Guide for
ICANN
San Jose

March, 2012

While at risk of being overshadowed by the RAA and new gTLD discussions in the GAC and the gNSO, some of the topics on the ccNSO's plate deserve their fair share of attention.
Key themes in the ccNSO: access control, Framework of interpretation, geographic regions review and the geo-names discussions

Key Themes and sessions

SOPA and ACTA

The ccNSO is dedicating a session to Open Access on Tuesday afternoon.

Further reading: During this and other meetings that address this issue please refer to the CENTR Issue Paper on Domain Name blocking and filtering. Hardcopies will be available at the LACTLD booth.
https://www.centr.org/system/files/agenda/attachment/centr-paper-blocking-20120302.pdf

Recommended session:
Regulatory and legislative developments and their impact on the Global DNS and Internet: Tuesday March 13th, 14.00-15.30 @ Bounganvillea

Framework of Interpretation Working Group

The ccNSO Framework of Interpretation (FoI) Working Group has published its first set of recommendations in their Final Report on obtaining and documenting consent for the ccTLD delegation and re-delegation requests. As mentioned in the previous ICANN report, the working group is currently concentrating on the concept of "consent".

These are the recommendations that will be presented to the GAC and ccNSO Council:

1. IANA should undertake the steps necessary to implement the following guidelines:
    - Only seek consent for a re-delegation request from the incumbent manager and the proposed manager.
    - The communication from IANA requesting a party's consent should clearly state (a) what the party is being asked to agree to and (b) what steps IANA will or may take in response to the party's (i) affirmative consent, (ii) affirmative refusal to consent, or (iii) failure to respond to the communication requesting consent.
    - To establish and publish a procedure how it will request a party's consent and document and record the responses on such a request.
    - Adopt specific criteria when evaluating the consent of an incumbent or proposed manager for a re-delegation request or from a proposed manager for a delegation request
    - In order to be effective in communicating relevant information, IANA reports on re-delegations should be consistent and include a documented minimum level of information.
2. IANA should report to the GAC and ccNSO at each ICANN meeting on this plan and progress to date in implementing these recommended guidelines.
3. Should IANA choose not to comply with the FOIWG recommended guidelines for any specific re-delegation, it should provide the rationale for doing so in a public report.
4. Any changes to the FOIWG recommended guidelines should be the subject of a formal public consultation as per ICANN standard procedures.

Further reading:
Final Report on Obtaining and Documenting "Consent" for Requests of ccTLD Delegation and Redelegation:
http://www.ccnso.icann.org/announcements/announcement-27feb11-en.htm

In addition, the group has published its Interim Report which contains draft recommendations on obtaining and documenting support from 'Significantly Interested Parties' (formerly known as Local Internet Community or LIC) for requests for delegation and re-delegation of a ccTLD:
 http://www.icann.org/en/announcements/announcement-2-03feb12-en.htm

Geographic Regions Review

The review group has published its final report and comments have been submitted. The most relevant aspect for CENTR is that theoretically, we could lose our observership at the ccNSO Council. ICANN bylaws allow regional organisations to be observer at the ccNSO council on the condition that all ccTLDs of the corresponding region can become members to that regional organisation. As the new European region – as proposed in the final report – include about 25 ccTLDs that are not situated in the European region and it is doubtful that all of them could successfully apply for membership, this could theoretically lead to CENTR losing its observer status.
http://www.icann.org/en/public-comment/report-comments-geo-regions-review-04feb12-en.pdf

Study Group on the use of names for countries and territories

Within the ICANN environment, country and territory names have traditionally been reflected as ccTLDs: in accordance with a list of two-letter codes maintained by the International Organization for Standardization (ISO). In addition, in 2009, ICANN approved the introduction of Internationalized Domain Name (IDN) ccTLDs that reflect country names in non-Latin scripts.
However, the way in which country and territory names may be treated as Top Level Domains (both as ccTLDS and gTLDs) is a topic that has been discussed by the ccNSO, GAC, GNSO and the ICANN Board for a number of years.
This discussion intensified when ICANN embarked on the process of introducing of a potentially-unlimited number of new gTLDs.
The ICANN Board determined that country and territory names will not be available in the first round of the introduction of new gTLDs, pending consideration of the issue by the ccNSO.
Noting this, at its meeting on 8 December 2010, the ccNSO Council resolved to establish a study group (the C&TNSG) to provide the ccNSO Council, ccTLD community and other interested stakeholders, including the GAC and GNSO Council, an overview of the scope and issues associated with the use of Country and Territory names as TLD strings and the scope and impact of alternative action paths on IDN ccTLD and new gTLD processes.
The group is currently discussing a survey that will be distributed with the help of UNESCO. The survey aims to gather an overview of alternative names that are used for countries, the relevant administrative or national languages and scripts.
Based on the outcome of the survey, the group will publish its findings by the end of this year.
The group meets on Monday and Thursday, unfortunately both sessions are closed. If you need more info, please get in touch with Martin Boyle and Annebeth Lange (members) or Paul Szyndler (Chair).

New gTLDs

This topic will be discussed across all constituencies, but from a ccTLD perspective the following session should be quite interesting:
Panel Discussion: Marketing ccTLDs with the advent of gTLDs: Strategies and Reactions to the Changing Environment: Wednesday March 14th, 14.00-15.30 @ Bounganvillea

GAC

The GAC is meeting on Saturday, Sunday, Tuesday and Wednesday. Some of the sessions are closed so it's advisable to check the schedule beforehand. Closed sessions are used to discuss the GAC's operation and prepare joint sessions, eg with the ICANN Board.

Main topics and background

new gTLDs

The timely processing of GAC advice will be of major concern to GAC members. The GAC can issue an early warning within 60 days after the publication of the list of applications and a formal GAC advice later on during the evaluation period. By issuing an early warning the GAC basically warns the applicant that he might expect a negative formal advice during the evaluation phase.
The GAC already announced that it will not be able to process more than 500 applications during the timeframe set for early warning and evaluation.

Reminder: In Dakar the GAC adopted a new definition of GAC advice '*adopting decisions by general agreement in the absence of formal objections'* which allows individual members to make reservations, statements of interpretation or declarations regarding a certain string without formally objecting.

Other issues of interest to the GAC: GAC advice on geographic names definition, scalability study after the first round of applications, Communication plan.
One might expect that the GAC gives some attention to the opposition against the new gTLD process.

Law enforcement recommendations

In 2009 Law enforcement agencies made 12 recommendations to amend the Registrar accreditation agreement with the aim of reducing the risk of criminal abuse of the domain name system. The recommendations were endorsed by the GAC. In Dakar the GAC noted that none of the recommendations had been implemented and was very disappointed of the lack of action on the registrars' side. The Dakar communiqué called on the Board to take the necessary steps.
The Law enforcement recommendations are expected to be the main topic from the GAC's side during the joint GAC/GNSO session on Sunday and will be discussed during the meeting with the Board on Tuesday.
(Presentations of the Law Enforcement Recommendations
http://brussels38.icann.org/meetings/brussels2010/presentation-gac-raa-19jun10-en.pdf)

Conflict of Interest / Ethics

ICANN's policy of ethics and conflicts of interest came under pressure in Dakar. The immediate cause was the position Peter Dengate-Thrush accepted at TLDH (the parent company of Mind+Machines) only weeks after leading the vote on the new gTLDs process as Chairman of the ICANN Board.
The ICANN Board promised concrete actions and a review of the policy. An evaluation of the progress made will be on the agenda of the joint Board/GAC session on Tuesday.
Within the GAC the European Commission attached great importance to this topic.

Registry/Registrar cross ownership

Before the Singapore meeting the US government and European Commission informed ICANN they had some serious concerns about the possible impact of the removal of the vertical separation between registries and registrars for gTLDs. Hours before the GAC/Board meeting in Dakar, the European Commission received an answer from ICANN on its letter sent prior to the Singapore meeting. The EC then redrew the topic from the agenda to first study ICANN's answer.
On 19 January the EC asked ICANN to provide additional information because the reply didn't contain 'any information going beyond the already publicly information' on the issue. (copy of the letter at www.icann.org/en/correspondence/de-graaf-mccallum-to-beckstrom-crocker-19jan12-en.pdf)
The European Commission will definitely address the topic in bilateral meetings with ICANN but will probably also touch upon it during the meeting with the Board.

Open Meetings

(as noted in the online agenda on 8 March):

Sat. 10 March
14.45-18.00: New gTLDs (staff update on process and changes, discussion)

Sun. 11 March
11.00-12.30: GAC/Board working group (Accountability ad transparency review)
15.45-17.15: GAC/GNSO joint session
        agenda details: - IOC Red Cross Update
                        - Consumer Choice and Competition Working Group update

Tue. 13 March
9.45-10.30: GAC/ALAC joint session
        agenda details: - establishing and entrenching user rights within ICANN
                        - strategy regarding applicant support
                        - harmonizing standards between gTLDs and ccTLDs
                        - Conflict of Interest
11.00-12.00: GAC meeting with Whois review team
14.00-15.00: GAC/SSAC joint session
16.45-18.15: GAC/Board open session

Wed. 14 March
9.00-10.00: GAC/ccNSO joint session
        agenda details: - update Framework of Interpretation Working Group
                        - use of country names (UNESCO survey and typology)
                        - Survey Results from Finance WG
                        - invitation to briefing about the ccNSO
11.00-12.00: GAC/SSR RT joint session (Security, Stability & Resiliency of the DNS Review Team)
        agenda details: - update on SSR RT progress

GAC communiqué Dakar meeting

https://gacweb.icann.org/download/attachments/4816912/Communique+Dakar+-+27+October+2011.pdf

gNSO

The below is an overview of ICANN San Jose sessions considered relevant for CENTR Members within the context of gTLDs and the GNSO. This guide does not encompass all gTLD and GNSO related activities at ICANN, just those considered of potential interest to CENTR members.
Key themes being discussed within the gNSO: New gTLDs, RAA amendments, WHOIS

Key Themes

Registrar Accreditation Agreement (RAA)

During ICANN42 in Dakar, ICANN and the Registrar Stakeholder Group stated their intention to begin negotiations on possible amendments to the RAA to address recommendations made by law enforcement agencies and the GNSO, provide increased protections for registrants, enhance security generally, and to increase predictability for all stakeholders. Another objective of this agreement is to incorporate details on SLA's for Whois and Whois accuracy. The ICANN board considers this topic as 'urgent'.

Since ICANN42 the Registrar Stakeholders Group and ICANN Staff have worked to come up with an agreement for the Costa Rica meeting. The gNSO also produced in December 2011 a preliminary [Issue's Report](#). It is expected that a policy development process (PDP) will commence after publication of a Final Issue's Report.

Suggestion sessions:
- Status, GAC issues and council positions: 11.30am, Saturday 10th
- RAA progress report and WHOIS data validation workshop: 13.00, Monday 12th

Further Reading: [ICANN and Registrar Negotiation Team Post Summary of RAA Negotiations](#)

New gTLDs

The new gTLD program opened for application in January 2012 so during ICANN Costa Rica, some progress updates are expected. As at 27 February 2012 the number of registered users in the online TLD Application System (TAS) was 144 (keep in mind one application could include multiple strings – up to 50 each)

Below is an overview of key program dates over the year. Given the dates, it's unlikely that ICANN will reveal much details of who applied for what in Costa Rica – however some of the numbers are expected.

29 March: Registration Closes
12 April: Application Window Closes
1 May: "Reveal Day" – applications will be made public (e.g. Applicant, String, IDN, etc.)
12 June: Initial Evaluation Begins
12 November: Results of Initial Evaluation
29 November: Last day to request Extended Evaluation
30 November: Later phases for complex applications

Suggested Sessions:
GAC discussion on new gTLDs – 14.45, Saturday 10th
New gTLDs discussion - 10.30, Sunday 11th
New gTLD program update – 11.00 Monday 12th
New gTLD Program and Registries Overview- 16.00 Sunday 11th *(learn the basics of the new gTLD program)*

Update on revised PDP

A newly revised Policy development Process (PDP) is in place now since December 2011 – which includes an updated Annex A in the ICANN bylaws and a PDP manual)
There was a public comment period which ended on 2 March 2012 and the Board is due to consider the comments in Costa Rica.
Suggested sessions: Introduction to the revised Policy Development Process: 9am, Sunday 11th (GSNO working session)
Further Reading Revised Annex A , PDP Manual

IRTP (Inter Registrar Transfer Policy)

Adopted in 2004 for purpose of helping registrants to transfer domains between Registrars, there is a review on the IRTP with most recommendations having been adopted in 2011.
Regarding the IRTP Part C, there is a working group in place considering among other things "Change of Control" function - an investigation of how this function is currently achieved and if there are any applicable models in the country-code name space.
Suggested Sessions
-    IRTP Part C status Update 14.30, Saturday 10th (GSNO working session)
-    Status of implementation of IRTP Part B: 15.00, Saturday 10th (GSNO working session)
-    Inter-Registrar Transfer Policy Part C PDP WG 8.30am, Wednesday 14th
Further reading: IRTP Part C PDP Working Group, IRTP Part B recommendations and status

Whois Related

Thick Whois
After a Final Report on this issue (2nd FEB 2012) with an overview of the benefits and drawbacks of a thick Whois, the scope of the PDP etc, ICANN staff recommended a PDP to which the GNSO council will consider in Costa Rica.
Suggestion Session: Update at Open GNSO Council session 14.00, Wednesday 14th

Whois Review Team
The Whois Review team produced in December 2011 a draft Final Report to their work including a set of recommendations (summary available).
Suggestion sessions:
WHOIS Interaction with the Community 14.00, Monday 12th (WHOIS WT)
WHOIS RT / GNSO joint meeting 17.30, Sunday 11th
GAC Meeting with whois Review Team Tuesday 13th, 11.00

Whois studies
Misuse of public data: whether accessing public whois significantly increases harmful acts
Registrant identification: how registrants are identified and classifying types of entities that register domains.
Privacy/Proxy Abuse (not yet commenced – expected start late March or April)
Privacy/Proxy relay and reveal: communication relay and identity reveal requests sent for privacy/proxy domains (pre-study survey almost complete – expected late March).
Further Reading: Whois studies overview

New Whois Survey
A new survey is also under design currently relating to Whois service requirements (previously compiled by policy staff). This is particularly aimed at the technical community (with implications to Policy). There is a working group editing the survey in preparation for its release.
Further Reading: WHOIS Survey working group Homepage

<u>Replacement of WHOIS</u>
Presentation of the draft roadmap for the replacement of the WHOIS (port-43) protocol as directed by the Board and recommended by SSAC 051.
Suggestion session: Replacement of WHOIS – 13.00, Thursday 15th

Other topics of discussion

<u>Internationalised Registration Data (IRD)</u>
This working group (joint between SSAC and GNSO) study's the feasibility and suitability of introducing submission and display specifications to deal with internationalising of registration data (whois).
Further Reading: Findings from the working group (to be submitted to SSAC and GSNO for approval)
Suggestions session: This topic may be brought up at the SSAC public session: 8.30am Thursday 15th