CWG proposal: a conditional victory

How the ICANN community can turn it into an unconditional one

By Peter Van Roste, CENTR General Manager

Last June in Buenos Aires, the Supporting Organisations (SOs) and the Advisory Committees (ACs) that were the chartering organisations of the Cross Community Working Group on the IANA Stewardship Transition (CWG IST) approved the final proposal from that group. As could be witnessed on Twitter and across the different rooms in the Sheraton conference centre, this event was seen by many as a good reason to cry victory and celebrate the strength of the multistakeholder model. But is it?

What most observers did miss was that rather than approving the proposal, most groups agreed to forward it to the next stage in the IANA Stewardship Transition process. The dynamics of the CWG did not allow for any changes to the proposal at this stage. Take it or leave it. With strong representation on the CWG, none of the SOs or ACs could possibly opposite it. If they would have done so, it would have stopped the process in its tracks. Therefore, it wasn't really a surprise that it passed. This is not to say that the proposal as such didn't receive strong support. On the contrary, the unanimous support to forward the proposal in the ccNSO was a very positive and strong signal from one of the communities that could be the most affected. The outreach effort was exceptional too. It is indeed impressive in comparison to the efforts made during the ccTLD IDN Fast Track Position Development Process a few years back.

It is however crucial to understand that the approval for every single SO or AC was *conditional*. Conditional upon the finalisation or implementation of the work of that other crucial group: the Cross Community Working Group on the ICANN accountability enhancement (CCWG Accountability). That group presented their proposal to all ICANN SOs and ACs. It is a strong proposal that benefits from a clear overall structure and brings clear solutions to fundamental accountability problems. The key element is the empowerment of the ICANN communities. They get the power to vote in three specific cases: (1) to reconsider/reject the budget; (2) to reconsider/reject the strategic plan; and (3) to recall the entire Board.

It is this mechanism that provides teeth to the new accountability model, but it is also its Achilles' heel. The proposed membership model that provides the framework for the voting system relies on delegations from each SO and AC. The RSSAC and SSAC would have two votes each. The ccNSO, GNSO, ASO and ALAC would have 5 votes each. And so would the GAC (5 votes).

It is that last group that might find this model hard to implement. Which GAC members would sit in this Membership Model? How would they decide? Will they legally be able to take up that role? Most governments would find it impossible to have a formal role in a US corporation. There are many questions remaining that might turn off the GAC's appetite to support this model. And as pointed out, the approval by the GAC of the CWG IST proposal was conditional on the implementation of this part of the package. From this perspective, it is easier to understand why that first proposal sailed through the approval processes last week. Some certainly felt that there was always the option to pull the brakes at a later stage.

The good thing, however, is that the membership model is flexible. It is possible for any of the SOs or ACs that felt more comfortable to stay in their current role to do so. It would lead to a slightly more complicated model, but it would not undermine its effectiveness.

In Buenos Aires, the GAC has launched a mini survey, the results of which will be sent to the CCWG Accountability before their next meeting in Paris (17-18 July 2015). The second proposal will be launched following that meeting and a public comments period will run for 40 days.

Without unanimous support for their proposal, last month's celebrations might turn out to have been premature. Let's make sure that we continue the outreach and support to the CCWG Accountability in its tireless efforts to improve the foundations of ICANN's accountability. Together we will make this happen.

EU Policy Update

By Nina Elzer, CENTR Policy Advisor

Tripartite negotiators reach deal on telecoms package

Apparently not wanting to make the Latvian Presidency leave without a legislative victory, the Council, Commission and European Parliament agreed on a deal on the telecoms package. Roaming will be abolished by 2017, from May 2016, roaming fees will be capped at EUR 0.05/minute for calls, EUR 0.02 for texts and EUR 0.05 per MB data. With regards to net neutrality, different speeds for special services are acceptable as long as the "general" quality of access is not affected. The text still needs to be finalised, as recitals are missing. The devil will lie in the detail. It needs to be noted that this proposal deals only with retail prices, i.e. what operators charge their subscribers. Legislators will, however, need to look at the question of wholesale prices no later than June 2016 in order to make sure that the ban of roaming in 2017 can actually be financed.

Council and European Parliament reach "understanding" on main NIS principles

An "understanding" between the Council and European Parliament on the main principles to be included in the NIS directive was reached on 29 June. The principles include requirements for providers of "essential services" (energy, transport, etc.) to manage network risks and report incidents. It will remain up to Member States to identify such essential operators based on criteria set out in the directive. Fragmentation is to be avoided, although it is not clear how. It is likely that sectors, such as energy, transportation or banking will feature on a common list. It is, however, not clear at this point whether national domain name registries would fall directly under the scope of the Directive or if it would be up to each Member State to decide. Digital service platforms (such as Facebook, ebay, etc.) will face "different" (softer) requirements, whereas details still need to be fleshed out. Member States will need to come up with their respective national NIS plans and to set up competent authorities. Operational cooperation among Member States at EU-level will happen through a network of CSIRTs (national Computer Security Incident Response Teams). The challenge of the incoming Luxembourgish EU Presidency will now be to turn these principles into legal provisions during the coming trilogue meetings. See also Council press release.

Copyright, ICT and human rights on MEPs' voting schedule this week

Two own initiative reports are on the agenda of the upcoming "Strasbourg week", where MEPs give their "yay" or "nay" to both legislative and non-legislative proposals. Whereas both Reda's copyright report and Schaake's report on human rights and ICT in third countries are not legally binding, they both hold some "explosive content". Reda has been accused of planning to abolish the "freedom of panorama" (which would mean that one would have to ask the architect's permission before posting a photo of the European Parliament, for example). Schaake has come up with a long (wish) list of who is responsible for protecting human rights, including abroad (referring to, for e.g., encryption, mass surveillance, open source software, law enforcement through ISPs). The votes will take place on Thursday 9 July.

Council Conclusions on the Digital Single Market

In the conclusions from its last meeting on 25-26 June in Brussels, the European Council calls for a rapid adoption of both the telecoms package (roaming and net neutrality) and cybersecurity (the NIS directive). New data protection rules are to be finalised by the end of the year. The Council also states (directly and indirectly) its support to the other parts of the Digital Single Market strategy, including the copyright reform, an end to unjustified geo-blocking and further enquiry into the role of online platforms, and underlines the importance of the free flow of data within the EU. Having "delivered" on the telecoms package, the Council now seems to have freed some resources to concentrate on cybersecurity. The new EU cybersecurity strategy is to be finalised before the end of the year and work is to advance on the renewed EU Internal security strategy, including the fight against terrorism.

Alexander Mayrhofer is Head of Research & Development at NIC.AT and newly appointed Co-Chair of CENTR's R&D Working Group. In this interview, he tells us why R&D will become even more important in the coming years for the ccTLD industry and how the community can come together to tackle upcoming challenges.

Can you tell us a bit about your background?

I started working in the internet industry in the mid-1990s, and one of my tasks back then was the administration of the "co. at" second-level domain at EUnet Austria. I joined nic.at in 2002 as sort of the first "R&D" employee – my first project was looking at a new protocol called "EPP". The R&D team that I'm leading has since grown to 4 people, and we're running a wide range of activities, which include several internal research projects, partly in cooperation with local universities and other ccTLD operators, contributing to standardization work in the IETF, managing our gTLD-Product "Registry-in-a-Box" as well as our Anycast service "RcodeZero", and generally serving as a "competence center" for the DNS and Registry topics.

What is your view of your role as Co-Chair of CENTR's R&D Working Group?

The CENTR community has the wonderful virtue of being very open to sharing information among its members. However, it is my experience that in many cases, we still tend to do similar research work, often enough with almost identical goals, especially on "popular" topics. There's obvious potential to cooperate on some of these topics, and I would love to identify and overcome the hurdles which prevent us from doing more cooperative work – which, I think, would increase the research efficiency of our whole community. I would especially like to find ways to include the smaller members in our community, who often don't have enough resources or even a dedicated R&D team.

What do you think will be the main challenges in the coming years for ccTLDs in terms of R&D and why?

Well, the saying is that "it's tough to make predictions, especially about the future". Therefore I'd like to take this to the abstract level, and say that our main challenge will be to identify and work on those topics that have the potential to change the technical landscape of the ccTLD industry.

**What are some of the key topics the R&D Working Group will be focusing on?**

Very broadly, a recurring topic that will keep us busy is getting more information and insight out of the huge pile of data that we all sit on, for the benefit of both ourselves as well as our customers. I also think that future protocols appearing on the internet will have novel ways to use the DNS, and there could be a shift in terms of traffic pattern, particularly if more and more clients query the DNS directly. Furthermore, the topic of "alternative naming systems" is something we simply must watch very closely.

Q & A

Alexander Mayrhofer

Head of R&D, NIC.AT

CENTR

Q&A

News and Events
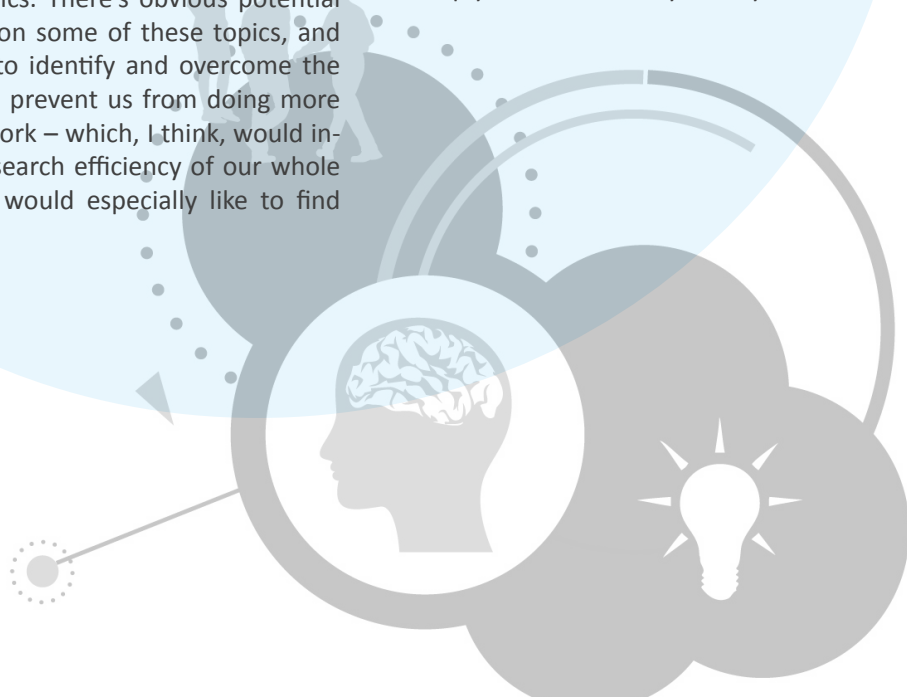
2014 was a year of investing in new gTLDs As per its yearly custom, DNS Belgium publishes its finance report. In it, they provide a complete overview of 2014.

Domain Regulation changes enter into force on 1 December .ee Domain Regulation and Registrar Contract Annex 1 changes approved by the EIF Council's April 17 2015 decision enter into force on 1 December 2015.

Pitajte.rs - RNIDS educational program about everything important for online presence The Serbian National Internet Domain Registry (RNIDS) organised a one day educational event called "Pitajte.rs" (Ask.rs) on May 2nd 2015, within the "Nova Energija" (New Energy) conference.

#selfiEU Stay hydrated this summer! EURid is happy to announce the launch of the #selfiEU summer competition.

99% of Registrars are satisfied with Afnic Services Afnic has disclosed the results of its annual survey on the quality of its services.

JPRS signs MoU with ICANN and JPNIC on Japanese translation of ICANN materials On June 22, 2015, JPRS signed a Memorandum of Understanding (MoU) with the Japan Network Information Center (JPNIC) and the Internet Corporation for Assigned Names and Numbers (ICANN) on a collaboration for translating ICANN materials into Japanese.

.RU Domain Name Registrations Pass the 4.9 Million Mark According to the Coordination Center for TLD RU / .РФ , .RU domain name registrations has reached and exceeded the 4.9 million mark.

Boy bands, motorbikes and parish councillors: 2014 in .UK domain name disputes 726 complaints handled and £7.5m in legal costs saved by Nominet's award-winning Dispute Resolution Service in 2014.

ICANN53 REPORT

CENTR published its report on ICANN53 in Buenos Aires. It provides an overview of discussions on the IANA Stewardship Transition, as well as coverage of activities in the ccNSO, GNSO and GAC.

Report on
ICANN53
Buenos Aires
21 - 25 June 2015

CENTRnews on summer break

The monthly CENTRnews will be back in September. Happy summer holidays to all!

Upcoming CENTR Events

10 September 2015

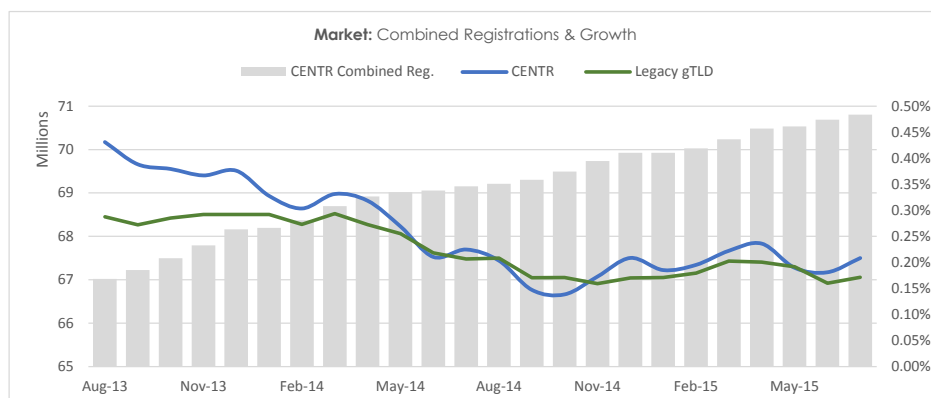36th CENTR Administrative Workshop (Cagliari, Italy)

24 September 2015

48th CENTR L&R Workshop (Belgrade, Serbia)

7 October 2015

Registrar Day, CENTR Awards Ceremony and
54th CENTR General Assembly (Brussels, Belgium)

Domain Name Statistics

Market: Combined Registrations & Growth

CENTR Combined Reg. — CENTR — Legacy gTLD

Source: CENTR (based on 57 ccTLDs), ICANNwiki
Growth lines use 3-month moving averages to smooth the line * Refers to CENTR full members only

CENTR combined registrations*

70.8 million

Combined registrations among CENTR full members stands at 70.8 million over 57 recorded ccTLDs – a growth of around 2.4% over the past 12 months and a ccTLD median growth of 3.5% over the same period. CENTR produces comprehensive registration stats and trends to its members.