC received by video streaming an extensive presentation by Partik Fältström on the technical side of the introduction of IDN TLDs.

GAC members were very interested to hear what would go wrong if someone did not apply the IDNA protocol correctly.
Patick Fältström explained that two things could go wrong, but that none of them would destabilise or brake the DNS:
   (1) if something was put in the DNS that did not comply to the encoding, nothing would happen because nobody would be able to find the domain back;
   (2) if domain names were not globally unique because for example characters in the Unicode form were expressed in 2 or more ways it would no longer be sure that one arrived on the right website.

CENTR Report of the 35th ICANN Public meeting
                                    Sydney, Australia, 22-25 June 2009

Another question was what mechanisms for enforcement of the standards existed and whether there was a need for more enforcement.

Patrik stressed that first of all there should be a broad consensus of what is right en what is wrong. In his opinion, the actual policing service was not a task for the registry itself. Eventually a registry could seek a commercial partner to perform this task and contact the operator or registrar if something goes wrong.

Janis Karklins asked if it would be sufficient if ICANN developed a procedure to monitor adherence to standards as a kind of roadmap for IANA, or if a stricter contract was needed. Tina Dam (ICANN) said that the enforcement of policy requirements would be difficult and that the community had to discuss how far ICANN could go.

Other remarks by Patrik Fältström:
- a registry should be careful when adding characters as one easily can add new characters later on but not take them out again; the registry policy can be used to block some characters
- there is a good cooperation within the large language groups (eg Arabic) but more cooperation is needed between registries using tables based on the Latin script

ICANN Security Briefing

Greg Tattray (ICANN) presented 'the ICANN plan for Enhancing Internet Security, Stability and Resilence of the Internet's naming and addressing system'. He stressed that the highest priority remained the security and stability of the IANA function.

During the discussion Greg said that there was some concern that the increase in the number of TLDs could increase the opportunities for phishing etc.

Greg said that ICANN was planning to continue its cooperation with the regional ccTLD organisations. He mentioned the successful ACRP workshops and the plans for further training together with ISOC and sponsored by the regional organisations.
Greg pointed at the crucial role the regional organisations had played in spreading the news on the conficker worm.

Meeting with SSAC and RSSAC

Ashley Heineman (NTIA) gave an overview of the plan to implement DNSSEC at the root and the signing of the root by the end of 2009.
The presentation is available at http://syd.icann.org/files/meetings/sydney2009/presentation-dnssec-workshop-heineman-24jun09-en.pdf .

Several GAC members had questions about the interim character of the proposed approach[2]. They asked whether this meant that the current approach was a testing phase, what would come after the interim solution, or what would signify that the interim period was be finished etc.

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[2] the presentation says: 'An interim approach closely aligned with the existing root zone management process will be utilized to ensure rapid implementation while maintaining the security and stability of the DNS.

Ashley Heineman clarified that the term 'interim approach' had to be seen as 'itinerative' indicating that the approach would evolve based on experiences rather than that indicating a time limit.

Suzanne Woolf gave a presentation on the recent symposium on the deployment of a signed root organised by the DNSSEC coalition and Google.
Some GAC members were concerned about the effects of DNSSEC on the root or the implications on the countries that were not (yet) planning to implement DNSSEC or the use of DNSSEC with IDNs.

Steve Crocker (ICANN) presented the root scaling study that should investigate the effect on the root of the introduction, all at the same period, of DNSSEC, IDN ccTLDs, new gTLDs. The results of the study would be available for discussion at the ICANN meeting in Seoul.

The GAC received a presentation on the problems that may be caused by redirections and synthesized responses and why these had to be prohibited.

GAC meeting with the ICANN Board
IDN ccTLD fast track
Paul Twomey (ICANN) gave an overview of the IDN ccTLD fast track
- the GAC agreed on the importance of adherence to technical standards
- the GAC underlined that contributions should remain voluntary and that the proposed costs were high and possible a barrier for some potential registries.

There was some discussion with the Board on the financial contributions, both on the obligatory character and the height of the fees.
Bertrand De la Chapelle made the statement that is was no longer possible use the argument that the ICANN budget is being funded by US based registrants as the reason for not cross subsidizing. He said that the introduction of IDN ccTLDs should be seen as a duty for ICANN rather than a benevolently gift to the respective communities.
When Peter Dengate-Trush questioned the basis for this 'duty' Betrand explained that it is a matter of equality of cultures.

new gTLDs
Peter Dengate-Trush gave an update the progress and on some overarching issues with regard to new gTLDs.
- root zone scaling study, report to be presented in Seoel
- implementation response team's work (trademark protection)
- prevention of malicious conduct

Paul Twomey presented the latest report regarding the economic analysis relating to the introduction of new gTLDs.

The UK representative gave an overview of what the GAC saw as key public policy issues and questions that were yet still unresolved. (see discussion higher)

Bill Dee pointed at the objection process to new gTLDs in which the government are obliged to follow the procedure and pay and said that this was in contradiction with the GAC's role to give advise to the Board.

Peter Dengate-Trush reacted that ICANN was not expecting the GAC to get involved in any individual applications as they are not expected to give advice on operational matters.

Paul Twomey added that the GAC can initiate any advice on matters of public policy but questioned whether the application for a particular TLD string was a matter of public policy.

The US representative expressed concern on the approach to public order and morality objections in which a panel has to assess an objection against a number of treaties. She explained that public order and morality were not defined in any international agreement, but that national states have the tradition to interpret these terms country by country.

Peter Dengate-Trush created an issue when he answered that ICANN had defined the standards by which public order and morality had to be measured by reference to three international treaties. Therefore, he said, it doesn't matter what it means in a particular country because the panel will apply what public order and morality means in relation to the three international treaties.

The Board further updated the GAC on the data accuracy studies in relation to Whois had a discussion on the meeting preparations.

DNSSEC Workshop

ICANN Board

The ICANN Board held its meeting on Friday 26 June 2009. Below is a summary of the most relevant resolutions for our sector.

The full text of the resolutions and the minutes (when available) can be found at http://www.icann.org/en/minutes/ .

Designation of Seoul Meeting as Annual General Meeting

Approval of Charter of Community-wide Working Group to Review the Structure of ICANN's Present Geographic Regions

Approval of Board Governance Committee's Recommendation of Board Committee and Leadership Selection Procedures

Approval of Board Governance Committee's Recommendation on Committee Membership

Approval of Composition of the ccNSO Review Working Group
> the following composition of the ccNSO Review Working Group is approved: Jean-Jacques Subrenat (Chair), Vittorio Bertola, Demi Getschko, Ram Mohan, and Alejandro Pisanty

Allocation Process for Single, Two, and Select Three-Character Domain Names in Dot-Pro, Including Proposed Contract Amendment

Receipt of the ICANN Plan for Enhancing Internet Security, Stability and Resiliency

Acknowledgement of At-Large Summit Work

Approval of Minutes

GNSO Improvements – Stakeholder Group Charters and Draft Bylaws Amendments

GNSO Improvements – Proposed GNSO Constituency Applications

Adoption of the FY10 Operating Plan and Budget
> the Board adopts the Fiscal Year 2009-2010 Operating Plan and Budget http://www.icann.org/en/financials/fiscal-30jun10.htm

Approval of SSAC Appointments
> SSAC members are: Harald Alvestrand, Roy Arends, Steve Conte, Robert Guerra, Duncan Hart, Jeremy Hitchcock, Warren Kumari, Matt Larson, Douglas Maughan, Christophe Reverd, John Schnizlein, Dan Simon, Stefano Trumpy, Patrick Vande Walle, Richard Wilhelm.

Display and usage of Internationalized Registration Data
> GNSO and SSAC to convene an Internationalized Registration Data Working Group to study the feasibility and suitability of introducing display specifications to deal with the internationalization of Registration Data.
> the Internationalized Registration Data Working Group to solicit input from interested constituencies including ccTLD operators and the CCNSO.

Prohibition of Redirection and Synthesized DNS Responses by TLDs
> new TLDs, including ASCII and IDN gTLDs and IDN ccTLDs, should not use DNS redirection and synthesized DNS responses. Staff has to revise the draft Applicant Guidebook to prohibit such redirection and synthesis at the top-level for new gTLDs, and to take all available steps with existing gTLDs to prohibit such use.
> ccNSO to provide a report on mechanisms that could be employed to ensure that redirection and synthesis at the top level is effectively prohibited.

President's Strategy Committee's Recommendations on Improving Institutional Confidence: The Way Forward

Thanks to the Implementation Recommendations Team

Update on New gTLD Process
> staff to continue implementation work, to produce a revised Draft Applicant Guidebook and a comprehensive set of implementation documents prior to Seoul.

Posting of Proposed Amendments to Bylaws Provisions on Structural Improvements

ALAC Review Working Group's Final Report

Board Response to Discussions arising from Sydney Meeting

CEO Selection Committee Charter

Election of Rod Beckstrom as ICANN's President and CEO
> Rod A. Beckstrom elected as ICANN President and Chief Executive Officer

Appointment of Dr. Paul Twomey as ICANN's Senior President
> Paul Twomey appointed as Senior president until the end of 2009 in order to facilitate the transition to the new CEO