



Report on

**ICANN55**

**Marrakech**

5 - 10 March 2016



# Table of Contents

<b>ccNSO Report</b>	<b>4</b>
ICANN accountability	4
SLEs	5
Implementation	5
Work Stream 1 and Work Stream 2	5
Volunteer shortage, volunteer fatigue and the need for experts	5
Overview of other relevant sessions	6
TLD-OPS	6
SOP WG	6
ccNSO Guidelines Review Team	6
ccNSO Marketing session	6
ccNSO PDP(s) on retirement of ccTLDs and review mechanism	6
References to other ccNSO activities	7
Geo TLD Interest Group	7
Other news	7
<b>GAC Report</b>	<b>9</b>
GAC CCWG Accountability (all days)	9
GAC Human Rights and International Law (HRIL) Working Group	10
Registrars and Law Enforcement	10
GAC Advice on 2-character labels at second level (implementation)	10
GAC High Level Governmental Meeting (HLGM)	11
GAC-ICANN Board meeting	11
Healthy Domain Name Initiative (HDI)	11
<b>GNSO Report</b>	<b>12</b>
Overview	12
CCWG on Enhancing ICANN Accountability	12
Next Generation gTLD Registration Directory Services to replace WHOIS	12
Review of Rights Protection Mechanisms in all gTLDs (including UDRP)	12

Subsequent New gTLD Rounds	13
New gTLD Program Reviews	13
Competition, Consumer Trust, and Consumer Choice	14
Cross-Community Working Group on Use of Country/Territory Names as TLDs	14
RDAP implementation	15
Other topics of interest	15
<b>Annex: Acronyms</b>	<b>16</b>

---

# ccNSO Report

[All presentations from the ccNSO meeting](#)

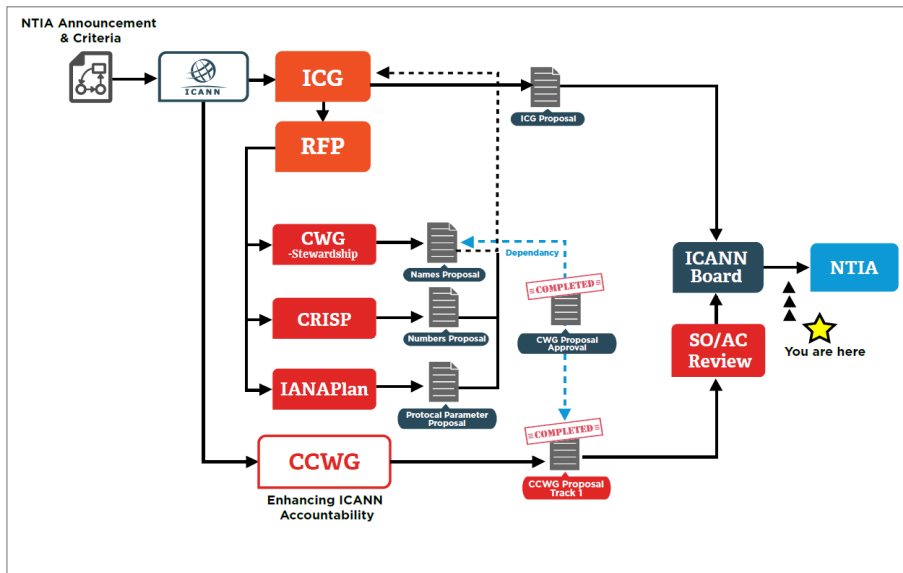
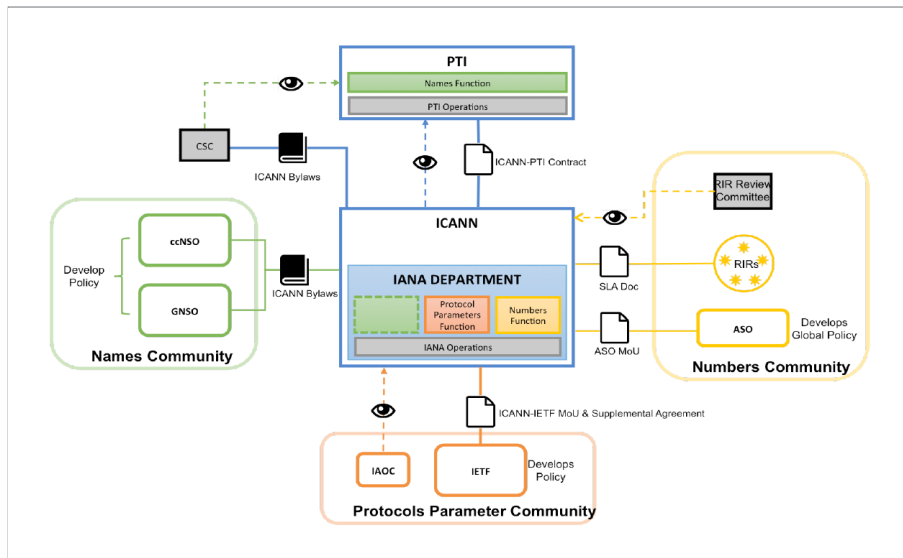
As the ICANN Accountability improvement proposal and related IANA Stewardship proposal dominated this ccNSO meeting it is covered first. You'll find other topics of interest further down.

## ICANN accountability

During ICANN55, the approval process from each SO/AC began, with the SSAC and the ASO being the first to give their green light to the proposal. By Tuesday, ALAC had also approved the proposal and the GAC stated its non-objection. The GNSO approved the proposal at its Council meeting on Wednesday.

The ccNSO was the last of the six SO/ACs to approve the Final proposal from the Accountability CCWG. While it was formally a Council decision, the ccTLDs in the room approved almost the proposal unanimously. Two abstained. While it was to be expected, it was still an enormous relief that the last of the chartering organisations of the CCWG approved the proposal. With this, the keystone is put in place and the two proposal (the accountability improvements and the IANA stewardship proposal) are complete.

During the 10 hours of discussion and explanations that preceded the vote, a number of issues were raised, some of which will be crucial for the next steps. This part of the report summarises those most relevant to ccTLDs. For an excellent SWOT of the full proposal, check out Roelof Meijer's summary slide ([link](#)).



## SLEs

SLEs for IANA are not new. They have been in place for years, agreed with the NTIA. The new SLEs are being written to incorporate a new way of measurement. Where the previous SLA had end-to-end time (including ccTLD response time) the new one will cut out all elements that are not measuring IANA performance. (E.g., ccTLD response time or the – now removed – NTIA approval time). In order to establish new, reasonable but short service delivery times a dataset spanning three months of IANA activity will be used. Based on that set (which will be anonymised in order to guarantee confidentiality of the involved TLDs) new measures will be set by the SLE team. At a later stage the Customer Standing Committee will be able to refine those measures if needed. This Customer Standing Committee (CSC) is often described as the users' watchdog over IANA's future performance. There will be two distinct sets of data: ccTLD and gTLD data. This will allow to compare IANA performance for the two and see if one gets better treatment. At the moment it will not be possible to compare performance between ccTLDs that are (paying) members of the ccNSO and others. However, in both cases, people closely involved in monitoring IANA's current performance are clear: there is no indication of any form of discrimination.

## Implementation

While now we have an agreed policy framework, it will be crucial that the implementation reflects accurately the agreed and intended process. As anyone who has read the proposals will testify: they are a carefully balanced set of complex measures. The IANA Transition stewardship proposal requires a restructuring of ICANN as IANA is split off in a different organisation (Post Transition IANA or PTI) and the set-up of no less than 8 new committees (some of them ad hoc, some of them standing). The accountability proposal requires bylaw changes and puts in place 7 new mechanism for the ICANN community to have more control over the organisation and hold it accountable. It is only the combination of the two proposals that can replace the current overview the NTIA exercised. And it goes even beyond mere replacement of that overview. It strengthens ICANN and its multistakeholder model.

These changes will require an enormous amount of work from ICANN staff, ICANN Board, legal advisors and the working groups that have delivered the proposal. In an initial session on Monday, it became clear that the interpretation of the proposals could easily lead to an implementation that does not meet the expectations of the community. While at that point, only ICANN staff had been involved, since then a group has been formed composed of the co-chairs of the working groups, Board and staff that should guarantee an implementation perfectly in line with the proposals and true to their spirit.

Implementation progress can be followed on an impressive dashboard produced every two weeks here ([https://www.icann.org/stewardship-implementation#document\\_archive](https://www.icann.org/stewardship-implementation#document_archive)).

## Work Stream 1 and Work Stream 2

With the enormous task at hand and the looming timeline on the horizon, it was agreed that not all accountability improvement measures could be put in place in time. Therefore it was decided to only focus on those that are required to make the IANA stewardship transition possible. This group of measures is called Work Stream 1. Those that are not required (but equally important) are known as Work Stream 2. While it was not confirmed yet at the time of writing, it is expected that the community will first see to the full implementation of the Work Stream 1 elements before moving on to Work Stream 2 (Diversity, Transparency, Staff accountability, SO/AC accountability, Jurisdiction, Human rights, Ombudsman).

## Volunteer shortage, volunteer fatigue and the need for experts

This process has been incredibly demanding on the participants in the working groups. More than 10,000 emails for each group, hundreds of hours of conference calls, a dozen face-to-face meetings. No wonder that volunteers aren't really queuing up to take part in what will follow. However, while the proposal is the foundation for a transitioned IANA stewardship, there will be a need for volunteers with expertise and dedication for what is about to come. The ccTLD community will need people to sit in the following entities:

1. CSC: to monitor on an ongoing basis the performance of the new IANA
2. Root Zone Evolution Review Team (RZERC): to advise the ICANN Board of architectural and operational changes to the root zone environment on an ad hoc basis.
3. IANA Function Review Team: will review contract between ICANN and the PTI every two years
4. Special IANA Function Review Team: review issues raised by CSC

5. Separation Cross-Community Working Group: To review issues escalated by the Special IANA Function Review team as needed
6. CSC Charter review team
7. CSC Effectiveness review team
8. CSC Service Level Target Review team

## Overview of other relevant sessions

### TLD-OPS

TLD-OPS is a response community for ccTLDs. It brings together the ccTLD security community by sharing contact information and security alerts. Only those that are confirmed by the IANA contact can join. The list has 320 participants so far. Get in touch with Cristian Hesselman ([Cristian.hesselman@sidn.nl](mailto:Cristian.hesselman@sidn.nl)) if you have any questions or want to be added to the list.

### SOP WG

The Strategic Planning and Operational Budget WG reported it is pleased with the continuing efforts of ICANN to increase transparency. There is also a positive change in the way the group interacts with ICANN: as of now, the SOP will not only discuss with the ICANN finance team, but also with ICANN staff in charge of specific projects. The new budget numbers for 2017 were published: USD \$132 million in revenue – estimated \$125-130 million in expenses.

### ccNSO Guidelines Review Team

The ccNSO current operational practices have evolved far from the formal guidelines that were established over the years, for e.g. timelines, processes etc. The guidelines review community has a wiki page that tracks all work done so far ([link](#)). The guidelines and charters are being reviewed and some new have been introduced. Still to-do: guidelines on Nomcom and Board appointments and elections.

### ccNSO Marketing session

**A 'hybrid' business model for (African) ccTLDs**, Neil Dundas, DNS Africa – African market opportunities: 5-10 ICANN registrars, 1000 formal re-sellers. Challenges for African ccTLDs: cumbersome policies, eligibility criteria, questionable technical reliability, inability to develop and retain skills, etc. gTLDs have increasing influential role on the continent, ccTLDs need to adapt registry business models (need to integrate the TLD value chain). DNS Africa (back-end registry operator for South Africa) proposes business opportunities.

**Conveying Brand Image of .jp**, Fumihiko Yoneda, .jp – focus on co.jp promotion (third-level registration representing companies registered in Japan) because it's a clear target (start-up companies), group that has a higher motivation than individuals or mature companies, renewal rate of 95%. 97% of listed companies in Japan use co.jp, established reputation. Branding: editorial ads, "trust" and "secure" companies selected, promo ads with comic character "President Shima Kosaku" online, newspapers and magazines, with positive results (positive perception of co.jp), in collaboration with registrars. Interest from participants in tentative registration option.

**Measuring the level of satisfaction of .be registrars and results for 2015**, Ron Geens, .be – overall satisfaction, per topic, per technical aspects, comparative satisfaction score of other registries, specific questions on specific changes/features. Methodology: SurveyMonkey, 3 languages, scoring and comments, article on website, follow-up of similar comments via RAR Forum. Results: overall satisfaction is more or less stable, useful comments, number of responses is declining.

### ccNSO PDP(s) on retirement of ccTLDs and review mechanism

This discussion is a follow-up from the framework of interpretation (Fol). The Fol WG identified two issues for further policy development work.

1. There is nothing in RFC1591 on what to do with retirement of ccTLDs
2. There is no review mechanism for decisions on the delegation, revocation and transfer of ccTLDs. It was mentioned in RFC1591 but never put in place. Is it needed?

These policy gaps can only be filled with a full Policy Development Process (PDP). A PDP process has 3 stages:

- Stage 1: Council starts it off with a decision describing the issues, timeline and scope thereby initiating PDP;
- Stage 2 starts with an interim report, requests public comment on the interim report and ends with final report;
- Stage 3 is decision making: it starts with final report adopted by Council, ccNSO members vote and ends with submission to the Board.

Key in timeline is stage 2: a minimum of 6 months. Stage three takes 3-4 months. Volunteer fatigue might be an issue here. So doing them in parallel might be an issue. The policy itself on delegation, revocation and transfer is clear. There is no need for further clarification. But there is no review mechanism for these. After a good discussion, the ccNSO decided to start with Review mechanism first, then it will start the work on the retirement PDP and it will finalise the package by checking if the review needs to be adapted to the new retirement mechanism. This will be important work. Don't miss it!

## References to other ccNSO activities

IANA update: Per usual an [excellent overview](#) of all the projects that the IANA team is working on.

Registry session: [Covering IXPs and Anycast in Canada](#), [growing a sustainable ccTLD in Nigeria](#), an [overview of the Nepalese registry](#) and [Social and Educational activities in Russia](#).

Legal session: [Observations on Intermediaries and Liability](#), [A new legal framework for the Vietnamese ccTLD](#) and [dispute resolution services in Tanzania](#).

## Geo TLD Interest Group

- New (and first) ExCom elected and installed: Sebastien Ducos (Chair, .melbourne, .sidney, .nyc), Dirk Krischenowski (Vice-Chair, .berlin), Ronald Schwärtzler (Treasurer, .wien, .tirol)
- Budget & membership fee structure approved through online procedure: results voting, 13 in favor, 2 against
- Membership Geo IG and link with RySG: do members of Geo IG need to be member of RySG? After discussion with RySG this has been made optional. If member wants only to be Geo IG, obviously will lose voting rights in RySG
- Run through budget items & priority: no specific observations made, exact cost figure & priority will be prepared by ExCom and presented for vote to membership
- Update from .frl & .amsterdam on privacy policy: conflict between standard ICANN Ry contract & EU privacy law. .frl is unilaterally changing its whois policy and will not longer show details of private registrants. They will inform ICANN about this & wait for reaction
- Update .africa: after rejection of DCA application by ICANN, DCA went to court and obtained temporary restraining order preventing ICANN to delegate .africa to the other applicant. On hold till 4 April.
- Update Neustar: bestdotcity- campaign. Use #bestdotcity as tag for all campaigns. Use the tag alongside your other tags and help building awareness for all geo gTLD's.
- Release 2-character codes: refusal of some governments to release their cc-string in new gTLD's -> RySG is preparing a response identifying mitigation measures
- Premium name auction results .paris: results below expectations but price model also has a premium renewal fee.
- Second gTLD round: going to be hot topic on this year's agenda

## Other news

Byron (sometimes referred to as Brian) Holland ends his term as Chair. Having guided the ccNSO community through a particularly interesting and demanding time, CENTR wants to expressly thank Byron for his commitment to this community.

Katrina (sometimes referred to as Christina) Sasaki was elected as the new ccNSO Chair. Congratulations and good luck!

Demi Gretchko and Byron were elected as Vice-Chairs.

Carolina Aguerre leaves her position as General Manager of LACTLD at the end of the month. Thank you Carolina for your relentless efforts to increase RO cooperation! You will be missed.

Joke Braeken ran a tight ship at her first ccNSO meeting in her role as Policy Advisor. Great to see you back in the ccTLD community!

Lesley Cowley and Keith Davidson ended their term as ccNSO Councillors. Thank you Lesley and Keith, you have been an inspiration and an unlimited source of knowledge you were always happy to share. You have made the ccNSO into what it is today.

Peter Vergote and Debbie Monahan were elected to the Council.👍



# GAC Report

[Link to the GAC Communiqué](#)

## GAC CCWG Accountability

The outcome of the GAC's substantial deliberations on the CCWG report is a statement of non-objection with regards to the transmission to the ICANN Board. The GAC supported Recommendations 1 to 10 and 12 (consensus), yet were not able to find consensus on Recommendation 11 and the resulting "carve-out". They are willing to take part in the "empowered community mechanism as a decisional participant, under conditions to be determined internally". The GAC adhered to the bottom-up multistakeholder process, appreciated the work done by the CCWG and reaffirmed its (special) role as an advisory committee.

In a [minority statement](#) led by Argentina, 16 signatory countries (incl. France, Portugal, Russia – not China) expressed their "extreme disappointment" with compromise solutions addressing "Stress Test 18" (see below), which were not previously discussed. Yet, in its final statement, the GAC try not to give it too much weight to this statement by not including a direct reference, but stating: "other delegations... were not in a position to endorse the proposal as a whole". The 16 countries' discontent was reiterated over and over during hours of discussion. It was unclear whether this was 'just' an expression of their frustration with the process, a symbolic demonstration of power or a real attempt at derailing the transition.

Stress Test 18 depicts an extreme, potential scenario of undue governmental control in the relation to the ICANN Board. It turned into Recommendation 11 calling for a bylaw change to address how the Board should deal with GAC Advice. It specifies that any GAC advice approved by full GAC consensus (defined as general agreement in absence of formal objection) may only be rejected by a vote of 60% of the Board. The GAC's position was hence strengthened.

Recommendation 11, however, also resulted in the so-called "carve out": GAC (full-consensus based) advice, even if accepted by the Board, could still be challenged by the empowered community. Such a community process culminates in a vote, from which the GAC would be excluded (to avoid the "two bites at the apple" problem). Yet, the GAC would still be able to participate in decisions concerning the removal of board members, rejection of the budget, etc. – and also its own GAC advice, if not based on consensus. The GAC's reluctance was based largely on the feeling that the "carve-out" was only included at a late drafting stage (not allowing for enough time to "digest" it) and for fear that the community could abuse its powers and always reject GAC Advice. As today, GAC Advice can only be rejected by the Board (no involvement of the community), they felt they were worse off. The proposal addressed this by increasing the threshold for Board rejection (of GAC consensus advice) from simple majority (51%) today to 60% in the future.

Reactions by governments (selection):

- The carve-out is a "major blow to the multistakeholder approach", "it contaminates the full proposal", it "compounds a very ugly picture in which it is clear that the real intent was to circumvent the possibility of governments having meaningful participation unless there is full consensus" (Brazil)
- The GAC can still give non-consensus-based advice (European Commission)
- "If GAC agrees with simple majority there would be no carve out at all" (Iran)
- GAC Advice was only rejected two times (2008, 2011), but even though these issues continued to be discussed (Iran)
- Denmark failed to see "why we are marginalised" and highlighted that the 60% threshold was an improvement and why, if GAC advice was not in line with the mission statements' core values and bylaws, anybody should be prevented to go to an IRP.
- States are marginalised within the ICANN system, "because the proposal imposes upon them their rules for decision-making" (France)

## GAC Human Rights and International Law (HRIL) Working Group

After the GAC's endorsement of the HRIL Working Group on 9 March 2016, the session focused on the CCWG-Accountability Recommendation #6, "reaffirming ICANN's commitment to respect internationally recognised human rights as it carries out its mission". Whereas most of us would probably think of the freedom of expression in this context, the issue owes its magnitude to the notion of the human right to (intellectual) property. The CCWG-Accountability, despite the fact that lawyers found that the transition would not call into question ICANN's (pre-existing) commitment to human rights, recommended to include it in the Bylaws. This way, there would be no doubt that they comply with the NTIA's criteria to "maintain the openness of the Internet". The debate, however, was about whether the wording "protect" would not have been better suited than "commit to respect". Others were quick to note that this would have "obliged" or rather enabled ICANN to police the Internet and thereby enforce human rights. However, before the bylaw change will be made – not surprisingly – a framework of interpretation (FOI) will be developed. The GAC's discussions became rather peculiar when some said that the wording should be changed into "human rights recognised by the applicable law", to address cultural aspects (Iran), or that sometimes the applicable law could be applied very differently across a country (Indonesia, with its 140 million inhabitants and many tribes). Applied to the Internet, such an approach would take into account that also internet users are very different.

## GAC Public Safety Working Group (PSWG)

The joint workshop with the Number Resource Organisation (NRO) / Regional Internet Registries (RIRs) focused on their way of working (policy development but also collaboration with law enforcement) and IP WHOIS accuracy (see [slides and agenda, RIR presentation](#)). By and large it was a repetition of the PSWG Meeting in January in Brussels (see [report](#)) – this time obviously addressing a larger audience. Paul Rendek (RIPE NCC) and Leslie Nobile (ARIN) used the opportunity to "train" the GAC and law enforcement on RIRs, what they do, what an IP address is (and what it is not), what the IP WHOIS is and what information it contains (and what not) and how law enforcement uses it. RIPE explained requirements for WHOIS accuracy (by contract or Terms of Reference, policies or internal RIR business practices) and the consequences of not complying (stop providing services). Together with a very enthusiastic Bobby Flaim (FBI) they roughly described RIPE's Policy Development Processes (PDP) and invited law enforcement to get acquainted with and involved in it and to obtain training on navigating through the WHOIS. Greg Mounier (Europol) highlighted the problem that not all IP addresses are allocated by RIRs and hence that WHOIS accuracy can often not be ensured further down the chain. ARIN explained that they had upstream requirements for ISPs to maintain their data, that of their customers and even that of their customers' customers. If they issue IP addresses from the top level, each level had to comply at all levels – but obviously "some do not comply". Therefore, they try to enforce rules by reviewing assignments of previously assigned blocks – if they did not comply previously, then services are denied. The problem remains with IPv6 blocks, as most ISPs are allocated such large blocks that they don't ever come back. Then an option is to go "physically and proactively" after them.

## Registrars and Law Enforcement

To the outsider the session gathering Registrars and law enforcement demonstrated a friendly, presumably collaborative spirit, yet little progress (participants from the RAR's side, remained rather silent). It was hence mostly law enforcement (FBI, Interpol, Europol) who spoke up. The FBI was asked to explain how collaboration worked, for which purposes data was collected (to support a case), and who had access to that data (only investigators of that case). On international collaboration, they work with mutual legal assistance treaties, can open a joint case with international partners (e.g. German police) and try to coordinate internet crime law (via the Cybercrime Convention). Interpol/Europol work with individual states to ensure that cybercrime laws are consistent (as how investigations are done differed enormously across states). Interpol explained that mutual legal assistance is only one way to use evidence in legal proceedings. What type of information can be requested, depends on national legislation. Europol reported that evidence, in their case, can be shared within the EC3 Centre. A pan-European database helps make links in case of organised crime. They also stressed the importance of public-private-partnerships. RARs and law enforcement agreed that they could work on a toolkit, including instructions of what RARs should provide for forensic investigations. ☐

## GAC Advice on 2-character labels at second level (implementation)

Note: This concerns strings, such as uk.academy or es.theatre. The GAC argues that 2-letter labels are strong identifiers of a country, such a string could hence indicate a strong relation to local authorities, businesses offering services in that country and hence abiding by national legislation.

The GAC regretted that actions under ICANN's Registry Agreement Specification 5 were not consistent with previous

GAC advice (see Communiqué [ICANN54](#)). It should be easier for governments to file their objections (because of their limited capacity to deal with it) – their comments “should be fully taken into account”, “regardless of the grounds for objection”. In fact, [the Board had asked the GAC](#) to “clarify which specific TLDs their comments pertain to” and how the release of 2-character labels “will cause confusion with their corresponding country code. Some governments had filed [comments](#) on a broad range of TLDs (brands and other), yet not all were considered to create confusion.

The GAC shared three updates: 1) A webinar was held to explain the [authorisation process](#), including a new web form to submit comments (on each TLD respectively): TLD registry operators that have received comments by governments need to present mitigation plans within 60 days to ICANN (deadline is 24/04/16). ICANN will take into account both comments and mitigation plans and formulate criteria on how to assess government concerns. The criteria will be put to public comment. 2) About 50 comments had been submitted by the deadline (05/12/16), many of which met the criteria of confusability. Eight 2-character labels that did not will be released in the near future 3) The ICANN board’s response to previous GAC advice (reiterating that it would only accept GAC advice if it related to confusion) led the GAC to the question of whether there would/could now be further consultations or a process of appeal. Non-reaction, they learned, would be considered passive agreement, as explicit rejection was needed and the confusability criteria had to be met for a comment to trigger mitigation.

## GAC High Level Governmental Meeting (HLGM)

The third ever HLGM (after Toronto and London) gathered ministers and senior officials in addition to the GAC (see [agenda](#)). In a string of highly formalised statements, ministers and senior officials shared their countries’ view on the IANA transition and ICANN accountability. China reiterated that government “should play its due role in public policy issues”. Special importance was given to opportunities for developing countries in the domain name system.

## GAC-ICANN Board meeting

New meeting structure: The GAC Chair suggested to try out the new (shorter) format at least once before complaining that it does not leave enough time. SO/ACs should try to coordinate their schedules so that they could meet together (referred to as “town hall meeting”). Fadi Chehadé received another “tribute” and incoming Göran Marby made a short appearance.

## Healthy Domain Name Initiative (HDI)

Kicked off in July 2015 within the DNA (Domain Name Association), the HDI today covers registrars (RARs), registries (RYs), law enforcement, child protection authorities, illegal pharma experts, intellectual property and the content industry. Its participation goes beyond and is purposefully independent of ICANN (its meetings, contractual compliance remit, etc.) to “positively demonstrate that we can be proactive and self-regulate” and thereby avoid “contractually required regulation”. Its purpose is to address the problem of “actors that have exploited the periphery of contracts” and highlight both good and bad actors in a bid to protect and increase trust among consumers, businesses and others who interact with the domain name industry (s.a. [HDI presentation](#)).

Various meetings took place, e.g. at NamesCon (January 2016, panel debate), its own industry summit in Seattle (10 February 2016, 77 participants from RARs, RYs, Microsoft, Amazon, content providers / MPAA, pharma, etc.). The ICANN55 session gathered approximately 100 participants and was led by Adrian Kinderis (Neustar) and Mason Cole (Donuts). Its first deliverable will be a HDI Best Practices Document to be presented by ICANN56 and to be implemented in various phases (phase 1 by ICANN57). In the meantime, the analysis of online abuse areas will continue. Focus areas are: 1) abuse automation / categorisation (e.g. phishing, pharmacy, counterfeiting, terrorism), 2) copyright infringement (copyright, counterfeit goods, piracy), including the idea of a clearing house and a new dispute resolution model, 3) 3rd party validators (who establish a trusted relationship with RARs and RYs), 4) capture bad actors / reputational database (ongoing). Comments on the best practice document will be possible (without specifying who could do so and how).

The Q&A ranged from positive, welcoming statements (which were explicitly asked for and thus in the majority, e.g. MPAA, APWG, Norm Ritchie, Steve Metalitz, Michele Neylon, etc.) to constructive, mocking and outright criticism (why does HDI is NOT taking place within ICANN, how to involve (non-represented) internet users and hosting providers). Michele (Blacknight) stressed that there were already multiple initiatives from different parts of the ecosystem that address different parts of abuse. Self-regulation was key, as government regulating the Internet was doomed to fail. Special heed should be paid to freedom of speech, “we could get on a slippery slope adjudicating what content should or should not be on the Internet”. The voluntary efforts of Donut and MPAA were laudable, but they should not “give the impression that they come together to regulate the internet”. The HDI, Mason stressed, did not come “with the idea of content control”.

# GNSO Report

## Overview

Although the work of the cross-community working group on ICANN Accountability (CCWG) cast its long shadow over the entire ICANN55 meeting, the GNSO also managed to focus on other key topics. The important PDPs in terms of workload, importance and cross-community interest include the Next Generation gTLD Registration Directory Services (RDS) to replace WHOIS, the PDP to review All Rights Protection Mechanisms (RPMs) in all gTLDs (including UDRP) and the GNSO WG on Subsequent New gTLD Rounds, which is one of several activities related to the New gTLD Program reviews. Highlights also include the work of the Competition, Consumer Trust and Consumer Choice Review Team (CCT-RT), which was dedicating two full days to its work during the week. ICANN's new CEO, Göran Marby, made a brief appearance at one of the GNSO Council working sessions. He kept his intervention short and sweet, but was already reminded that he needs to reach out to the community first and foremost. He said that he will be listening and learning, and that he was currently focused on getting to know ICANN staff, moving to LA and tackling the learning curve – acronyms, etc.). He concluded by stating: "I hope I can live up to your expectations, and I'm sure that you will tell me if I don't".

A few words on the new meeting strategy: ICANN56 (which is in Meeting B format) will be held in Helsinki. Regarding agenda planning: there are still several overlaps/conflicts, but discussions with the Board and other SO/ACs are still ongoing to resolve these issues. There are talks of a B+ meeting format, allowing for adding one extra day to the four-day meeting: the GNSO Council will be sending a letter to the Board requesting an additional day. [More info](#)

## CCWG on Enhancing ICANN Accountability

On 22 January, the GNSO Council sent a [letter and summary of GNSO level of support and comments](#) for each of the CCWG-Accountability's recommendations in its Third Draft Proposal. It's important to note that this letter didn't represent a united view from the GNSO: each recommendation had different levels of support and comments, and different constituencies and stakeholder groups within the GNSO have expressed diverging views.

During its working session (Saturday and Sunday), the GNSO Council agreed on a voting procedure for the proposal. They extracted recommendations 3, 4, 5, 7, 8, 9 and 12 to be voted on as a package, and proposed itemised voting on recommendations 1, 2, 6, 10 and 11. Non-conditional statements from the various stakeholder groups were also to be included to the motion of approval. The main concerns came from some members of the Non-Commercial Stakeholder Group (NCSG) and referred to Board and GAC powers, as well as Bylaws drafting. At its Council meeting on Wednesday afternoon, the GNSO Council adopted its [motion](#) on the CCWG-Accountability Supplemental Final Proposal on Work Stream 1 Recommendations. All recommendations were adopted, with only two no votes on recommendations 1, 2, 10 and 11 (but passed by majority voting). Statements from some stakeholder groups were attached to recommendations 1, 2, 7, 8, 10, 11 and 12.

## Next Generation gTLD Registration Directory Services to replace WHOIS

Based on the approval of the [Final Issue Report](#) in October 2015 and subsequent charter approval a call for volunteers resulted in a [working group](#) composed of over 130 members and over 100 observers. The first WG meeting was held on 26 January and has quite a large participation (members and observers), highlighting the importance and quantity of work this PDP will require. The second phase will be focused on policy drafting, but the first phase is mainly about assessing the list of requirements (including users, purposes, access, accuracy and privacy) and decide *if* a new RDS is needed and if not, how WHOIS can be modified to meet these requirements. Expect a long-term, several-stages process for this PDP, with multiple outreaches at all stages. During its [update](#) on the Registration Data Access Protocol (RDAP), the Global Domain Division (GDD) invited parties interested in differentiated access to also participate in the RDS PDP. This is a strategic time to get involved in this topic if it is relevant to you or your organisation.

[Working session slides](#)

[Working Group Wiki](#)

## Review of Rights Protection Mechanisms in all gTLDs (including UDRP)

The [Final Issue Report](#) on the PDP to review all RPMs was recently published, recommending work be done in two phases: one for all RPMs developed for the introduction of new gTLDs and one for the UDRP, which is the legacy system

that has been used for gTLDs for the past +15 years. RPMs to be reviewed are: the sunrise period trademark claims service, the URS, the Trademark Clearinghouse (TMCH), post-delegation dispute resolution procedures and the UDRP. The Charter (and the order of the reviews) has been discussed and reviewed at length following PDP Final Issue Report (the actual adoption of the Charter was delayed to polish it up and address issues identified in early versions).

The motion to approve the Charter for the Working Group to conduct a Policy Development Process (PDP) on a Review of All Rights Protection Mechanisms (RPMs) in All Generic Top-Level Domains (gTLDs) was adopted by the Council on 9 March 2016. A call for volunteers will be launched within 21 calendar days following the meeting. GNSO Council liaison: Phil Corwin (to serve as the interim Chair).

[More info](#)

## Subsequent New gTLD Rounds

The GNSO Council considered the [Final Issue Report](#) (Dec 2015) on new gTLD Subsequent Procedures and initiated a PDP ([WG Charter](#) approved, call for volunteers launched in January 2016, first meeting in February). The purpose of the PDP is to determine what, if any changes may need to be made to the existing *Introduction of New gTLDs* policy recommendations from 2007. The group is composed of about 80 members and 40 observers and had its first meeting in February. The two co-chairs recently chosen are Jeff Neuman, Avri Doria, and Stephen Coates.

Several reviews underway will need to be taken into account (see New gTLD Program Reviews below) and there is still reach-out to do to get more representation from other SO/ACs (only 2 from GAC up until now). The Applicant Guidebook (AGB) will be picked apart to make sure the 2007 policy recommendations were reflected properly, review of implementation, etc. There will be future introduction of new gTLDs into the root, the question is how and when. PDP outcomes may include: clarifying, amending or overriding existing policy principles and recommendations; developing new policy recommendations; supplementing or developing new implementation guidance. The WG also intends to give advice on implementation. Still to be done: breakdown of work streams.

The appointment of the Co-Chairs was approved at the GNSO Council meeting on 9 March 2016. There is also a GAC Advice on future gTLD rounds (should take into account assessment of current round and advice prior to current round [China]; laments that applications came almost exclusively from the US, should better facilitate applications from underserved regions), which will certainly spice up (and extend) the process. Another topic that might be integrated into this PDP for future rounds are new gTLD Safeguards, and a group may be created specifically to address this issue for the current round of the new gTLD Program or integrated into the CCT-RT (mentioned in the GAC Communiqué as a point of interest).

[Working session slides](#)

[Working Group Wiki](#)

## New gTLD Program Reviews

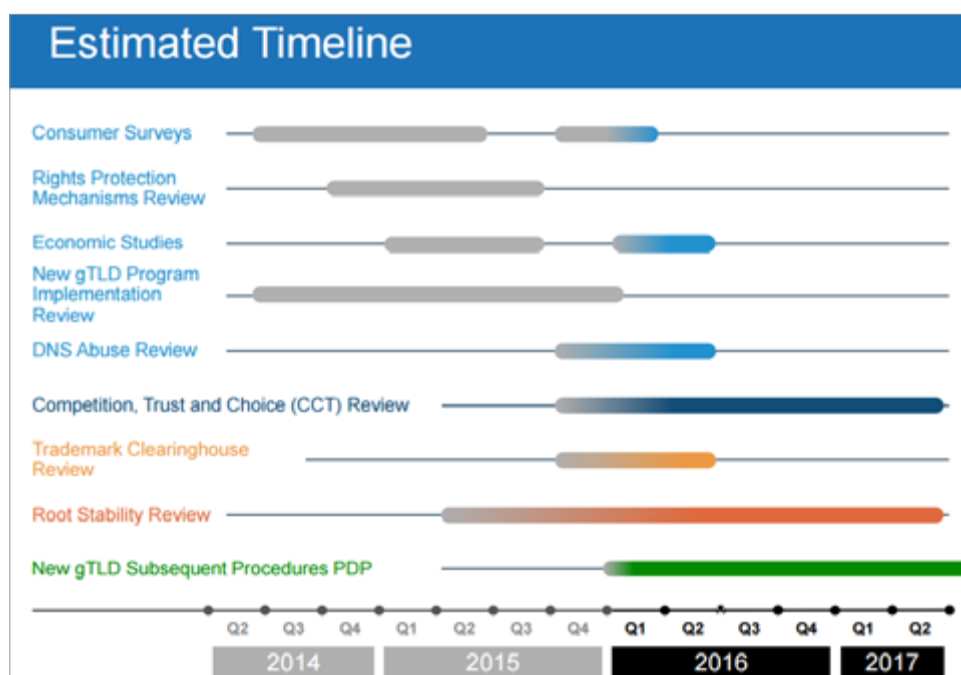
Several reviews currently underway, including RPMs in all gTLDs PDP, ICANN implementation report, country & territory CWG concern in a way or another the new gTLD review processes. The concerned GNSO groups gave a high-level presentation summarising updates on the CCT-RT (more info below), the TMCH Independent Review, the Root Stability Review and the GNSO PDP on New gTLD Subsequent Procedures PDP (more info above). Affirmation of Commitment (AoC) reviews are relatively new; there will be complexities linked to PDPs, but there will be coordination to limit overlaps, although challenges are expected.

**Trademark Clearinghouse Independent Review:** GAC-recommended review intended to: Assess Clearinghouse processes + GAC specified areas; Outline issues for evaluation; Identify those with most impact; and Help inform and support other RPM-related efforts. Draft report to be published for comment. [TMCH wiki space](#)

### Root Stability Review:

- Review of New gTLD Program security and stability impact
- Commissioned to keep with previous commitments (including GAC advice)
- Board committed to defer future round of new gTLDs unless evaluation indicates current round did not jeopardize security or stability of root zone system

## New gTLD Program Reviews timeline



## Competition, Consumer Trust, and Consumer Choice

ICANN has committed to conducting a regular review of how the New gTLD Program has impacted competition, consumer choice and consumer trust in the Domain Name System (DNS), and other areas, which is conducted by a [Competition, Consumer Trust, and Consumer Choice Review Team](#) (CCT-RT). This team held two full-day working sessions on Wednesday and Thursday. A session for the community to interact with the CCT-RT was held on Wednesday. The review will “examine the extent to which the introduction or expansion of gTLDs has promoted competition, consumer trust and consumer choice, as well as effectiveness of (a) the application and evaluation process, and (b) safeguards put in place to mitigate issues involved in the introduction or expansion.” The group wants to make sure recommendations and measures of success are data-driven. The WG will also intends to “stick around” at the implementation phase to make sure they reflect the recommendations. The Review Team includes 17 members, split into three sub-teams, currently in the process of determining issue areas (entire process is expected to last until April 2017).

Competition and Consumer Choice subteam: currently prioritising topics. In Competition area: key questions include price and non-price competition, definitions of relevant markets, impact on retail channel, are consumers sufficiently aware. Consumer choice: segmentation, value, benefits versus cost of confusion, expanded choices in different regions and languages.

Safeguards and Trust subteam: safe navigation and use, impact of public interest commitments (PICS) and safeguards, risk of confusion and DNS abuse, developing countries, trademark issues.

Application & Evaluation Process subteam: application process, transition to delegation; application evaluation; objection procedures, content resolution; applicant support, continuing operations instrument, program management.

CENTR is in contact with the Review Team to collaborate with relevant, publicly available data and statistics. The GAC has also reiterated its interest in getting involved in the work of the CCT-RT: “GAC Members were invited to submit their views either to the Review Team’s GAC Members or at the CCT Review public meeting” ([GAC Communiqué](#)), especially regarding their interest in gTLD safeguards.

[Working session slides](#)  
[More info on the CCT-RT](#)

## Cross-Community Working Group on Use of Country/Territory Names as TLDs

Based on the initial analysis of the ccNSO Study Group on the use of names for countries and territories as TLDs, further review the current status of representations of country and territory names, as they exist under current ICANN policies, guidelines and procedures. The ccNSO-GNSO Cross-Community Working Group has formulated a recommendation on 2-letter strings (*status quo* with existing ICANN policy) and has produced a survey revealing a wide range of opinions

regarding 3-letter strings. The next issue to be tackled by the WG are long and short forms of country and territory names. It is worth noting that the GAC has expressed strong views as well in the course of these discussions.

The survey revealed a wide range of opinions regarding 3-letter strings: they are on a reserve list for the moment (check summary paper on website). Responses in 3 broad categories:

- open to all gTLDs;
- support *status quo* from Applicant Guidebook;
- extend 3-character to ccTLDs.

Observations: third option would not be consistent with policy, some 3-letter codes are already allocated to gTLDs. Opening to all gTLDs: confusing to user, potential unfair competition in case of gTLD run as brand ccTLD (e.g. .ca and .can would be unfair competition for Canada), risk in case of new countries recognized. Following the analysis of these mixed results, the secretariat produced a draft straw man paper that included the final recommendation below.

The CWG recommends that the existing guideline under the Applicant Guidebook with regards to alpha-3 codes on the ISO-3166-1 list evolve to make all alpha-3 codes for application as gTLDs in future new gTLD rounds. Tied to this recommendation are two conditions: (1) the legal entity applying for a string comprising an ISO-3166-1 alpha-3 code must not market the TLD in competition with any existing two-character TLDs. This must be contractually enforceable through the relevant registry agreement between the successful applicant and ICANN; (2) existing string similarity rules, and existing rules regarding geographic names shall not be affected by this recommendation.

Concerns: legal advice would be needed regarding enforcement of contractual non-competition obligations. Work will be needed on the conditions and there is still no formal input from the GAC. Next steps: the straw man paper will be updated according to comments at ICANN55, will take a closer look at conditions ahead of the next CWG meeting on 4 April 2016. Once completed, the work of this CWG will be submitted to the PDP on Subsequent gTLD Procedures.

[CWG-UCTN Wiki page](#)

## RDAP implementation

ICANN-accredited registrars, new gTLD Registries and several legacy gTLDs are contractually obliged to deploy the Registration Data Access Protocol (RDAP). The topic of “thick” WHOIS services for all gTLD registries (a GNSO policy) has become linked to this topic because its Implementation Review Team planned to synchronize implementation of the policy with the adoption of RDAP. This caused concern in the GNSO for a couple of reasons:

- Questions on whether Registrars need to offer RDAP or if Registries should show 4 additional fields in their RDDS per thick policy requirements (registrar registration expiry date, registrar abuse contact email/phone, reseller). Registrars argue that RDAP would be temporary given only 3 remaining thin gTLDs (com, net, jobs) resulting in significant costs.
- GNSO community: requirement for differentiated access is premature given ongoing work (RDS PDP) in this area. Those interesting in differentiated access should contribute to RDS PDP work.
- ICANN are considering moving forward with RDAP implementation without need for differentiated access.

[Presentation slides \(GDD\)](#)

## Other topics of interest

- Update on new gTLD auction proceeds: USD \$105 million gross amount, remains high-interest topic from Board and community, ccNSO excused itself from the WG but is willing to assist, cross-community WG to be defined, exchanges of letters between GNSO and Board, Charter is in drafting phase ([background information](#))
- Universal Acceptance of All TLDs ([more information](#))
- IDN Program Update: label generation rules version 1 released, other scripts will be added as panels’ work gets completed, work in progress, toolset [lgrbuilder.icann.org](http://lgrbuilder.icann.org) in beta version, 43 IDN ccTLDs have been delegated representing 33 countries/territories, 18 scripts for 27 languages, IDN Guidelines in process ([more info on IDN](#) and [working session slides](#))

# Annex: Acronyms

AC	(ICANN) Advisory Committee
ACIG	independent consulting firm engaged to provide secretariat support to GAC
AfTLD	Africa Top Level Domains Organization
AoC	Affirmation of Commitment
APTLD	Asia Pacific Top Level Domain Name Association
ASCII	American Standard Code for Information Interchange
ATRT	Accountability and Transparency Reviews
ccNSO	(ICANN) Country Code Names Supporting Organization
CCT	Competition, Consumer Choice and Consumer Trust
ccTLD	country code top-level domain
CCWG*	cross-community working group (e.g. ccNSO, GAC, GNSO, etc.)
CENTR	Council of European National Country Code Top-Level Domain Registries
CWG*	community working group (i.e. within one specific community, e.g. ccNSO)
DNS	domain name system
DNSSEC	Domain Name System Security Extensions
EPP	Extensible Provisioning Protocol (Domain Authorization Code)
EWG	Expert Working Group
FoI	Framework of Interpretation
GAC	(ICANN) Governmental Advisory Committee
GDD	(ICANN) Global Domains Division
Geo IG	Geographic gTLD Interest Group
GNSO	(ICANN) Generic Names Supporting Organization
gTLD	generic top-level domain
IAB	Internet Architecture Board
IANA	Internet Assigned Numbers Authority
ICANN	Internet Corporation for Assigned Names and Numbers
ICG*	IANA Stewardship Transition Coordination Group
IDN	internationalized domain names
IETF	Internet Engineering Task Force
IG	Internet Governance or Interest Group
IGO/INGO	International Governmental Organization / International Non-Governmental Organization
IoT	Internet of Things
IP	Internet Protocol or intellectual property
IPR	intellectual property rights
ISO	International Standard Organization
IST	IANA Stewardship Transition
LACTLD	Latin American and Caribbean TLD Association
NomCom	(ICANN) Nominating Committee

\*In current “bad practice”, **CCWG** is often used to refer to the Cross-Community Working Group on Enhancing ICANN Accountability; **CWG** is often used to refer to the CWG to Develop an IANA Stewardship Transition Proposal on Naming Related Functions; and **ICG** often used to refer to the draft IANA Stewardship Transition Proposal combined proposal by names, numbers and protocols communities).



NTIA	(United States) National Telecommunications & Information Administration
PDP	(GNSO) Policy Development Process
PPSAI-WG	Privacy & Proxy Services Accreditation Issues Working Group
PSWG	(GAC) Public Safety Working Group
RAA	Registrar Accreditation Agreement
RDS	Registration Directory Service
RFC	Request for Comments
RIPE NCC	RIPE Network Coordination Centre (Regional Internet Registry for Europe)
RIR	Regional Internet Registry
RO	(ccTLD) Regional Organisation
RPMs	Rights Protection Mechanisms
RySG	(ICANN) Registries Stakeholder Group
RZM	Root Zone Management System
SG	Stakeholder Group
SLA	Service Level Agreement
SLE	Service Level Expectation
SO	(ICANN) Supporting Organization
SSL	Transport Layer Security (Secure Sockets Layer)
TLD	top-level domain
TMCH	Trademark Clearinghouse
UCTN-WG	Cross-Community Working Group on the Use of Country and Territory Names as Top Level Domains
UDRP	Uniform Domain-Name Dispute-Resolution Policy
URS	Uniform Rapid Suspension System
WG	Working Group
WS	work stream



CENTR is the association of European country code top-level domain (ccTLD) registries, such as .de for Germany or .si for Slovenia. CENTR currently counts 53 full and 9 associate members – together, they are responsible for over 80% of all registered country code domain names worldwide. The objectives of CENTR are to promote and participate in the development of high standards and best practices among ccTLD registries.

**CENTR vzw/asbl**  
Belliardstraat 20 (6<sup>th</sup> floor)  
1040 Brussels, Belgium  
Tel: +32 2 627 5550  
Fax: +32 2 627 5559  
[secretariat@centr.org](mailto:secretariat@centr.org)  
[www.centr.org](http://www.centr.org)