



Report of the

# **34th Public ICANN Meeting**

Mexico

1-6 March 2009

Prepared by the CENTR secretariat



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## ***Summary and highlights***

The 34th ICANN meeting took place in Mexico City from 1 to 6 March 2009.

There were two main topics, both of relevance to the ccTLD community:

### **Introduction of new gTLDs**

- New predictions for timeline; December 2009 – February 2010
- During the discussions numerous participants called for the splitting up of the new gTLDs in categories to avoid that the more difficult cases stall the implementation of the straightforward ones. ICANN does not support this as it would be difficult to verify if an applicant applies for the correct category.
- Geographic names under the new gTLD application process: the current draft does not sufficiently protect geographic (and country) names. The ccNSO is working on an amendment.
- In the gNSO community there seemed to be a stronger divide between most of the IP community and the rest of the gNSO participants.
- During meeting preliminary reports on consumer benefit and pricing issues related to the introduction on new gTLDs were posted on the ICANN website.

### **Fast Track Process for IDN ccTLDs**

- The debate focused on two criteria for delegation: Documentation of Responsibilities (DoR) and the payment of a fee (split in installation and recurring fee)
- According to Peter Dengate Thrush, IDN ccTLDs will not be introduced before December 2009
- The GAC took a strong position that ASCII ccTLDs and IDN ccTLDs should be treated equally
- The ccNSO took a similar position, underlining that any agreement or fee should be voluntary
- A CENTR summary of the draft implementation plan is available on the website



- Much discussion took place on the need to allocate costs to relevant communities as any fee (even a voluntary fee) should be cost based.
- The ccNSO and gNSO will form a small joint committee to solve any timing issues.

During the discussion of those two main topics, it became clear that **for some, the distinction between ccTLDs and gTLDs is blurring.**

**Further news:**

- Paul Twomey resigns as CEO of ICANN. His future plans are unknown at the moment although rumour has it he would run a new gTLD. Paul leaves ICANN at the end of this year, his successor will be appointed in the coming months. The ICANN Board has already contacted people to find out if they are interested in the position.
- The ccNSO created a Strategic and Operational Planning Committee. The goal of the group is to stimulate input from the ccTLD community into the ICANN SOP.
- The Mexico City meeting was well attended (1200 participants). The ccNSO meetings did particularly well.
- During a joint dinner the gNSO and ccNSO agreed to start working together on some issues of common interest such as "Fast Flux" and other security related topics.



*ccNSO Meeting*  
ccNSO meeting day 1

All presentations, transcripts and meeting reports will be made available at:

<http://ccnso.icann.org/meetings/mexico/>

<http://mex.icann.org/node/2639> (audio and video archive)

### **IDN ccTLDs – Overview by Chris Disspain**

The session started off with an overview by Chris Disspain of the discussions and meetings on IDN ccTLDs during Sunday and Monday. Based on those discussions, the ccNSO needs to look into two issues:

- Mandatory agreement
- Mandatory fees

The main question is why the ICANN Board thinks that there should be a different set of rules for IDN ccTLDs vs. ASCII ccTLDs.

GAC thinks that IDN ccTLDs should be dealt with in an identical way as ASCII ccTLDs.

There are a number of IDN ccTLD territories that are quite happy to sign and pay, but think that it should not be mandatory. (Chris mentioned: Russia, Japan, Bulgaria and Korea).

ALAC has no formal position.

Nigel Roberts: Questions whether there is a difference between IDN ccTLDs and legacy ccTLDs? Maybe yes – legacy ccTLDs predate ICANN so ICANN can not have authority over it.

Chris D. pointed out that there is one requirement – compliance with the IDNA protocol that needs to be acknowledged.

Nigel: the authority is derived from the local community, not from ICANN.

.RU: Everything is ready, technically tested; we are waiting for the final countdown from ICANN. .RU is happy to sign whatever they get from ICANN. For .RU it doesn't matter what formalities need to be signed.

### **IANA update – Kim Davies and Olivier Guillard**

The presentation is available at:

<http://www.iana.org/about/presentations/davies-mexicocity-tldupdate-090303.pdf>



Currently there are 280 TLDs of which there are:

- 11 IDN tests
- .ARPA
- 248 ccTLD
- 20 gTLDs

242 derived from ISO 3166

3 being retired

.UK, .EC, .EU

UN, EH, BL, MF are not delegated at the moment

3 additional tests for root zone changes have been introduced:

- No open recursive name servers
- Network diversity for name servers (should not all be in the same /24 subnet) This same IPv6 diversity requirement will be asked for new gTLDs.
- Referrals should not fragment (512 bytes max – otherwise the response is truncated – this is bad for the network load)

This can be avoided by reducing the number of name servers or use name compression

Only less than 10% of ccTLDs do not comply at the moment with any of these three tests.

Signing the root zone: ICANN's proposal seems to get the most support from the "Internet experts"

ITAR – Temporary! Will be decommissioned once the root zone is signed.

Sabine Dolderer asked at which point IANA will draw the line with regards to the new additional tests. What if a registry does not (want to) comply. Kim replied that only if the operational stability was endangered the changes would not be accepted.

### **Meeting with Peter Dengate Thrush and Paul Twomey**

Chris D.: Why is there a different treatment between ASCII ccTLDs and IDN ccTLDs.

Paul T.: These are new services (introduction of IDNs) and they cost. Who should be paying for these costs? If the answer is ccTLDs don't then that means that the registrants in the US will be subsidizing the introduction of IDNs. Voluntary contribution from ccTLDs have not



worked over the last ten years, therefore the ICANN Board is not supporting that idea.

Peter DT: On the agreements. It started with Friend of John (FOJs) and that went well. But time has moved on and we are talking about something different: the operating system for the world. This has now taken another leap with the introduction of IDNs.

Roelof pointed out the discriminatory affect and pleads for same treatment for old and new.

He also indicated that there is a lack of numbers: what is the cost of the service ICANN is providing us with.

Sabine Dolderer pointed out that while contributing to the cost of running IANA and some of the costs of running ICANN is reasonable, enforcing contracts on IDN ccTLDs does not make sense as they are not enforceable.

Lesley asked to wait for the budget input from Doug Brent before a vote or agreement from the room is taken.

Paul T.: the DoR is an accountability framework it is not a contract. With new IDN ccTLDs we don't have 30 years of experience to rely on. It probably will turn out well, but in case anything goes wrong there needs to be a basis for dialogue between ICANN and the ccTLD manager.

Roelof: Costs of IANA should be broken down to the service they provide. E.g. redelegation could have a per-hour price.

Doug Brent: the most complex redelegations are often for ccTLDs that are the least developed.

Sabine Dolderer asked what the serious technical difficulties are for IANA that are referred to in the discussion of IDN introductions? Paul T. replied that there is no certainty and lot of question marks.

Nigel Roberts disagrees with Sabine on enforceability of contracts signed with new IDN ccTLDs

Bill Semich asked more details about the timing of fast track and new gTLDs introduction. Chris D. gave overview of discussion with gNSO.



Roelof: Why not postpone the discussions on fees and agreements until after the implementation of the fast track IDNs.

Peter DT: Because the board does not want to repeat the problems that we are in now with the John Postel approach.

Becky Burr: ASCII ccTLDs were delegated under RFC 1591 – this is in Becky's view a contractual obligation

Patricio; It is unacceptable that artificial obstacles would prevent billions of users from having access to domains in their own script.

### **Strategic and Operational Planning Committee session**

Byron Holland introduced the session.

Kevin Wilson gave an overview of the FY10 Framework.

Expenses 54,3 Million – 4,9% growth.

New gTLDs are not included in this budget.

ICANN wants more participation and therefore welcomes the SOP Committee.

Expenses organized in an operational way. There are 10 functional areas.

Byron introduced the SOP Committee members and gave a brief overview of the origins of the committee.

### **Regional Organisations updates**

Ramesh, the new GM of APTLD gave an update from the Asia-Pacific region.

His presentation can be found on:

<http://mex.icann.org/files/meetings/mexico2009/aptd-update-03mar09-en.pdf>

Erick Iriarte, the GM of LACTLD gave an overview of the activities of LACTLD.

His presentation can be found on:

<http://mex.icann.org/files/meetings/mexico2009/lactld-update-03mar09-en.pdf>

### **GAC – ccNSO session**

Janis Karklins opened the session and introduced the main topic: Fast Track IDN ccTLDs.

“The blurring of the distinction between ccTLDs and gTLDs”





GAC plans to devote one day to IDNs in Sydney and will comment in detail on the second version of the implementation plan.

Chris D. gave a brief overview of the discussions that took place within the ccNSO. Fees should be cost based and we are waiting for a breakdown of the costs related to ccTLDs.

DoR should be looked at in the light of the IDNA compliance. The Board is unlikely to approve de-coupling the DoR and Fee discussions from the IDN ccTLD Fast Track implementation.

GAC: both ASCII ccTLDs and IDN ccTLDs should be treated equally with regard to fees and DoR

Selection of the registry and policy setting should be done by the local community.

DoR should be encouraged but not be made mandatory.

Compliance with standards – compliance is always in the interest of the operators.

On Fees: the costs entailed in development of IDNs should be recovered but since cost recovery mechanisms have not been proposed this topic is referred to the time that this info is available. Ongoing contributions should not be made mandatory.

Question from Bill Dee: is there anything special about IDNA compared to current standards that need to be complied with?

Chris D. Non adherence with IDNA could have consequences that reach beyond the borders of the TLD that doesn't comply.

Fees for gTLDs and ccTLDs differ in their origin: gTLD fees originate from a decision from the gNSO council, potential mandatory fees originate from the wish of some board members to have ccTLD pay.

Bill Dee asks the ccNSO to give the GAC guidance on what (operational) costs are reasonable and if there is sufficient information available to confirm that.

Young-Eum Lee believes that ccTLDs are paying sufficiently but also feels that the community can make a commitment wrt funding of the costs.

Janis draws the parallel with the "rogue" ccTLDs such as .tv and .me that were granted as ccTLDs and are now operated as gTLDs. Bill Dee states that the local Tuvalu government was involved in the decision to use .tv in the way it is being used.

Bertrand de la Chapelle wonders if it would be a solution to have the agreement signed between the local government and the IDN ccTLD operator (after being negotiated at ICANN level).

## **IGF update and discussion – Nominet model national IGF**

Panel discussion with Raul Echeberria, Bill Graham, Martin Boyle and Lesley Cowley moderated by Patricio Poblete.

Martin explained in detail Nominet's motivation to participate and engage in IGF. He sees this as an experiment, but with very tangible outcome in the form of network that have been built and information that has been shared.

Raul pointed out that one of the main challenges of the advisory group is to ensure that IGF does not become a platform for political discussions only, but also have a real impact on the online experience of all users.

## **ccNSO Meeting – Day 2**

### **Discussion on IDN Fast Track draft implementation plan**

Tina Dam provided comments on the draft implementation plan:

<http://www.icann.org/en/topics/idn/fast-track/draft-implementation-plan-cctld-redline-19feb09-en.pdf>

The most important news from this session was that the sentence that was removed on the historical difference between ccTLDs and gTLDs will be replaced.

Tina is asking for more community input – both comments and corrections and support for the proposals in module 7.

Public comments on this document are due by April 6<sup>th</sup>.

The meeting then addressed the statement that was drafted by the GAC and discussed in detail the different statements.

Chris D and Bart B will rephrase the statement using input from the discussions.

### **Session on New gTLDs**

This session focused on the geographical TLDs. Annebeth Lange will work out a proposal for amendment and circulate it to the group.

Close off date for comments on the ICANN proposal is April 13<sup>th</sup>.

<http://www.icann.org/en/topics/new-gtlds/draft-rfp-redline-18feb09-en.pdf>

## **Update from the Participation WG**

Lesley Cowley provided an overview of the work of the participation WG. The WG will deliver a report to the ccNSO Council and will be closed.

## **Administrative session**

For the first time an administrative meeting was organized during the ccNSO meeting.

The first part of the session deals with second/third level registration models.

Luis Espinoza from .cr (Costa Rica) gave an overview of the introduction of second level domains. Before that introduction only third level domain under .com.cr were available. The introduction beat all expectations.

<http://mex.icann.org/files/meetings/mexico2009/espinoza-second-level-04mar09-en.pdf>

Alioune Badara Traore was asked to present the process of introducing third level domains in the .ML (Mali) domain. The main focus of the presentation however, was the historical development of the .ML domain. <http://mex.icann.org/files/meetings/mexico2009/traore-cctld-dns-mali-04mar09-en.pdf>

David Main from .ws (Samoa) talked us through the interesting and challenging start up of a registry on a pacific island.

Andrzej Bartosiewicz from .pl (Poland) spoke on the registration under 2<sup>nd</sup> and 3<sup>rd</sup> level domains in the .pl TLD.

<http://mex.icann.org/files/meetings/mexico2009/bartosiewicz-third-level-pl-04mar09-en.pdf>

## **Afternoon session**

Pavel Thuma from .CZ gave a very interesting presentation on “DNSEC – project implementation, marketing and communication perspective.” Pavell talked about the different business models and talked through case studies that illustrated those models (Cross sell/up-sell, system integration, education & training).

The first two have already proven to be successful, the .CZ efforts on training services show that the third model has significant potential.

<http://mex.icann.org/files/meetings/mexico2009/tuma-dnssec-implementation-04mar09-en.pdf>



Mario Guerra gave a presentation on implementing DNSSEC and EPP under .CR

### **ccNSO Council meeting**

The agenda and minutes will be made available at:

<http://ccnso.icann.org/meetings/mexico/>

The most important statement from this meeting deals with IDN ccTLDs:

#### **The ccNSO Council resolved:**

IDN ccTLDs should be treated similarly to ASCII ccTLDs and so:

1. On the Relationship between ICANN and IDN ccTLD Managers
  - 1.1. The entering into of a documented relationship between ICANN and an IDN ccTLDmanager should be voluntary and not a requirement for the delegation of the IDN ccTLD.
  - 1.2. Such a documented relationship should be encouraged
  - 1.3. It is in the best interest of IDN ccTLDs managers and the entire DNS community to adhere to all relevant IETF standards (including the IDNA protocol) and the IDN Guidelines and to commit to complying with future IDNA protocol updates.
  
2. On Financial Contributions to ICANN
  - 2.1. Financial contributions should be voluntary and should not be a requirement for the delegation of an IDN ccTLD.
  - 2.2. As previously stated by ccTLD managers, detailed information from ICANN on the breakdown of the costs involved in the IDN ccTLD Fast Track programme (and other costs ICANN incurs related to ccTLDs) would be welcome and help advance discussions.
  - 2.3. Concrete proposals on possible financial contribution models would also help to advance discussions.
  - 2.4. The Council acknowledges and appreciates that work on the information outlined in 2.2 and 2.3. has commenced and looks forward to receiving it as soon as possible.



*ccNSO Tech Day*  
*Monday 2<sup>nd</sup> March*

The agenda and webcast of the ccNSO Tech meeting can be found at <http://ccnso.icann.org/meetings/mexico/workshop.htm> .

### **Practical DNSSEC**

Jeremy Hitchcock (Dynamic Network Services) gave a general overview of DNSSEC and the reasons for its deployment. They discussed the need to sign the keys at the root level and explained interim solutions, the IANA ITAR and ISC Dynamic Lookaside Validation.

Ondrej Filip (CZNIC) gave a presentation on the DNSSEC deployment in .cz. He described the process the registry went through during the DNSSEC preparation and implementation. (.cz DNSSEC was fully deployed on 30.09.2008). Ondrej also discussed some solutions the registry developed to deal for example with zone walking and the key management. Ondrej also presented some possible new services with DNSSEC

### **Cross Border Legal Issues**

Bobby Flaim (FBI) was invited to discuss with ccTLDs efficient and effective ways to interact with US law enforcement agencies to report an attack or cybercrime origination from inside the USA. He presented several ways to report crime to the US, going from contacting via the local policy and the Mutual Legal Assistance Treaty to bi-lateral investigations. He also discussed different initiatives aiming at a cooperation with and within the internet community.

Andrzej Bartosiwicz supported the view that having a good contact and exchange of views and information between ccTLDs and law enforcement organisations is important but reminded that Whois data is protected by EU data protection rules. He suggested cooperation on ways to check the accuracy of the own database.

Nigel Roberts remarked that the .je and .gg Whois only gave the name servers and confirmed that a domain exists. Further information can only be obtained via legal enforcement.

### **Disaster Planning**

Chris Evans (DataRisk) gave an overview of the ccTLD Attack and Contingency Response Planning workshop organised by ICANN and the regional ccTLD Organisations. (CENTR is organising an ACRP workshop on 11 – 13 May 2009 in Amsterdam).

## **CCNIC update on IDN Preparation**

Jiankang Yao (CNNIC) gave a short update on the test by CNNIC of the algorithm proposed by ICANN to check new TLD applications on their visual similarity. The test concluded that from the perspective of a native Chinese speaker, the algorithm was not working satisfactory.

## **NIC.MX presentation**

Gustavo Lozano (NIC MX) gave an overview of the Mexican domain name, the history of the .mx registry, its infrastructure and NIC MX's main achievements and goals for 2009.

## **Domainer and the ccTLD – Round table discussion**

Rick Latona explained how his company decided about a year ago to focus on the ccTLD secondary market and expressed his belief in the market. ccTLDs, he said, were less speculative and could be much more value than for example a .com. He announced they were going to promote the ccTLD market e.g. advertisement campaigns, round shows, ....

Dave Chiswell (Domain Name Group) gave an overview of his companies activities. He sad that it was no longer a secret that the .com domain space was decreasing in value and therefore it was worth widening ones scope to the ccTLDs. Dave explained the process for selling a deleted domain name and pointed at the challenges and opportunities in each phase. He acknowledged that the current economic and financial situation temporally lead to lower values on the secondary market. However he was convinced that a good name would always get a good value.

He ended his presentation with the message that opening up the delete after market and expired after market were good for the registry's growth and revenue.

Andrzej Bartosiewicz (NASK) talked about NASK's policy change and how the .pl registry changed its perception of the domainers decided to support the development of the .pl aftermarket.. He explained that the registry did not make legal or administrative changes but started to provide services and business tools tailored to the needs of domainers. Andrzej further gave an overview to the different services such as the waiting list service, the domain tasting, publication of the list of expired domain name, new features in the Whois, list of top-100 NXdomains.

Sabine Dolderer (DENIC) explained why the .de registry kept a more neutral stand towards the secondary market by pointing at some of



the side effects for a registry. The main problem, she explained was the high, unintended usage of query services by domainers to obtain information about deleted domains. Sabine illustrated the latter with statistics and facts and gave an idea of how DENIC was planning to rework its query service infrastructure.

### **CoCCARegistrarTool**

Garth Miller showcased the CcCCA open source packet for small ccTLD registries and registrars.

More information can be found at <http://www.coccaregistry.org> .



## *GAC meeting*

*GAC Plenary Meeting ICANN Mexico city*

*Sunday 1<sup>st</sup> March*

*Tuesday 3<sup>rd</sup> March*

*Wednesday 4<sup>th</sup> March*

### **Summary**

The main points on the agenda of the Mexico GAC meeting were:

- the New gTLD implementation plan
- IDN ccTLDs
- Role of the GAC within ICANN (input PSC Report)

There were meetings with the ICANN Board, ccNSO and GNSO. The GAC also received the NRO on the policy proposal for the allocation of remaining IPv4 address blocks and UPU (Universal Postal Union) on the pending application for .post.

The GAC Communiqué which includes as annexes the GAC Comments on the IDN Fast Track process, the GAC comments on the new gTLD Draft Applicant Guidebook and the GAC comments on the PSC Report Improving Institutional Confidence in ICANN is available at <http://gac.icann.org/web/communiques/gac33com.pdf>.

### **GAC Plenary**

At the beginning of the plenary several GAC members pointed out that due to late availability of some new documents in the weeks before the ICANN meeting they had not been able to study them thoroughly or consult with colleagues at home.

For example the proposal for the development of IDN tables or the second version of the updated draft implementation plan for the IDN ccTLD fast track process.

#### .IDN ccTLD Fast Track Process

The GAC discussed and finalised its comments on the first version of the draft implementation plan.

- *the Documentation of Responsibility between ICANN and prospective IDN ccTLD managers*

Bart Boswinkel (ICANN) introduced the DoR to the GAC members as a first draft of legal responsibilities of an IDN ccTLD manager and explained that the document was based on the Accountability



Frameworks for ccTLD managers and had also the intention to ensure compliance with technical standards.

Several GAC members expressed reservations about a contractual requirement for IDN ccTLD managers to follow certain technical requirements. Bill Dee (European Commission) referred to the current practices of the ccTLD community which respects standards and protocols without any contractual requirement or enforcement. GAC members feared that if a country would not accept the ICANN model it would not be possible to obtain an IDN ccTLD. It was generally accepted that preferably standards and protocols had to be followed. However it was questioned whether it was within ICANN's role to enforce compliance with rules and standards. It was remarked that the IDNA protocols were still being tested and might not be adopted in time.

Chris Disspain (ccNSO) advised that a majority of IDN ccTLD applicants were comfortable with some sort requirements related to security and responsibility. The obligatory character of the requirements however was more problematic.

Tina Dam (ICANN) intervened to explain that a .IDN domain would not work or resolve in a strange way if protocols and standards were not followed.

The GAC comments state that:

- IDN ccTLDs should be treated similarly as ASCII ccTLDs
- local community to decide on .IDN string, operator and policy
- voluntary relationship between ICANN and IDN ccTLD
- documented relationship should not be a condition for IDN ccTLD delegations
- adherence to relevant protocols and standards in everyone's interest

- *update on the financial contributions*

Bart Boswinkel (ICANN) informed GAC members about ICANN's intention to introduce revenue based contributions (e.g. 1.25% of the IDN ccTLD operator's revenue) to contribute towards ICANN's costs for IDN ccTLDs. He announced that ICANN would come up with a detailed overview of the costs incurred and said that ICANN was not aiming at full cost recovery.

Janis Karlkins (GAC Chair, Latvia) plead for a distinction between the costs to develop the .IDN system, the cost to implement IDN ccTLDs and the cost of the daily operation of IDN TLDs. The general development costs should be split over IDN ccTLD and IDN gTLD operators, costs exclusively linked to the IDN ccTLD fast track come to the IDN ccTLDs and the cost of the daily operation is a service fee to be paid by those using the service.

GAC members in general could agree with the principle of some cost recovery by ICANN. Karklins wondered whether one had to differentiate between large and small operators and advised the fee to be charged in local currency. The French representative noted that ICANN's and IANA's operational costs were relatively low in comparison to the cost for support and capacity building. In his view, the basic costs could be equally split over all operators while the division of the cost for support and capacity building should be discussed (with e.g. higher contributions from bigger operators). The Dutch representative expressed some concern about the impact of the contributions on the registry's organisation and cost structure. Bill Dee warned that contributions calculated as a percentage of the operator's revenue were unlikely to cover the exact amount of the cost and easily could generate additional revenue for ICANN what would be in conflict with the organisation's non-for-profit nature.

The GAC comments state that:

- similarly treatment for IDN and ASCII ccTLDs
- contributions on a cost recovery basis, full disclosure of costs desirable
- financial contributions to be voluntary and not a condition for delegation
- ICANN staff to come up with concrete ideas and proposals

- *IDN ccTLD and membership of the ccNSO*

GAC members considered it logical that IDN ccTLD registries would participate in the ccNSO.

- *Contention issues with existing TLDs and new gTLD applications*

GAC members generally agreed that the introduction IDN ccTLDs should not be delayed in case of an unforeseen delay in the new gTLD

process. Regarding the country and territory names the Dutch representative warned that there should be no reference to the ISO list. Tina Dam (ICANN) informed that, similar to the GAC's wishes, the second version of the Draft Implementation Plan gives priority to the ccTLD string (eg. Cook for Cook's Island over the generic cook).

The GAC comments state that:

- ICANN to avoid country, territory, places names; country, territory and regional language or people descriptions language unless agreement with relevant authorities
- early coordination between new gTLD and IDN ccTLD fast track processes
- new gTLD applicants advised to contact relevant governments in case their application might be considered as country or territory name
- priority to the IDN ccTLD string

- *IDN table*

GAC members deferred the discussion on the document regarding the 'Development and use of IDN tables and character variants for second and top level string' to the Sydney meeting so that they would have the time to prepare and discuss the more technical issue in detail. The GAC asked for a briefing and tutorial during the Sydney meeting.

The GAC comments state that:

- encouragement of collaboration between language communities and their input for fast track an PDP
- different requirements of different scripts should be considered
- detailed GAC comments at the Sydney meeting

- *Evaluation of the fast track process*

The GAC comments state that:

- yearly evaluation and fine tuning of fast track
- no delay of PDP

### Role of the GAC

The JPA instructs ICANN to work with the GAC to review its role and 'facilitate the effective consideration of GAC advice'.

The discussion on the role of the GAC and on a draft paper from Chair Karklins will be one of the main agenda points for the Sydney meeting. Several members expressed in favour of a stronger role of the GAC. Karklins summarised that the GAC should look into practical ways to enhance its role and by improving its input and performance.

Members discussed the relation between the GAC and the relevant ITU working groups and expressed discontent about the fact that a ITU working group dealing with naming and numbering was scheduled coinciding with the Sydney meeting. Karklins informed that he was planning to address a letter to the ITU to present the GAC and explain its role and challenges.

#### New gTLDs applicant guide book

The GAC regretted the late posting of the second version of the Draft Applicant Guidebook and finalised its comments on the previous version (the text was attached to the communiqué).

#### *- .post application*

In the margin of new gTLD discussion the GAC received an update from the UPU (Universal Postal Union) on the pending application from 2003 for the .post gTLD. It was explained that the reason for the delay of .post was that the UPU, which is a United Nations specialised agency, and as such bound by intergovernmental treaties, could not comply with some of the contractual requirements and policies for ('commercial') gTLDs set by ICANN.

The GAC, in its communiqué urged ICANN to conclude the .post negotiations and make the relevant adjustments to the standard provisions.

#### *- division ccTLD/gTLD*

The UPU case, amongst other things, lead to a debate driven by the French representative to open up the categorisation between ccTLDs and gTLDs to recognise the difference between truly commercial new gTLD applications and other initiatives of a more social and cultural kind.

#### *- geographic names*

The protection of geographic names was the main discussion point on the GAC meeting with the GNSO Council. The GNSO advocated the use of a list above a maybe unclear definition. A GNSO Council member suggested an open checklist on which countries could put names. The respective country could then receive an early warning when someone applied for a name.

The GNSO pointed at some situations that could arise and should be given thought beforehand e.g. what to do when two countries apply for the same geo name (e.g. .kashmir), or when one name corresponds to two or more places or when a place name is in the mean time also a generic term.

*- GAC comments on the new gTLD Draft Applicant Guidebook*

*Auctions vs Competitive bidding*

The GAC doubted whether an auction with as main criterion 'the highest possible fee' would be appropriate for the selection of new gTLD operators. An amendment by the US representative in this sense was included in the final comments.

A second US amendment, which asked that if ICANN would decide to use auctions, the applicants should 'compete by offering the best terms and conditions for the benefits of the consumers' didn't make it to the final text. It might be discussed in Sydney and included in a later set of comments.

*Recognition of the variety of applicants*

A new paragraph, suggested by the UPU, which asked ICANN to consider the potential variety of applicants (profit, non profit, IGO etc.), was not retained in the text.

*Limits of the single fee structure*

The GAC proposed in its comments to consider the introduction of scTLDs, social and cultural TLDs . This new type of TLD should address the needs and interests non-commercial social and cultural communities.

*Reducing the cost to business*

There was some discussion about a proposal to change the title of the paragraph into 'reducing the potential for gTLD operators to exercise the market power'. However it was agreed that 'reducing the cost to business fitted better with the content of the text i.e. limiting the need



for defensive registrations in new gTLDs and preventing fraudulent registrations.

### *IDNs*

GAC members reminded that they had been supporting the coupling of the IDN ccTLD process, which was lagging behind, with the new gTLD process. However several GAC members now warned that eventual delays in the new gTLD process should not cause a delay of the introduction of IDN ccTLDs.

The GAC explicitly asked in its comments to 'progress the IDN ccTLD fast track successfully to implementation in 2009.

### *Geographic names*

The GAC asked that no country or geographic names would be allowed in the gTLD space until the IDN ccTLD PDP has been completed.

### IPv4 allocation – IPv6 deployment (Joint session with NRO)

Axel Pawlik (NRO) gave an update on the IPv4 address space: about 25% was still available four years ago; now 12% is available; IPv4 addresses are expected to be exhausted by 2011-2012.

The NRO proposed a new policy for the allocation of the remaining IPv4 addresses. The policy brings back IPv4 addresses to IANA to be redistributed. The aim is to make the distribution of the last blocks predictable, not to extend the lifetime of IPv4.

GAC members had some comments on the unequal geographical distribution of IPv4 addresses due to historical developments.

Axel Pawlik answered that it was not sure whether there would be a market for remaining IPv4 addresses but that one should be prepared for it e.g. by being very open and keeping the threshold for registering transfers low (otherwise transfers would happen without informing and updating the RIRs databases).

Asked what actions could be taken to promote IPv6, Axel answered that in the current stage talking about IPv6 and gathering people's interest was the best way to support its deployment.

Axel further assured the GAC members that the RIRs were working closely together without any form of regionalism and that there would be enough discipline to return addresses to IANA instead of keeping them for redistribution within their own region.

## Meeting with the ICANN Board

### *- posting of documents*

Paul Twomey answered to GAC's criticisms about the late availability of documents by outlining ICANN's meeting posting policy and presenting an analysis of the web posting of documents during the recent months. He promised staff would do its best to meet the GAC's needs.

### *- IDN ccTLD*

Peter Dengate Thrush informed that the Board expected adherence of IDN ccTLD managers to certain technical standards and some kind of financial contribution.

Janis Karklins summarised the GAC's point of view (cf higher: similar treatment ascii/IDN ccTLD, voluntary relation with ICANN, encouragement of adherence to technical standards, cost related contributions) and told the Board that there was no sufficient information on the costs and that the GAC wanted to see practical proposals on the contributions.

Bill Dee (European Commission) reminded the Board that the GAC already in its Paris communiqué had advised against an obligatory contract for IDN ccTLDs and Janis Karklins asked whether a country that for political reasons was not be able to sign a contract would than not be able to have an IDN ccTLD.

Peter Dengate Thrush answered that 'if a country for a reason cannot sign a rational contract which the rest of the community accepts they have to explain their irrational reason' and Paul Twomey reminded that communication with IANA (ICANN) was inevitable in a second phase (i.e. to put the IDN ccTLD in the root).

Bertrand de La Chapelle (France) asked if the IDN ccTLDs were technically so different that they, compared to ASCII ccTLDs, posed such a potential risk for the whole system that a contract was needed. He advised that if there was no significant risk, the contract should remain voluntary. He also suggested as an alternative solution that adherence to the technical standards could be included in the contract between the local government and the IDN ccTLD operator.



- *new gTLD process*

The GAC informed the Board that the comments on the first version of the new gTLD Applicant Guidebook were to be finalised during the Mexico meeting.

The Brazilian representative expressed some frustration about the fact that older GAC recommendations were not taken into account. He also referred to the discussion with the GNSO Council and the idea of a negative list for geographical first and second level names. As an alternative for such a list, it was suggested that governments would get the opportunity to object at no cost to geographic names at the beginning of the application procedure.

Bertrand de La Chapelle (France) opened the discussion on the concept of categories or classes of TLDs to diversify the distinction between ccTLDs and gTLDs. He referred to an existing desire from the community and said that the current discussions and the Guidebook contained a hint that for example geographical names are of a different type than pure commercial gTLDs. He asked whether the Board could agree that there was a growing consensus that the concept of categories had at least to be explored.

After some hesitation who from the Board's side would answer, Board Member Harald Tveit Alvestrand acknowledged that one of the biggest changes he had noticed within the community during the Mexico meeting was that people no longer saw the black/white difference between ccTLDs and gTLDs. He called the notion of additional categorisation worth exploring but warned that it could further delay the process.

The GAC reacted that any further delay to the current time schedule was not desirable.

GAC meeting with ccNSO

(See Higher)





## *ICANN Board Meeting*

The ICANN Board held its meeting on Friday 6 March 2009. Below is a summary of the most relevant resolutions.

The Full text of the resolution and the minutes (when available) can be found at <http://www.icann.org/en/minutes/> .

The transcript of the Board meeting can be downloaded at <http://mex.icann.org/files/meetings/mexico2009/transcript-board-meeting-06mar09-en.txt>

### **GNSO Constituency Renewals**

#### **Global Policy Proposal for the Allocation of the Remaining IPv4 Address Space**

The Board ratifies the Global Policy Proposal for the Allocation of the Remaining IPv4 Address Space (which can be found at <http://icann.org/en/announcements/announcement-2-05feb09-en.htm> ). The policy gives clear direction for the allocation of the last remaining IPv4 address blocks in the IANA free pool.

#### **IDN ccTLD Fast Track**

The Board asks (1) the finalization of the IDN ccTLD Fast Track implementation plan by the 2009 Annual meeting; (2) consultation on the Documentation of Responsibility and the inclusion of a specification for adherence to the IDN Guidelines and IDN technical standards such as the IDNA protocol and (3) staff to provide information on the costs attributable to ccTLDs and the costs associated with IDN ccTLDs

#### **Protection for Trademarks in New gTLDs**

The Board requests the creation of an Implementation Recommendation Team of experts in trademark, consumer protection, or competition law, and trademarks and the DNS to propose solution for the trademark protection issues connected to the introduction of new gTLDs; and directs staff and travel funding to the team.

A draft report is to be distributed by 24 April 2009 and the Team's final report has to be published no later than 24 May 2009.

#### **Protection for Geographic Terms in New gTLDs**

The Board agrees in general with the proposed protection of geographic names at the top level in the second version of the



Applicant Guidebook (i.e. applicants must provide evidence of support or non-objection from the relevant governments or public authorities) and directs staff further specificity on the scope of protection for names in the ISO 3166-1 list, and continent names.

## **Amendments to the Registrar Accreditation Agreement**

## **Approval of Charters of ICANN Board Committees**

## **BGC Recommendation for Approval of the Ombudsman Framework**

## **President's Strategy Committee Report**

## **Public Participation Committee Plan for Timely Posting of Materials**

The board requests a plan to ensure that all major meeting material is available at least two calendar weeks in advance of meetings, starting with Sydney.

## **Congratulations for Successful At-Large Summit**