



# **Guide for ICANN Buenos Aires**



**ccNSO, gNSO and GAC  
key issues**

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**November, 2013**

## Contents

# ccNSO Pre Report

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The Finance Working Group has finalised the guidelines for the new voluntary contribution model.....	3
Framework of Interpretation Working Group presents its interim report on revocation. ....	3
Internet Governance in the light of the Montevideo statement.....	3
ccNSO SOP WG sends crystal clear letter to ICANN Board and CEO .....	3

# gNSO Pre Report

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SO/AC Led High-Interest Topic: Evolution of Internet Governance - Methods and Objectives.....	4
New gTLDs .....	4
PDP protection of IGO and INGO identifiers in all gTLDs .....	5
RAA Privacy and Proxy accreditation issues .....	5
Policy and implementation WG .....	5
Cross community WG.....	5
Whois.....	6

# GAC Prep report

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Overview GAC sessions during ICANN Buenos Aires .....	7
new gTLDs .....	7
GAC Secretariat? .....	8
GAC meeting with the Board .....	8
Other sessions.....	8

# ccNSO Pre Report

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As usual the ccNSO will hold its meeting on Tuesday and Wednesday. The agenda can be found [here](#).

## **The Finance Working Group has finalised the guidelines for the new voluntary contribution model.**

In the past weeks the WG has organised conference calls to reach out to those ccTLDs that hadn't been able to give input into the process yet. The recordings of those briefings can be found [here](#). While the main principles have already been discussed at length during previous ccNSO meetings, one could still expect an interesting discussion. During the past years, it has been stressed that the funding mechanism will always remain a voluntary model. The guidelines aim to come to a more fair distribution of the needed resources across all ccTLDs. While this model will be subject to a council decision; it is not expected that there will be a members' vote.

Session: Tuesday 19 November, 9.05 – 9.50

## **Framework of Interpretation Working Group presents its interim report on revocation.**

After having looked into consent based delegations and redelegations, the WG has now published an interim report on redelegation without the consent of the incumbent registry manager. The report is available at <http://ccnso.icann.org/workinggroups/foi-interim-28oct13-en.pdf>. While this might sound more controversial than the previous reports, it isn't really. What it mainly tries to solve is the lack of clarity in RFC 1591. According to §3, par. 4, IANA may step in if the designated manager has 'substantially misbehaved'. So if there are persistent problems, the IANA operator may transfer the domain without consent. While there is some guidance on what this 'substantial misbehaviour' might be (technical requirements, timely response time, etc..) this might be the most difficult issue that the group has to solve. There is also reference to appeal mechanisms for the incumbent registry manager that may need to be worked out more in detail.

Session: Tuesday 19 November, 11.00 – 11.30

## **Internet Governance in the light of the Montevideo statement**

The recent developments in the Internet Governance world are reshaping the landscape. Recently it became clear that the current IG(F) model is not longer sufficient to convince governments that they shouldn't get more involved or that the multistakeholder model should evolve to a multilateral model. With the post-WCIT meetings coming up in 2014, it is crucial that the current stakeholders get organised and come forward with an alternative to deal with the orphan issues. The Montevideo Statement and the 1net.org initiative should be read in that light. More detail in our recent [CENTR update](#).

Session: Tuesday 19 November, 11.30 – 13.00

## **ccNSO SOP WG sends crystal clear letter to ICANN Board and CEO**

During the sessions with the Board, the GAC and the gNSO, it is expected that the letter sent by the SOP WG will get plenty of attention. In the letter, its Chair (Roelof Meijer) explains the group's frustration and pinpoints what caused it: lack of professional response to all comments and suggestions made by the SOP WG in the past few years. Hopefully we learn what ICANN's response is during this meeting.

# gNSO Pre Report

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The GNSO Council will conduct their regular working sessions on Saturday and Sunday, a joint meeting with the ccNSO on Monday 18<sup>th</sup> (5pm) and hold public council meeting on Wednesday 20<sup>th</sup> November.

It's expected that the evolving landscape of internet governance will be a 'meta-theme' throughout the Buenos Aires meeting and will get a lot of airtime. Specific to this, the GNSO will take part in a new jointly run 'high-interest' session which is expected to continue in subsequent ICANN meetings. The session will focus on the topic of internet governance and the recent developments from IGF, the Brazilian President and the Montevideo statement (see below)

Current policy work to be discussed in the GNSO working sessions are; New gTLD updates, Council Chair elections (incumbent Jonathan Robinson posted his candidature statement), Policy & Implementation WG, Cross community WG, Whois studies, IRTP Part D, Standing committee on GNSO improvements, RAA privacy and proxy accreditation, the GNSO review (discussion with SIC) as well as meetings with the ICANN Board and CEO. (Selected policy topics are described in more detail below).

The GNSO have spoken with the ICANN Board Structural Improvement Committee (SIC) regarding the GNSO review – during a GNSO/Board meeting during ICANN48, the Chair of the SIC (Ray Pizak) will update the council on latest thinking and developments.

During the GNSO Council meeting (Wed 20 November), motions to be voted on are;

- Translation and transliteration of contact information (charter)
- Recommendations on IGO-INGO protections (see below)

The GNSO now have a twitter channel - @ICANN\_GNSO

## **SO/AC Led High-Interest Topic: Evolution of Internet Governance - Methods and Objectives**

This new jointly organised session between the SO's/AC's will allow for a public discussion on the topic of internet governance related to recent developments from Brazil, the IGF and the Montevideo statement. There will be a maximum two reps each from each of the ASO, ccNSO, GAC, SSAC and RSSAC communities, and include a maximum of four participants from the GNSO (one per Stakeholder Group) and a maximum of 5 from At-Large (one per RALO). Organisers hope to maximise the public participation in this session.

**Session:** Monday 18 November, 10.30-12.00 ([Agenda link](#))

## **New gTLDs**

On 23 October 2013, first new gTLDs from ICANN's New gTLD Program [were delegated](#). Although the agenda for the new gTLD update during ICANN48 is not published at the time this report was written, it's expected the update will provide details on the program and contracting statistics, Trademark clearinghouse developments and work on name collision occurrence (ICANN recently signed an agreement with a contractor for the development of a name collision occurrence management framework). There will also be a dedicated [session](#) on rights protection mechanisms.

### **Suggestion Session:**

Monday 17 November 10.30 ([agenda link](#))

## PDP protection of IGO and INGO identifiers in all gTLDs

**Background:** The Board requested the Council provide policy advice on whether to protect RCRC, IOC, IGO and INGO names at the top and second level in the new gTLDs. There are already interim protections implemented by the Board (GAC advised that IGO names and acronyms and RCRC acronyms be included in second level protections at least until GAC advice and any GNSO PDP outcomes).

**Update:** The public comment period on the report closed late October 2013 and the WG is preparing its final report for the Council. There are 38 recommendations being considered with 28 at consensus level. The council is expected to consider the WG's recommendations and determine the next steps. More detail on the motion and its recommendations will be included in the CENTR ICANN48 report.

**Suggested session:**

Saturday 16 Nov 10.10 – ([agenda link](#)) *update during GNSO working session*

## RAA Privacy and Proxy accreditation issues

**Background:** The newest form of the RAA was approved in June 2013 with several issues remaining suitable for a PDP – those issues relate to privacy and proxy services for registrations. The current RAA has temporary provisions that govern a registrar's obligations in respect to privacy and proxy – those provisions will expire in January 2017 or at ICANNs implementation of a privacy/proxy accreditation programme (whichever comes first).

**Update:** The GNSO Council approved the charter for a working group for this PDP and a call for volunteers was made. The working group is expected to hold its first meeting during ICANN48. There they will elect a Chair and determine next steps for their work.

**Suggested session:**

Thurs 21 November, 8am ([agenda link](#))

## Policy and implementation WG

**Background:** While developing a bright-line rule as to what is policy or implementation may not be possible, the hope is that by developing clear processes and identifying clear roles and responsibilities for the different stakeholders, it will become easier to deal with these issues going forward.

**Update:** The group started deliberations in August 2013 and (in summary) is to provide guidelines and criteria to underpin discussions on policy and implementation. The working group, after having reached out to SO/ACs for input, is now expected to finalise its work plan at ICANN48 and has already formed sub teams to start working on definitions and principles in the lead up to the developing the charter questions.

**Suggested session:**

Wednesday 20<sup>th</sup> November, 16.45 ([agenda link](#))

## Cross community WG

**Background:** There is a need to develop coherent framework for effective collaboration across ICANN SO/ACs on issues of common interest. GNSO draft principles for CWGs circulated and the ccNSO has provided [feedback](#).

**Update:** GNSO council recently passed a motion to create a new drafting team co-chaired with the ccNSO. The drafting team is expected to be formed shortly after ICANN48 and begin work from then.

**Suggested session:**

Saturday 16<sup>th</sup> November 16.20 ([agenda link](#)) – *update during GNSO working session*

## Whois

After conducting a review of issues surrounding the requirements for a next-generation gTLD Registration Directory Service the Expert Working Group (EWG) published its [Initial Report](#). A public session will be held to discuss this work.

**Session:** Exploring replacements for Whois - Wed 20 November 8.30 ([agenda link](#))

In another session, details of Whois studies (including implementation activities) will be provided. There are two remaining studies to be completed: one on Privacy & Proxy Service Abuse, and the other on Whois Misuse.

**Session:** Improving Whois – Thursday 21 November, 9.00-10.30 ([agenda link](#))

# GAC Pre Report

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## Overview GAC sessions during ICANN Buenos Aires

Sat 16 1400 1430 GAC opening – plenary [closed] 1430 1800 GAC Plenary	Sun 17 0900 1200 GAC plenary 1400 1800 GAC plenary 1530 1630 GNSO/GAC meeting	
Tue 19 0900 1200 GAC plenary 1400 1600 GAC plenary 1400 1445 ccNSO/GAC 1600 1645 GAC prep session [closed] 1645 1830 GAC meeting with ICANN Board	Wed 20 0900 1200 GAC plenary 1400 1800 Communiqué drafting [closed]	

Not much detail is known on the GAC’s agenda for Buenos Aires at the time of writing. The traditional slots are filled in with most meetings open to the public except for the opening/agenda setting on Saturday, the preparation of the meeting with the ICANN Board on Tuesday and the drafting of the Communiqué on Wednesday.

But one never knows, history learns. Although this time, GAC members might be able to attending the Gala event on Wednesday evening. (Long marathon sessions on the new gTLD advice kept GAC members in their meeting room during the Beijing and Durban Gala.)

## new gTLDs

In Durban the GAC agreed on a negative advice against the .amazon application but failed to find a consensus on the .vin/.wine application and gave itself 30 days additional time to conclude on the matter. There was still a too big difference in visions between countries like the US, Canada and Australia versus the European Union and several EU-countries.

On 9 September 2013 the GAC Chair informed the ICANN Board that the GAC had ‘finalized its consideration of the stings .wine and .vin and further [advised] that the applications should proceed through the normal evaluation process.’<sup>1</sup>

But this doesn’t mean that all discussions on the new gTLD advice have come to a conclusion, as suggests the following paragraph in the 9 September letter:

‘While there is no GAC consensus advice on specific safeguards, it deserves to be noted that the crux of the matter relates to the handling of geographical indications, for which there is a range of views among the GAC membership. Some members support referencing geographical indications while others are opposed. There is no international agreement among governments about how to treat geographical indications and, as a consequence, no basis for an agreement in the GAC on safeguards that would offer additional protections.

The GAC or its members may communicate further details to the Board as to the nature of the differences in views.’

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<sup>1</sup> Letter from the GAC chair to the ICANN Board regarding .wine and .vin, [https://gacweb.icann.org/download/attachments/27132037/Letter%20from%20GAC%20Chair%20to%20ICANN%20Board\\_20130909.pdf](https://gacweb.icann.org/download/attachments/27132037/Letter%20from%20GAC%20Chair%20to%20ICANN%20Board_20130909.pdf)

These 'safeguards' go back to the Beijing Communiqué where the GAC had identified specific groups of strings that may need additional safeguards to obtain consumer trust and mitigate the risk of consumer harm ('category 1 safeguard advice').

Unfortunately it's unclear when during the week the GAC will discuss new gTLD safeguards and whether such a session would be open or closed.

## **GAC Secretariat?**

Will there be an official announcement on the independent GAC secretariat? The never ending story started with the offer of 3 countries, Norway, Brazil and the Netherlands to fund an independent GAC secretariat. For a short term there was a secretariat based in the Netherlands but the discussion on the tasks and responsibilities basically never ended. In Beijing it was announced that the GAC had received two offers, the Durban communiqué mentioned that 'progress' was made with regard to one of the parties – ACIG – providing secretariat support.

## **GAC meeting with the Board**

The GAC meeting with the Board is always interesting to attend. Hopefully it will come to an exchange of views with the ICANN CEO and the Board on the current developments in Internet Governance (the I-star, 1Net.org, ... ) and ICANN's role in these initiatives.

## **Other sessions**

During the ICANN week the GAC traditionally meets with other supporting organizations (GNSO, ccNSO, SSAC, ALAC, ... ) .