



Report on

ICANN51

Los Angeles

12 - 16 October 2014

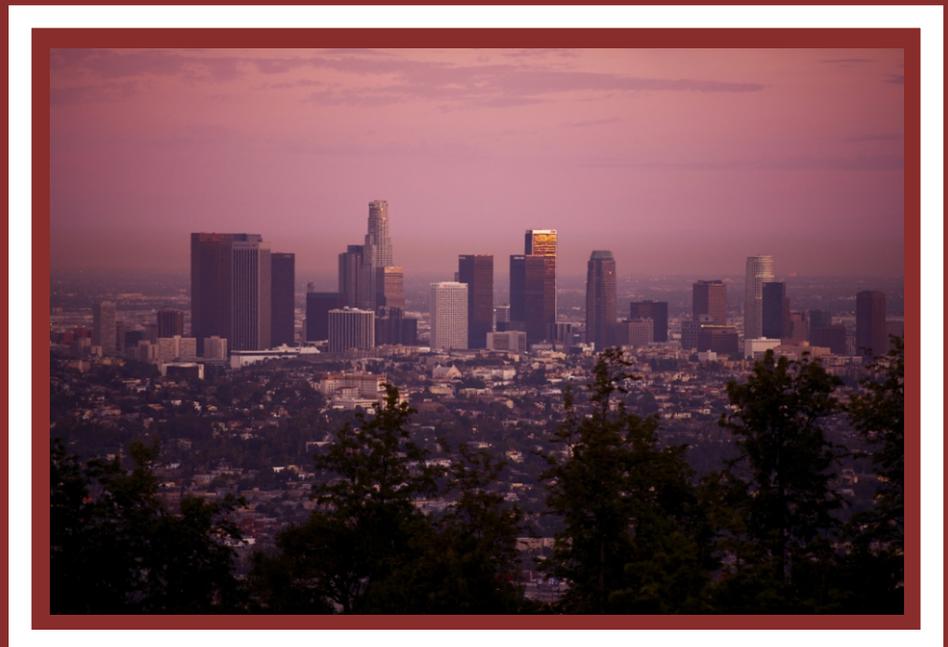


Table of Contents

Executive Summary	4
ccNSO report	5
Update from the IANA Stewardship Transition Coordination group	5
SECIR working group update	5
Internet Governance update session	5
Framework of Interpretation working group	6
Strategy and Operating Plan working group	6
IANA update for the ccNSO	7
Session with the ccNSO appointed BoD Members	7
Registry updates	8
IANA Stewardship transition panel discussion	8
ccNSO Council meeting	9
gNSO report	10
GNSO on IANA Stewardship transition and accountability	10
GNSO on ICANN Accountability	10
Joint GNSO / ccNSO session	10
IGO / INGO protection Issues	10
IRTP Part D recommendations adopted	11
Subsequent round of new gTLDs	11
Expert Working Group on gTLD directory services	12
Data & Metrics for Policy Making Working Group	12
Privacy & Proxy Services Accreditation Issues	12
The GNSO and GAC relationship	12
GNSO with ICANN CEO	13
Potential GNSO work on Name Collisions	13
Translation and Transliteration of Contact Information PDP	13
Policy and Implementation WG	13
GNSO Review - 360 Assessment	13
Structural Improvements Committee	14
The Registration Operation Association initiative	14

GAC report	15
The GAC at ICANN 51: „We’re swamped but we want to engage“	15
GAC administrative issues	15
First ever elections for GAC Chair and Vice-Chair	15
New GAC member is 2014	15
IANA stewardship transition and ICANN accountability	15
New gTLDs	16
Safeguard advice	16
Round 1 reviews, round 2 preparations	16
Protection of Inter-Governmental Organisation names and acronyms	16
Protection of Red Cross / Red Crescent names	16
Protection of geographic names	16
Whois	17
Two-letter names at the second level domain	17
Also discussed by the GAC: human rights	17

Executive Summary

As expected, ICANN LA was dominated by the discussions on the IANA stewardship discussions and the ICANN accountability enhancement process. While processes are shaping up slowly, fundamental questions about the outcome of those processes still need to be answered.

Accountability

ICANN published a new [accountability proposal](#) just before the meeting. It was positively received, having incorporated some crucial comments from the communities on the earlier draft.

There is a healthy trend to unravel the broad concept of accountability into two parts: the overall ICANN accountability where the whole ICANN community should be able to participate and the IANA accountability issues.

The three communities that depend on IANA (names, numbers and protocols) have a fundamentally different view on the accountability issue: as the number (through RIR) and protocol (through IETF communities) are organized outside ICANN, they do not feel the need for institutional changes.

The Board has confirmed that it intends to accept the outcome of the overall ICANN enhancement accountability discussions as is. Global public interest will be the measure.

Quote of the week: "Don't try to solve a trust issue by over engineering an accountability solution."

IANA Stewardship transition

The ccNSO held a good debate on the substance of the issue and started listing concrete expectations. Security, stability, predictability, redress mechanisms and separation of functions are key.

The Regional Organisations will shortly send out a survey to all ccTLDs worldwide to gather input for the proposal that the CWG will draft.

From the dozen updates, panel discussions and forums there emerges a common trend: the timeline is too tight.

ccNSO

There are some community concerns about the lack of candidates for the ccNSO council and the IANA Board. The five Council members and the ICANN Board member selected by the ccNSO ran unopposed.

There are no signs that the level of complexity we referred to in previous reports is decreasing. On the contrary, the ccNSO closed down 1 working group (sort of) and appointed 19 people to 9 different groups, some of which are new.

The SOP working group pointed out that ICANN urgently needs to establish financial principles, such as the need for a balanced budget. The group also called for the introduction of trends in ICANN's ops and budget plans. The lack of explicit mentioning of the IANA stewardship transition in the strategic plan is worrying.

gNSO

As ICANN51 was an AGM there were several changes to the GNSO council with outgoing and incoming councilors. 7 new councilors took their seats ([more detail](#)) on the Wednesday Council meeting and Jonathan Robinson was re-elected as the Chair (unopposed and voted unanimously). Jonathan was awarded with the 2014 ICANN Leadership Award for contributions to effectiveness of the multi-stakeholder model.

Further to the working group deliberations, the Council discussed ICANN accountability, potential of new gTLD application rounds and the GNSO Review in process. Other topics of note over the week included the protection of IGO/INGO identifiers, enhanced interaction (via a liaison) with the GAC, name collisions and universal acceptance. Accountability received high interest and in particular the timing of the work in relation to the IANA transition. New gTLD subsequent rounds received a lot of interest but general it is felt that the first round issues need to be addressed before any material work for a second round.

GAC

The GAC felt overwhelmed and underappreciated at ICANN 51. An ever-expanding list of ICANN processes had many GAC members calling for ICANN to streamline existing processes for possible, stop adding new processes, make timelines clearer, and to find ways to let the GAC know when it would be best for them to pay attention to each process. The GAC's placement in a small, noisily air-conditioned tent at the back of the tent had many GAC members wondering out loud if this was a sign of how little the rest of the ICANN community (and staff) felt about the GAC. The GAC

conducted its first Chair and Vice-Chair elections, and responding to criticism by some governments, added a further two Vice-Chairs using the “designation of officers” principle of their operating principles.

ccNSO report

Update from the IANA Stewardship Transition Coordination group

The main news is that any of the communities could unanimously reject the proposal. This is a de facto veto mechanism and so there is no risk that some of the smaller communities could be outvoted.

ICG RFP available [here](#). This RFP lines out in detail what input is expected from the different groups. For the naming community this input will be delivered by the CWG to Develop an IANA Stewardship Transition Proposal on Naming Related Functions. Erick Iriarte, Paul Kane, Staffan Jonson, Lise Fuhr and Vika Mpisane have been appointed to this group.

In the discussions it became clear that there is no clarity on whether the IANA contract is transferred or disappears. Allan from CIRA will use the existing contract as a basis to see what we need to keep and what needs to be discussed in case a new contract is needed.

Some clarification is needed on what parts of the accountability discussions will be part of this group's scope. Some defined it as Operational Accountability.

SECIR Working Group Update

This WG is dealing with the set up of new Secure Communication Email List for Incident Response. <http://la51.icann.org/en/schedule/tue-ccnso-members/presentation-secir-14oct14-en>

A poll showed strong support from the attendants for both the project and the suggestion to have DNS-OARC run the platform. One of the questions still to be addressed is how to make this secure communication email list to work with the planned projects at some of the Regional Organisations.

Internet Governance update sessions

Sam Dickinson presented on the Internet Governance landscape, including suggestions of how you can participate. [Presentation](#)

Janis Karklins gave a state of affairs at IGF. IGF is moving towards more structured outcome. There is a list compiled of concrete outcomes of IGF, demonstrating that IGF is truly helping to inform the decision making processes taking place elsewhere. He is hopeful that IGF will be extended. Having it at arm's length of the UN provides it with credibility for governments. Need more governments to participate. Need more participation from those that are not convinced the multistakeholder model works. Need more participation from non-internet industries.

Staffan Jonson provided an update on the ITU plenipotentiary meeting in Busan. Staffan highlighted the draft resolution 102 as having the possibility to affect the naming and addressing community. Sam added that three proposals are problematic. Some proposal changed the resolutions from “ITU being an enabler to discuss naming issues” to “ITU being the platform for governments to discuss naming issues”. [Presentation](#)

For an excellent update on accountability and the different groups that will be dealing with read Jordan Carter's [presentation](#).

Martin Boyle gave a good [overview](#) of the work and plans of the ICG, including timelines.

Framework of Interpretation Working Group

Background: Over the past 3 years, the framework of interpretation working group looked at the existing set of policies, vocabulary and principles for the delegation and redelegation of ccTLDs. The goal of their research is to provide IANA staff and the ICANN Board with clear guidance in interpreting RFC1591. In the course of that work they have published 3 interim reports (On consent, on significant interested parties, on revocation) and a final report.

They have indentified the following **highlights:**

1. RFC1591 only identifies three mechanisms available to the IANA Operator to assign or modify the management responsibility for a ccTLD:

Delegation (section 3 of RFC1591)

Transfer (section 3.6 of RFC191) and

Revocation (section 3.5 of RFC191)

There is no such thing as redelegation. If consent based it is called a transfer. If it is not based on the consent of the incumbent there will be first a revocation and then a delegation.

2. There is no such thing as the Local Internet Community. The proper terminology is Significant Interested Parties. The government and the ccTLD operator do not need to prove that they are SIPs. Any other party will have to demonstrate that it has a direct, material and legitimate interest in the operation of the ccTLD

3. Consent and more in particular, how it is requested and what actions follow the response or non-response should be better documented. IANA should remain perfectly neutral throughout the process.

The report also includes a list of recommendations for improving current practices.

The report is available at: <http://ccnso.icann.org/node/46445>

Next steps: the report will be sent to the GAC for comments. GAC committed to provide comments by ICANN Marrakech. After adoption by the GAC, the report will be sent to the ICANN Board for approval.

Strategy and Operating Plan Working Group

The group provided input to the strategy plan 2016-2020. This plan should be finalized in the coming weeks. In addition it also provided input in operating plan and budget FY 2015. ICANN will provide a 5 year operating plan, to be published right after the approval of the strategy plan.

The FY 2015 operating plan and budget was approved by the Board before the response to the public comment was published.

Major changes as a result of the input from the SOP WG.

- Reduction of revenue projections

- Reduction of operating expenses

- Review of risks and opportunities

- Scenario of lower # of transaction has been upgraded to high risk

29 Comments sent, 12 taken on Board, 10 postponed, 7 rejected

Still room for improvement (Introduce more KPIs, Better time-framed projects and deliverables) but the WG has seen significant improvements. One of the key issues is still that ICANN does not have financial principles in place. This needs to be addressed ASAP to make sure there are guidelines to deal with deficit budget etc.

The Working Group will launch a call for new members in the following weeks. Estimated workload: 6-8 days per year. Group meets on the Sunday before the ICANN meeting.

<http://la51.icann.org/en/schedule/wed-ccnso-members/presentation-sop-15oct14-en.pdf>

IANA Update for the ccNSO

IANA has 13 staff members and publishes almost 3000 registries (one being the root zone registry).
All KPIs met since October 2013

IANA is looking into specific ideas for improvement of the root zone database:

- Improving publication of IDNs (currently all under 'XN--...') such as translation or transliteration of strings or search by language of strings
- Adding 'entry into service' date to make the distinction with the entry into database date
- Historic data: making the history of a TLD available - before ICANN could be problematic
- Thinking about including IETF reserved domains into the database

Contact model future

- Currently still admin and tech contact
- Need for stronger authentication model (second factor authentication)
- Both listed in public WHOIS, both approve change requests
- Currently Admin needs to be in country
- Should there be an authorizing contact replacing the authorization function of Admin and Tech contacts?
 - o Would not be publicly listed
 - o Approves change requests
 - o Could be more than 1 contact, must be a person
- Needs a transition process - to be further discussed

IANA is readying itself to implement the outcome of the NTIA transition discussion.

Nigel Roberts reminded that the authorization model has been changed unilaterally by ICANN before. Today the ccTLD manager is an organisation. That is why role accounts are useful. The authorization list needs to accurately reflect the legal structure and mandates within those organisations.

<http://la51.icann.org/en/schedule/wed-ccnso-members/presentation-iana-15oct14-en.pdf>

Session with the ccNSO appointed BoD Members

Nigel Roberts: Would it be possible to start succession planning by guiding a few ccNSO members through the work of the Board? Mike Silber invited everyone who is interested to come and talk to him. He underlines that also ccTLD Board members could be interested, not just ccTLD managers. *(Mike is actually a perfect example of the added value these could bring)*

Jay Daley: Is there a general feeling that cc's should be put under contract? **Chris Disspain:** there are complaints about the cc's financial contribution, but not about contractual obligations.

Jay Daley: Is there a need to do more education to show the different governance and accountability models we represent? **Mike Silber:** yes, quite a few ccTLDs are bigger than all but the largest gTLDs and can definitely share knowledge that others could learn from.

Lesley Cowley: Realizing that ICANN does not have financial principles such as balancing income and expenditure, when can we expect them? *No clear answer to this very pertinent question.*

Chris: there is a concerted effort by some countries to derail the transition process. Brazil, Indonesia, Iran and China do believe there is a need for an external organisation. They threaten to not sign off unless the process delivers what they want. Chris also called for trust from and within the community that if we agree on a list of things to discuss, there should be an understanding that not everything can be done by the deadline.

He highlighted that the crucial piece for the ccTLDs is an appeals mechanism. We need to work out what that last stop is. That needs to be in the paper, if it is not there we miss the boat on what is the most important aspect.

Jay Daley: Who should decide on the number and type of consultations or public comments: ICANN or the community?

Chris: difficult balance. **Jay:** turn it around and wait for the community to set up a consultation when they think it is relevant. **Mike:** ICANN does not do a good enough job, explaining what the purpose of each consultation is.

Registry Updates

From this session I would particularly recommend the presentations from CIRA on launching new services by a ccTLD and the overview of national legislation provided by the Regional Organisations.

ICANN plans to upload the webcasts from all sessions [here](#).

[Implementing a multistakeholder model at .pt an overview](#)
[ccTLDs and National Legislation](#)
[Launching New Services inside a ccTLD](#)
[Introducing a fee for .ar names](#)
[Code of Ethics Why?](#)
[Introducing IDN labels to prefecture-type JP domain names](#)

IANA Stewardship transition panel discussion

Eberhard Lisse's position is that the US gov has no real mandate and therefore in the end all ccTLDs need contracts with the IANA function manager (currently ICANN). If IANA agrees to the FoI, the biggest issues are solved.

Jörg Schweiger: the transition shouldn't change the high standard performance of the technical function: secure, stable and according to SLAs. This is what we already got. Transition allows us to do better. Improve predictability. There is no urgency to change. There is more to the transition than the technical part. We have to deal with transfer etc. We need a separate body to deal with transfers. The FoI provides that body with a sound guideline. It is important that the distinction between ccTLDs and gTLDs is not being blurred. ccTLD policy is set in country. Need three bodies: Technical, Policy and Oversight body.

What are the things that we must have?

- separation of powers
- Unanimous support for robust redress mechanism
- moderate support for the idea of having the same operator at least during some time during the transition

What are the things to be avoided?

- In the two tracks there will be discussions on redress mechanisms. Some of those need to be specific to ccTLDs, others are relevant for the wider ICANN stakeholders.
- We should not be taking safeguards away because we have never used them in the past.
- We need a risk assessment of different scenarios. There is no going back if accountability mechanisms fail.

Roelof Meijer reminds that in RFC 1591 there is a redress mechanism, but it has never been put in place.

Peter Vergote: the 3 things we need: stability of the technical operation, separated policy and technical function, a redress mechanism.

Keith Davidson: About 1/3 decisions from the ICANN Board was based on non-existing policies. The issues are real. The FoI is out there but it doesn't solve anything before it gets the support of the GAC and the Board. The current IANA contract does address policy issues and mechanisms. It shouldn't not be assumed that these issues do not need to be addressed.

Peter Vergote: survey will be launched across all regions to get input from all ccTLDs, including those that are non-ccNSO and non-RO members.

Keith Davidson: strong support for survey, need to avoid that some ccTLDs stand up at the 11th hour and say that they haven't been involved. Reach out to them. Byron added that these outreach efforts need to be documented.

Two ICG members and one CWG member summarized as follows:

Lise Fuhr: we want the politics taken out of IANA but most importantly we need a stable and secure IANA function and this should not be put under pressure by the transition. We also need a redress mechanism.

Martin Boyle: Service should not slip, to contract or not, separation of function and policy, ccTLD and gTLD distinction. Did not hear about the accountability and transparency part of the process during this discussion. Currently it's an "us vs. them". Did not hear about locality of decisions. Did not hear about regular check.

Mary Uduma: risk analysis is needed, high standard should be maintained, separation of technical function, policy and oversight. Still divided if we need a contract or not. There is also a need for a plan B. What if IANA fails? Need predictability on response time from IANA. Rule of law issues need to be addressed.

Nigel Roberts: Rule of law does not refer to national law but it refers to a higher concept: separation of powers, someone sets the rules and someone else executes them.

Lise Fuhr: we'll assess the feedback from this room and take them into account in our discussions - calls out to all ccTLDs to give input and talk to the CWG reps.

Roelof Meijer, the Chair of the session summarized:

1. Do not overengineer
2. Protect high quality of IANA service
3. FoI should be inserted in conclusions
4. Separation of oversight, policy and operations
5. Redress mechanism
6. Transparency and accountability
7. Risk analysis
8. ROs running a survey

ccNSO Council meeting

The list of appointments tells more about the complexity of the ccNSO involvement in the different processes than a thousand pictures.

The following Council members have been reappointed: Vika Mpisane, Young-Eum Lee, Katrina Sasaki, Margarita Valdez, Byron Holland

Mike Silber is selected to fill ICANN Board seat number 12

The following members have been appointed to the cross community working group on internet governance: Jordan Carter, Young-Eum Lee, Erick Iriarte, Vika Mpisane, Jörg Schweiger

Giovanni Seppia has been confirmed as interim Chair of the SOP working group

Celia Lerman Friedman has been appointed as member of the triage committee

Annebeth Lange appointed as co-chair of the cross community working group on the use of Names of Countries and Territories as TLDs.

Lise Fuhr is appointed as co-chair to the CWG on IANA stewardship transition proposal

Jordan Carter is appointed as co-chair of the cross community working group on Internet Governance

The following ccNSO members have been appointed to the CCWG Accountability Drafting team

Becky Burr, Mathieu Weill and Dina Beer (Alternate)

gNSO report

GNSO on IANA Stewardship Transition and Accountability

The GNSO is represented with 5 members on the Cross Community Working group (CWG) to develop an IANA stewardship transition proposal (naming functions) including its Council Chair Jonathan Robinson as co-chair. Within discussions the IANA stewardship transition topic was not dominant however the linked topic of ICANN accountability did come up more often (See below). The GNSO reps on the CWG as well as co-chair Jonathan Robinson all provided input to the face to face session of the CWG which was held in a small and very full room of the session. Discussions there revolved around process aspects such as timeline, working styles as well as more substantive topics around the ICG RFP elements and thought on potential outcome scenarios for the stewardship transition – reference to scenarios as proposed by Jordan Carter (.nz) were referenced.

It was noted in the discussions that SAC067 provides a very comprehensive overview of the IANA functions which should be the reference to help inform discussions.

There are deadlines for proposals in early 2015 which are considered tight however not unrealistic.

GNSO on ICANN Accountability

There is a CWG drafting team forming to create a charter on Accountability (CWG on Accountability) eventually a working group will be formed. There is discussion essentially around 2 work streams: one on accountability as it applies to the IANA functions (things to do before the transition) and another on broader aspects of ICANN accountability (which could be on a separate timeline). This proposal seems to be generally accepted as a good way forward.

In general the mood of the GNSO seems positive in terms of the process of Accountability albeit the 2 track work stream may not be completely clear as yet. Several suggested that ICANN leadership has reacted well to community needs in this area. Some concerns relate to the timing of the accountability discussions which some felt needs to take place prior to any IANA transition. This may largely be addressed by the split of 2 work streams as mentioned above although how these streams will move forward remains unclear for the moment.

It was also emphasized in many sessions that the IANA stewardship transition discussions are strongly linked to the Accountability topic and should be intertwined.

During the GNSO council meeting, the CWG charter on ICANN accountability was adopted and names from the GNSO were already put forward to join that group.

Joint GNSO / ccNSO session

The GNSO and ccNSO councils meet on Monday late in the day with some overview topics mostly revolving around the cross community WGs. The CWGs which were updated on were the Use of Name of Countries, the Cross Community WG on Future Cross Community Working Group (CWG Squared – see separate section in this report) as well as the CWG IANA stewardship transition which produced no real substantial discussion – probably due to a little fatigue in the room. It's also worth noting that the leadership of the SO/ACs does meet regularly to discuss issues of mutual importance.

IGO / INGO protection Issues

On the protection of IGO/INGO acronyms, discussions continue both within the GNSO, the GAC as well as from Board Level where advice and support has been provided.

There is a potential that the GNSO will refer back to its working group via section 16 of its operating procedures should discussions lead to that. This would allow them to go back and amend its recommendations. During the week a resolution from the NGPC was that temporary protections would be granted for the names of the International

Committee of the Red Cross and International Federation of the Red Cross and Red Crescent Societies, and the 189 National Red Cross and Red Crescent Societies, as identified in the GAC Register of Advice. This will be in place while the GAC, GNSO, Board, and ICANN community continue to work on resolving the differences in the advice from the GAC and the GNSO policy recommendations on the scope of protections for the RCRC names. A clarification request letter has been sent from GNSO to NGPC.

A linked topic is curative right protection measures (such as the UDRP and URS). IGO/INGOs may have trouble with these mechanisms given the nature of the organization's and their ability to have the trademarks the UDRP/URS allows for. There is a PDP to evaluate whether the UDRP and URS should be amended to enable access by the IGO/INGOs or to possibly develop a separate (and narrow) dispute resolution procedure specific to IGOs and INGOs modeled on the URDP/URS.

An update from the WG noted they have a lack of IGO and government participation despite the work of the group having direct importance. The group recommends council reach out to GAC to encourage input (via GAC/GNSO consultation group). It was also noted that the many thousands of IGO/INGOs have mechanisms to trademarking their name already and the current UDRP may be sufficient to handle their claims.

[Presentation slides](#)

IRTP Part D recommendations adopted

This working group is chartered to answer questions related to reporting requirements for registries and dispute providers, handling disputes in cases of multiple transfers, dispute options for registrants, EPP authinfo codes and other issues. James Bladel gave an update to the Council over the GNSO weekend sessions noting the [final report](#) which was submitted as a motion for approval to the GNSO council during ICANN51 – it contains 18 consensus recommendations. Recommendations overview:

- Introduce reporting requirements for TDRP rulings
- Multiple-hop scenarios are addressed
- TDRP modified to discontinue registries as first level dispute providers
- Extension of TDRP statute of limitations
- No dispute option for inter-registrant transfers
- Improved display of dispute resolution information for registrants on ICANN website
- Maintaining the FOA (authorisation via email that transfer is legitimate)
- Call to gather data for future review of IRTP

The GNSO Council adopted the recommends (#1 to #18) as detailed in IRTP Part D [Final Report](#). Public comment will be opened on the final report after ICANN51 and to Board for consideration early 2015.

Subsequent round of new gTLDs

A discussion group has been reviewing the first round of new gTLDs related to experiences. The group is expected to draft a report of its findings which might include some subjects for future GNSO issue reports and suggested changes to subsequent new gTLD applications. The group noted they have seen strong participation and have begun receiving topics of interest from the community which they are now organising (a [mind map](#) of current topics/submissions is available). The group noted they are not 'solving' issues, but rather identifying them and in terms of participation it was mentioned that the group is not just individuals that are keen for a second round, but also those who definitely don't want one. [Presentation slides](#)

In other sessions over the week on this topic, ICANN staff noted that they were 'not in a rush to open for new rounds' and that action here would depend on community pressure. Community sentiment does not suggest moving forward is appropriate on this before issues of the first round are dealt with. Some further comments made by various members of the community:

- The community need to complete first round review before any policy development
- Applicants from developing countries was low in first round and good for people with deep pockets. This is not good for public interest critiques of ICANN who could use this against ICANN. Next round should focus on

community and developing countries.

- Universal acceptance (new gTLDs & IDNs) is still a major issue and does not have enough focus.
- Cost recovery model projection was 500 TLDs in round one and ending up with 4 times that. How do we right size the application fees for next round based on expenses for this one.
- Reviews are very important. We need to know the lessons learnt.
- On timing how early is too early or too late? We don't want a situation where we talk about an early round then delay it as happened in the first round.
- GAC concerns are around safeguards as well as how GAC advice taken implemented from Board. For future rounds the high interest topic is geographic names and developing economy applications.

Expert Working Group (EWG) on gTLD directory services

There is currently a Board/GNSO group (non-decision making) discussing this issue particularly in relation to the possible next steps and whether policy should be developed. With regard to privacy some note that it is important to involve external individuals/organization's (such as data protection agencies) – they state that ICANN does not have the sufficient level of expertise required from within its community. This view was not held by all. A report from the meeting will be made available. The current issue report in place may need to be re-done include aspects from the EWG report.

Data & Metrics for Policy Making Working Group

This effort is to investigate more formal process for requests of data, metrics and other reporting needs from the GNSO that could help in GNSO policy development. Areas to be explored are; baseline for current practice and capabilities to problem reporting, evaluation PDP efforts and how metrics could have enhanced the process, GNSO work product templates (charters, issue reports etc) and external data sources that might benefit the policy process (eg abuse stats and DNS industry data).

The WG has completed review of previous efforts as use-cases to detect gaps in use of data and metrics for its deliberations. They are now preparing for collaboration with contracted parties for metrics and data requests for policy making.

[Presentation slides](#)

Privacy & Proxy Services Accreditation Issues

As the topic of privacy and proxy registrations was not addressed in the 2013 RAA negotiations, there is a group discussing the related policy issues with a view to developing an accreditation program for the services. Privacy and Proxy registrations in broad terms relates to the masking of certain aspects of contact data of a domain name holder in the Whois database. The WG charter includes questions over 7 categories: general issues, maintenance and registrations of P/P services, contact points for P/P services, relay and reveal procedures and termination and accreditation.

Preliminary conclusions indicate that 'relay' (forwarding communications) should be mandatory if required by ICANN consensus policies or RAA. For all other electronic communications providers can elect to either forward all - subject to reasonable safeguards against spam/abuse. With regard to 'reveal' preliminary work suggests there should be a distinction made between publication in Whois and disclosure to a third party.

The group aims to produce an initial report by early 2015.

The GNSO and GAC relationship

The GNSO met with the GAC to discuss among other things current work of mutual interest, the GNSO-GAC consultation group (set up in late 2013) as well as the recently appointed GNSO Liaison (Mason Cole) to the GAC – a pilot program starting at ICANN51 for a period of 1 year. The purpose of the liaison role is to help with the flow of information between GNSO to the GAC to ensure the GAC can determine when 'public policy' implications. It should also help in prioritising the large set of information from GNSO and help the GAC understand how to get involved in the PDP. The GAC are positive in their reception to the liaison role and Heather Dryden (GAC Chair) highlighted the potential high importance to the. Subjects of mutual interest are the CWG on IANA transition, the GNSO review and the IGO/INGO topic (see section in this report)

[Presentation slides](#)

GNSO with ICANN CEO

The GNSO met with the ICANN CEO Fadi Chehadé each meeting and build an agenda in the days before then to discuss topics of relevance and allow Fadi to comment on his views. In this session, Fadi conveyed his strong focus on scaling back from external matters to internal ones such as operational excellence. He mentioned that over the past 12 months, ICANN stepped out of its remit – although he considers this to have been very important as it helped to reinforce ICANN. The focus now is more internal.

Fadi stated that the community needs more defined KPIs to work with and track over time and mentioned the 5 year operating plan (to be published after ICANN51) which will list the portfolios of work, risks and dependencies etc.

The Council also heard from Fadi that he would like to engage with them better in aspects of budget planning and he mentioned that other themes of focus will relate to compliance and strategy and analytical capability.

Potential GNSO work on Name Collisions

The NGPC has already adopted a new gTLD collision occurrence management plan and framework.

There is potential for policy work regarding a long term plan to manage name collisions and it was mentioned that input from the ccTLD community would help for best practices.

For this policy work it was noted that current work has been only for 2012 round of new gTLDs and most measures cease two years after delegation.

The questions for GNSO is what measures if any should be taken to manage the name collision risks for future rounds of new gTLDs, 2012 round gTLD beyond 2 year anniversary of delegation and if measures are required for gTLDs delegated before 2012 (legacy gTLDs). Another question is if there should be safeguards regarding practice of domain drop catching and similar services in gTLDs. They are also asking if policy development is best approach.

The concept of drop catching was linked to name collisions however in the Council meeting this and other topics such as trademarks were stated to be separate to the technical side of name collision. Name Collision will be discussed further at the next Council meeting if any policy development work is needed.

Translation and Transliteration of Contact Information PDP

Questions in the charter for this group were whether it is desirable to translate contact information to a single common language or transliterate contact information to a single common script, and, who should decide who should bear the burden translating contact information to a single common language or transliterating contact information to a single common script.

Recently, the WG Chair drafted a straw man recommendation for no mandatory translation/transliteration of contact information. A draft initial report is to be published by ICANN52 (February 2015).

[Presentation slides](#)

Policy and Implementation WG

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. The group began discussions in August 2013. The WG has developed a set of working definitions and posted working principles expected to underpin the WG deliberations.

The WG previously aimed to deliver an Initial Report by the ICANN Los Angeles however it is now expected in early 2015.

GNSO Review - 360 Assessment

As a requirement in the ICANN bylaws, there is a GNSO review process which began earlier this year. A GNSO review working party was formed to act as liaison between the GNSO, the independent examiner and the Structural Improvements Committee (SIC). The external company (WestLake Governance) updated on a [360 assessment survey](#) open for input with deadline of 17 October. Other parts of the data collection are in form of one to one interviews and a

document analysis of GNSO processes. A couple of remarks from Councilors suggested the quantitative style of the survey and Board driven approach may be a lost opportunity in the review. Draft review of results from the GNSO review working party will be early December 2014 with comment period to follow. A second draft report will be in February and Final in April.

Structural Improvements Committee

The Structural Improvements Committee (SIC) is responsible for reviewing and assessing the effectiveness of the GNSO's operating procedures. Current topics in SCI are; Consensus levels for decisions making, waivers for 10 day motion rule and potential voting outside of a meeting. A discussion came up over the weekend regarding article 16 of GNSO procedures which has come to light recently via the IGO/INGO topic where Board asked Council to consider invoking the section in relation to potential changes to the working groups' recommendations. Some councilors are uncomfortable with the potential use of this section stating it's a mechanism for GNSO initiation rather than external (such as Board). Others suggested it is the Council to decide if it's used or not and it's not.

The Registration Operation Association initiative

A session was organised not affiliated with ICANN but held during ICANN week on a potential idea to form an association to address specific technical aspects of registration operations. The session organised by Verisign had proposals related to how the initiative might look and where it could be housed. Moving forward they decided that they will hold periodic sponsored workshops with a small Secretariat function (this remains a topic for discussion) to provide administrative support. Discussion will continue on the mailing list (regops@nlnetlabs.nl) with the goal of identifying topics, a date and location for the next workshop. The group welcomes volunteers to help with the logistics and sponsors.

GAC report

The GAC at ICANN 51: „We’re swamped but we want to engage“

The GAC met for four days during ICANN 51: 11-12 and 14-15 October 2014. Monday 13 October was left free so GAC members could attend non-GAC sessions.

GAC administrative issues

First ever elections for GAC Chair and Vice-Chair

With all four members of the GAC's leadership team (Chair and three Vice-Chairs) having served their maximum time in the roles, the GAC held its first elections for the positions. All previous GAC Chairs and Vice-Chairs had been elected unopposed. The successful candidates were:

Chair: Thomas Schneider (Switzerland)
Vice-Chairs: Olga Cavalli (Argentina)
Henri Kassen (Namibia)
Gema Campillos Gonzalez (Spain)

The GAC deferred discussion about increasing the number of Vice-Chairs to four until ICANN 52. In the meantime, to tackle dissatisfaction amongst members of the GAC from regions that were not represented in the new leadership team, the GAC used a little creativity with the process to elect officers. Via the “designation of officers” process ([GAC Operating Principle 23](#)), two of the remaining three unsuccessful Vice-Chair candidates were “designated to perform the roles of Vice-Chair for the same period as the newly elected Vice-Chairs”.

New GAC members in 2014

In total 13 governments have joined the GAC in 2014:

Albania	Liberia
Barbados	Niger
Croatia	St Lucia
Dominican Republic	Timor-Leste
The Gambia	Venezuela
Grenada	Solomon Islands
Israel	

IANA stewardship transition and ICANN accountability

The GAC discussed these two issues during its weekend preparatory sessions as well as with the IANA Stewardship Transition Coordination Group (ICG) on Tuesday, 14 October. In discussions, some GAC members were insistent that the IANA stewardship proposal must address the wider issue of ICANN accountability; however, there was no consensus on this and there is no advice on this tight coupling in the GAC advice in the Los Angeles Communiqué. Instead, the advice refers only to accountability related directly to the IANA functions.

The GAC is participating in the IANA stewardship process via five representatives on the ICG:

- GAC Chair - was Heather Dryden (Canada) but from 17 October will be Thomas Schneider (Switzerland)
- Brazil
- Egypt
- European Commission
- Iran

The GAC also has two representatives on the new Cross Community Working Group to develop an Internet Assigned Numbers Authority (IANA) Stewardship Transition Proposal on Naming Related Function:

- Norway
- Thailand

Other governments are also participating in the CWG, including the United Kingdom.

The GAC may also participate in the newly created Cross Community Working Group on Enhancing ICANN Accountability.

New gTLDs

GAC still not satisfied with status of round 1 and certainly not happy for round 2 to begin any time soon.

Safeguard advice

Many GAC members felt that responses from the ICANN Board's New gTLD Program Committee on the GAC's previous concerns about safeguards did not contain enough detail to enable the GAC to properly judge whether the GAC's advice was being implemented in the way the GAC had intended. In response, in Los Angeles, the GAC advised the Board to re-examine the following safeguards:

- Whois-related safeguards, including accuracy of data
- Security risks
- Public Interest Commitment Dispute Resolution Process (PICDRP)
- Verification and Validation of Credentials – specifically, the NGPC should reconsider its decision not to require the verification and validation of credentials of registrants for highly regulated Category 1 new gTLDs.
- Category 2 Safeguards – registrants to be provided with an avenue to seek redress for discriminatory policies.

Round 1 reviews, round 2 preparations

ICANN published a [New gTLD Program Reviews and Assessments Draft Work Plan](#) in the lead-up to ICANN 51. Despite the short space of time between publication and ICANN 51, GAC members easily reached consensus on advice to the Board that the review of round 1 new gTLDs could be completed before any work on a second round of new gTLDs was embarked upon. In a theme that dominated the GAC's discussion all week, the GAC was also very concerned about adding yet more work to an already crowded ICANN calendar of processes, and the GAC's ability to pay attention to yet another new process being added to their workload.

Protection of Inter-Governmental Organisation (IGO) names and acronyms

IGOs continue to raise the issue of names protection in the GAC. In response, the GAC advice from Los Angeles reminds the Board of their advice from the previous six meetings on the importance of having IGO names and acronyms protected permanently at the top and second levels of new gTLDs.

Protection of Red Cross / Red Crescent names

The GAC was very pleased that the NGPC had instituted temporary protections for these names but also requested the Board to find a permanent long-term solution to the protection of these names.

Protection of geographic names

The GAC's work on this topic continues to draw opposition from other parts of the ICANN community. It was explained during the GAC's community session on the topic that the discussion was still at a very early stage of development and that the GAC was keen to engage the rest of the community on the issue. As a result of the community's concerns expressed at the GAC's community session in Los Angeles, the GAC plans to hold another, longer, session with the community during ICANN 52. The GAC also currently has a public comment period on their latest draft on the protection of geographic names: see the [GAC home page](#) news item, "Draft document from GAC Sub-group on Geographic Names - Community input sought". The comment period closes 31 October.

Whois

At ICANN 50, GAC members woke up to the fact that there were many public policy implications to the many Whois tracks currently underway at ICANN. The GAC was concerned, however, that with so many processes underway, it was hard for them to know at which point to engage in the processes in order to provide input of maximum utility to the processes.

Two-letter names at the second level domain

The GAC recognized that two-letter names had long existed at the second level in gTLDs and ccTLDs. As stated at previous meetings, GAC members felt uncomfortable making GAC-wide advice on the issue of two-letter names that also represented two-letter country codes, believing it was an issue for individual governments to decide upon. Ultimately, the GAC could not reach consensus on any specific advice on two-letter names. As a result, the ICANN Board has since resolved to allow two-letter names at the second level, while noting the GAC's recommendation that affected countries be alerted to any requests by new gTLD operators to use two-letter names that also recognize specific countries.

Also discussed by the GAC: human rights

The GAC's 30-minute human rights session was barely noticed by the rest of the ICANN community, which was unfortunate, given calls by the civil society elements of the ICANN community to prioritise human rights values in ICANN's operations and processes. Peru had submitted a discussion document on human rights prior to the meeting; however, the document does not seem to be available publicly. Some GAC members wanted human rights values to be incorporated in ICANN's Bylaws while others thought this was a step far too soon. Instead, there was agreement to continue discussing human rights before deciding on possible paths of action.