



Report on

ICANN48

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Executive Summary

As could be expected, this ICANN meeting was dominated by one topic: **Internet Governance**.

- In addition to the 10 scheduled meetings, a few ad hoc meetings zoomed in on the recent events and tried mainly to find an answer to one question: "What is ICANN's role in the future of Internet Governance?"
- Did we hear a clear answer? Yes. Both the Board and the CEO emphasised that ICANN's role was limited to kick-start the debate.
- From the ccNSO community it was made clear that ICANN should not represent the ccTLDs in this debate.
- It was interesting to note that the Board is tuning down the rhetoric on the IANA internationalisation. Board members now state that there is a *possible* opportunity for IANA internationalisation. It is uncertain in what way that would materialise.
- Fadi Chehade announced that the Global Multistakeholder Meeting on Future of Internet Governance to be held in Sao Paulo April 23-24, 2014.
- 3 countries have committed to backing IGF for the next 3 years: Turkey, Brazil & Mexico
- The 4 Regional Organisations (AFTLD, APTLD, CENTR & LACTLD) agreed the following strategic positions:
 - o The Regional Organisations request involvement in all future I* meetings.
 - o The Regional Organisations support LACTLDs general manager Carolina Aguerre to represent them in the discussions on the upcoming IG meeting in Brazil.

The ccNSO finalised the discussion on **Financial Contributions**: the Council adopted the guidelines on voluntary contributions: <http://ccnso.icann.org/node/42709>

While underlining the voluntary nature of the contributions, the ccNSO encourages ccTLDs seeking guidance to use these guidelines to define the fair amount that they can contribute to ICANN.

The GAC agreed once more that it couldn't agree on **.wine/.vin**. This is not just about claiming rights to alcoholic beverages. It even is not just about the safeguards for geographical indicators. But this discussion touches the fundamentals of the GAC processes. Where does GAC advice end and where does geopolitical treaty drafting start?

During a session on **ICANN's European Strategy**, ICANN failed to identify the possible issues at the European region level, and therefore, objectives and relating metrics/timing are still in the limbo. Giovanni Seppia reiterated some of the points that were included in the [CENTR input](#) of last August and underlined our availability to help and contribute where necessary. As for the next steps - which were critically received, the ICANN plan is to have a consultation in Brussels in December, the Strategy for Europe ready by the Singapore meeting and the "delivery of the strategy results" by the London meeting.

General highlights

- Recently formed ICANN strategy panels met respectively during ICANN48 allowing for public comment input (see [slides](#) on an introduction to the panels)
- ATRT 2 recommendations a common theme - participation in working groups a strong concern
- Registrars/Registries in Europe expressed disappointment with the issue that the conflicts between ICANN policy (RAA 2013) and local privacy laws are not being fully addressed.

ccNSO Report

ccNSO Financial contribution guidelines

As chair of the finance working group, Byron Holland (.CA) presented the proposed financial guidelines, focusing on the concept of the value exchange model, the guideline principles and the proposed feebands.

The final report of the WG can be found here: <http://buenosaires48.icann.org/en/schedule/sun-finance/presentation-finance-final-17nov13-en.pdf>

These guidelines will close a debate that lasted for 5 years.

Starting from the principles, then moving to the guidelines and finalizing with the model, the ccNSO showed support for full set of recommendations.

On the feeband model, 7 people expressed concerns. 2 opposed it. Roughly 45 supported it.

Comments included:

.GG: great model but should be made clear that this is unrelated to a contract/EoL with ICANN

.KR: some bands are too large and will require a big jump

Byron: the guidelines will help to solve this

.DE: we do not have a say in how the money is spend. We only get the bill. ICANN could easily cut costs and the amount we pay would go down. Staff goes up to 300. This is more costs, but this is not taken care off in the model. As a second point, value doesn't scale with the number of domains.

ICANN Board - ccNSO meeting

Finance WG, FoI WG, Country and territory names update were presented to the Board.

Roelof Meijer, chair of the ccNSO SOP WG summarized his concerns expressed in a letter to the Board and CEO and confirmed that the responses that he received were encouraging.

As mentioned in previous reports, the SOP WG had expressed an increasing sense of frustration with the complete lack of response or actions in response to the comments from the ccNSO on the budget planning process and the budget mechanisms.

The main concern that remains is related to (the lack of measurable) operational excellence.

Internet Governance: Keith Davidson. ccTLDs have been strong supporter of IGF's on all levels, but currently there are some confusing threads, particularly arising post-montevideo and the statement and the group that has been formed by ICANN in Bali (1net.org).

ICANN should in that context not speak on behalf of the ccTLDs. Under the bylaws that role is for the ccNSO.

The Board noted this and confirmed that ICANN is not speaking on behalf of anyone, but felt that it was necessary to start of the discussion in the aftermath of the recent events. For more details see: https://www.centri.org/CENTR-IG_update

FoI WG

The Framework of Interpretation Working group is nearing the end of its work. The final outcome of the work of this group will be recommendations for IANA reports on delegation and redelegation. This work will begin after the completion of the FoI.

Still on the To Do list is a compilation of a glossary which will be crucial to clearly define the terms used by the ccTLD community, IANA and the Board as there are shifts in the meaning of the vocabulary used by IANA that have changed the process.

A perfect example of that evolution is the term "unconsented redelegation". "Unconsented redelegation" was relabeled revocation because there is no policy basis for 'redelegation'. It does not appear anywhere in RFC 1591.

Details on 'revocation':

RFC 1591 identifies three mechanisms:

1. Delegation
2. Transfer: requires consent. The WG defined clearly what consent means
3. Revocation: IANA rescinds responsibility for the management of a TLD from the manager

Revocation is limited to situations where IANA reasonably demonstrates that there are persistent problems with the management of a ccTLD or the manager is engaged in "substantial misbehavior".

"Substantial misbehavior" requires a degree of magnitude and persistence.

In that case IANA may propose a transfer. But transfer requires Consent. Without consent the only option is the revocation. Revocation is the last resort option.

Revocation does not imply that the ccTLD will be removed from the root.

FOIWG recommends there is an appeal opportunity to an independent body.

FOIWG suggest that issues on honesty, equity, justice or competency (as far as it does not undermine the stability and security of the DNS) should not be judged by the IANA operator but should be resolved locally.

If there is consent on a transfer between both parties, does IANA need to execute the transfer? No. The operator has the right to look at other criteria.

If the ccTLD manager lost support from the local community, would IANA need to act on that? Yes, if it would be based on the 'substantial misbehavior' or the risk for the security and stability of the DNS.

Roundtable discussion: Internet Governance in the light of the Montevideo statement

Panelists:

Keith Davidson, .nz; (Chair)

Chris Disspain, .au, ICANN Board Member

Lynn St Armour, ISOC

Byron Holland, .ca, ccNSO Chair

Teresa Swinehart, ICANN

Raul Echeverria, LACNIC

KD: There is significant discussion on what ICANN's role in this debate. What are the critical issues that lead to Montevideo in this debate?

LSA: I* started three years ago to build the relationships between the organisations. It was not secret, but the meetings weren't public. This was never supposed to be a forum to solve problems. Hence there were no statements. Montevideo changed that. Goal was to come out with a strong statement on surveillance and add some other key messages to that (IPv6, IANA internationalization). The concern is that the surveillance will drive some countries to see how they can change the current model to decrease the risks that were unveiled by the Snowden revelations.

RE: The NSA activities and Brazilian speech left the group with the feeling that something needs to be said publicly.

CD: It is crucial we start the OPEN dialogue on the future of the multistakeholder model. Other people need to get involved, not just those that are already involved. If we don't have the power of the people behind us, governments will take over.

TS: We need to find out how to answer the concerns regarding emerging internet issues. ICANN needs to keep its very limited remit. But we need to find ways to show that there is an evolution in the internet cooperation.

BH: Bali and Montevideo are milestones, but they are not the end of this process. The goal is important, we can build the model along the road.

KD: ccTLDs are currently not represented in the I* group. ccTLDs have been the catalyst of local IG forums and have been major supporters of the global IGF. What do the panelists believe the role is of ccTLDs in this environment?

LSA: ccTLDs are crucial to this process and should be more involved.

Martin Boyle: define what a "good" outcome looks like and what a "bad" outcome looks like. Point three of the

Montevideo statement is crucial: what does an internationalized IANA look like? How do we make sure it is answering to the community? Second concern is the wider eco-system. There are skills we can bring to the market. We need to identify those skills and promote them.

CD: On IANA there is **possibly** an opportunity to internationalize IANA. It is clear that the IANA function is of major importance to the whole TLD community. Unless they would split up in different functions, all stakeholders will have to participate in the debate. We need to start thinking of how the model should be in case that possibility materializes.

RA: All of us want to see the US government removed from the oversight role. But we need solutions for the day after the US government drops that role. ICANN globalization for LACNIC means that it is no longer located in California. The role of the ccTLDs is the same as any other stakeholder. They should get involved in 1net.org. I* do not intend to represent anyone else but themselves. Success for Brazil meeting would already be to move a few steps in the direction of the broad acceptance of the multi stakeholder model. IGF is a forum that allows for all the different initiatives to converge. Improvements needed for Istanbul.

John (ARIN): oversight is a multifaceted thing: policy oversight is different from technical oversight – and most of those oversight functions are held by different entities

Russ (IAB): IAB already drafted document that outlines a possible road to internationalization.

LSA: ccTLDs are crucial for the communities they have built in their countries

CD: Most important thing ccTLDs can do is talk to their governments.

BH: Montevideo kicked off a sense of urgency and we are creating the coalition. ccTLDs need to be part of that.

GAC / ccNSO meeting

IDN ccPDP

Process ended with the submission of the report to the ICANN Board in September 2013.

The IDN PDP addresses two things:

1. The overall process of selection of IDN ccTLDs. This is supposed to replace the fast track.
2. Secondly it deals with the way to include the IDN ccTLDs into the ccNSO.

GAC will have a look at the interim report and comment on the principles that are included.

EU appreciates the second panel that will review any decisions that limit the EU to use one of its official languages on the Internet. (This refers to the refusal to allow the EU to use the Greek version of .EU as it conflicts with the Latin ASCII version). The Commission warned ICANN that this has been dragging on for too long now. The consequences of another failure cannot be overseen. It can be expected that the Commission will sue ICANN unless the review panel resolves the pending conflict.

The Swiss commented that according to the report, an IDN ccTLD strings should be a representation of the name of the country in the designated languages of that country. In their view this is not right.

The UK agreed and claimed that the UK should be able to request .UK in Chinese.

Chair: in the fast track this was put in place to limit it to the necessary essential country codes.

The GAC representative from Egypt (luckily) defused the discussion by pointing out that this was a deliberate choice. This interpretation would allow for another 2.7 million domains to be added to the zone. This was considered a stability and security list.

FoIWG: see update at ccNSO

IT GAC: Every revocation needs to be consulted first with relevant government.

SG GAC: What is that independent body? Reference to RFC1591 is the only reference. The FOIWG responded that they have no further clarification but would encourage further investigation in their final report.

In support of the discussion within the GAC on two-letter country codes should be handled under .BRAND TLDs, the ccNSO provided 4 case studies from around the world.

1. .CL : very liberal so no restriction on registering second level two letter codes
2. .CY: closed domain, only local. No charge. SO carefully making sure nobody makes a profit. Two letter domains not allowed in general, but exceptions can be allowed.
3. .NZ: two characters allowed, no restrictions
4. .JP: *.CO.JP and *.JP: nine two letter domains used as organizational type spaces. The others are reserved.

IANA update

1. Preparing and implementing new gTLDs: existing methods needed to be adapted to the increased volume. (upgrade rootzone management system, upgrade TAS, ...) A lot of this work will benefit the ccTLDs.
2. IANA contract related consultations
3. New documentation such as user instructions on key IAN functions, knowledge base of help-articles
4. Improving performance: IANA received EFQM committed to excellent award 2013

New reporting tools available.

IANA will also add a new search function to the root zone database.

Roundtable discussion: Capacity Building

Byron Holland, .ca (Chair)

Baher Esmat, ICANN VP Middle East

John Crain, ICANN

Sebastian Bellagamba, ISOC

Eduardo Santoyo, .co

Paul Wilson, APNIC

Follow-up from Durban.

That discussion left a feeling that there should be much more information sharing.

ISOC LAC works very closely with LACTLD

SB: Casa de Internet is an essential element in the regional cooperation. All regional internet organisations are located under the same roof in Montevideo.

SB: If we want to keep the Internet open, than ccTLDs are an essential component and partner

ES: Talked about the way LACTLD provides a platform for ccTLDs to exchange experience. Technical, legal, policy and commercial aspects are all included in those exchanges.

JC: Good coordination with ccTLDs, solving basic problems at first, doing resiliency training now. More security and stability side of things.

BE: Coordination is still lacking for the middle east. Need for more local training. Focus on technical capacity building.

Discussion with ccNSO appointed Board Members

Are the ccNSO appointed BoD members happy with the way the gTLD program is working?

CD: process was agreed and approved, process was followed, Board must look at whether they are working or not

MS: the essence is whether the rules are followed. If they are, that doesn't mean that the result is what we expected. But that would allow us to iron out some wrinkles in the next round.

Discussion on Trans Pacific Partnership agreement

The trade agreements drafted by the US since 2004 include two relevant things for the DNS industry:

1. GAC participation
2. WHOIS and UDRP

In the final draft of the TPP there is no a clause on remedies against the registration and abuse of a domain name confusingly similar to a trademark, but given controversies surrounding this debate, it remains to be seen how this evolves in the final negotiations.

ccTLD update session

AbuseHUB: ramping up the fight against botnets in the Netherlands – Cristian Hesselman, .nl

AbuseHUB is a new anti-botnet service that is being jointly developed by .nl registry SIDN and eight Dutch ISPs with support from the Dutch Ministry of Economic Affairs. AbuseHUB is a one-stop-shop for information about botnet activity on Dutch networks, thus allowing internet infrastructure providers in the Netherlands to ramp up their fight against botnets. This presentation gives an overview of the AbuseHUB with a particular emphasis on SIDN's role as the Dutch ccTLD.

<http://buenosaires48.icann.org/en/schedule/wed-ccnso-members/presentation-abusehub-20nov13-en.pdf>

Measuring Canada's tolerance for government surveillance - Allan MacGillivray, .ca

In light of revelations that the NSA monitoring Internet traffic transiting the American border, CIRA conducted a survey of Canadians in August 2013 to gauge their opinion of Internet surveillance. Of key interest in the results is the finding that more than three quarters of Canadians are fine with ongoing government monitoring of Canadians' online activity without a warrant, as long as it is in the interest of national security. 63% thinks that ISPs are monitoring their behaviour. 60% believes that investigating terrorism is more important than privacy.

<http://buenosaires48.icann.org/en/schedule/wed-ccnso-members/presentation-government-surveillance-20nov13-en.pdf>

Survey can be found here: <http://www.cira.ca/assets/Documents/Publications/onlinesurveillance.pdf>

Recent Developments of Governmental Movements in Japan – Yuri Takamatsu, .jp

The Japanese government recently decided to set up an expert committee to create a mechanism for oversight of the management of DNS, including the registry operation, in Japan. The presentation covers its background and the mechanisms. The oversight will also affect the Japanese GEO TLDs such as .kyoto.

JPRS is owned by the executive directors (5% each) and some large Japanese companies such as Sony and Hitachi.

In case of issues, the government will warn JPRS, if the problem doesn't get resolved, JPNIC and the government will inform ICANN that they are not longer in charge of .JP. At that point .JP can be redelegated.

<http://buenosaires48.icann.org/en/schedule/wed-ccnso-members/presentation-registry-mgmt-jp-20nov13-en.pdf>

Current Status and Plans of the registry NIC.VE – Jesus Rivera, .ve

The presentation focuses on giving an overview of the current status of the registry regarding the functional structure of the nic.ve (organization chart), explanation of the process of Domain Names Registration; Legal framework; relevant cases and procedures for conflict resolution through WIPO; NIC.VE numbers, Statistical Data (Indicators); Some considerations and updates on modernization projects.

<http://buenosaires48.icann.org/en/schedule/wed-ccnso-members/presentation-nic-ve-20nov13-en.pdf>

EURid co-Funded Marketing Program Update – Giovanni Seppia, .eu

The Co-funded Marketing Program has been available to .eu accredited registrars since 28 April 2009. The first evaluation of the Program took place in mid-2010, upon request of the European Commission. However, at that stage, only a limited number of campaigns had been carried out under the scheme and it was difficult, therefore, to properly assess the value of the Program for .eu accredited registrars and its impact on .eu registration volumes and awareness of the domain. Over the course of 2010 and 2011, the Program has taken off considerably. An overview of the campaigns conducted shows that the number of proposals submitted has risen steadily since 2009 to reach 90 proposals so far in 2013. Under the Co-funded Marketing Program, EURid contributes to the costs of a registrar's .eu marketing campaign that meets specific conditions. The Program has been recently awarded the CENTR Awards for Marketing and Communication. <http://buenosaires48.icann.org/en/schedule/wed-ccnso-members/presentation-eurid-20nov13-en>

.au Survey 2013 Establishing a baseline for the .au namespace – Sebastien Ducos, ARI

ARI Registry services presents the .au report, based on the results of a survey conducted over three months in 2013, aimed at profiling the .au user, their online behaviour and interaction with the .au domain name industry, by examining the holding of domain names as well as domain name industry knowledge and experience. The survey results and subsequent findings will form a baseline for annual benchmarking activities and help shape valuable marketing and education campaigns, as well as support for future policy direction. The need for domain names is not disappearing because of the social networks. The registrants use those social networks to drive traffic to their domains.

<http://buenosaires48.icann.org/en/schedule/wed-ccnso-members/presentation-survey-au-20nov13-en.pdf>

The survey report is available to http://www.ausregistry.com.au/research/au_survey_2013.pdf

gNSO Report

New gTLD update

Christine Willet (VP, gTLD Operations) gave an update both in a dedicated session as well as to the GNSO on the status of the new gTLD program. ICANN has begun to delegate the first new TLDs and are processing on a weekly basis. At the time of writing the update, 24 new TLDs have been added in the DNS (4 IDNS strings 20 ASCII). It was noted that they are abiding by their 1000 delegations per year proposal.

General Statistics -

- ICANN hopes to complete the evaluation process in the next few weeks with extended evaluations to wrap up by the end of the year.
- 128 applications have been withdrawn leaving 1798 active applicants
- 960 applicants have been invited to contracting of which 275 have responded.
- 47 applications have passed pre delegation testing.

Objections - 65% of all objections have been resolved. Most of the remaining objections related to the "limited public interest" section.

GAC Category 2 advice - 61 strings were identified by the GAC as generic terms where applicant proposed to provide exclusive registry access. 186 applications were subject to that advice. After inquiries made with the affected applicants, most now state they intend to be non exclusive. There are however still 11 applicants who state they will still operate in exclusive manner.

Auctions - ICANN will notify applicants of auction intents by end of the year with first auctions as early as Feb/Mar 2014. Preliminary auction rules were published early November 2013 – seeking feedback.

Operational readiness - SLA monitoring, EBERO, data escrow functions are all in place. ICANN has tested and verified 2 EBERO providers (cnnic and core) with others coming.

GNSO Communication and Engagement

During the Saturday working session of the Council a discussion took place regarding GNSO strategy and communication aspects. Selected points below;

- Concerns regarding GAC engagement - "When they get more engaged, we all get better policy"
- Several councillors felt that GNSO is not communicating itself too well as many interested in internet governance still know very little about the GNSO.
- We should think about creating a single project or action list and use it to prioritise the work of the council as well as showcase it on the gns0.icann.org site.
- Suggestion was made for plain English reports (eg annual report, monthly digest, dashboards, infographics etc) mentioned as an idea to communicate GNSO work and accomplishments.
- The GNSO are discussing the potential of a reverse liaison to the GAC in an effort to better engage. The liaison would be "a person who is able to effectively and accurately represent the current status of all aspects of current GNSO policy work ([more information](#))"

Internet Governance: SO/AC Led High Internet Topic

This newly created session convened a panel of supporting organisation and Advisory Committee leaders to discuss the "Evolution of Internet Governance – Montevideo Statement and ICANN's Post-Bali/Pre-Brazil Activities – Methods and Objectives". Below are selected points made by the leaders;

SSAC: This is an opportunity to start fresh and get new perspectives. Most of the growth on the internet coming up (the next 2-3 billion users) will come from countries that have a different set of values. Now is the moment to act to set what is important for us going forward. If we don't act, we will lose our influence (Robert Guerra)

GAC: As far as the GAC view on the dialogue about future of internet governance, we stay focused on clearly defined roles. What is less clear is what it really means for Government to participate.

ALAC: ICANN should deal with this issue but it should not lead it.

ASO/NRO: What happened with Snowden/NSA has been eroding trust in the internet. This erosion can lead to fragmentation. There is a mission creep going on at ICANN. 1net is a good step.

Business Constituency: ICANN should participate and facilitate but remember that internet governance is not our full time job.

ccNSO: Snowden is a helpful catalyst. W3DC then plenipotentiary in autumn are miles stones and have potential to create serious impact on internet governance. If you are an organisation facing dramatic changes around you, it behoves you to act, particularly when nobody else really seems to be. We live in a digital world still governed by analogue rules (B Holland)

Non-commercial SG: All this is a wakeup call that people expect that the kinds of rights they have in traditional space will also apply on the internet. (Robin Gross)

ISPCP: We had a trust issue with the way Fadi moved ahead without us. But let's put that to bed. Now is the moment to take lessons from the last couple of months and learn from it

Phillip Corwin: The community has been drafted into the Brazil meeting. They haven't volunteered. If Brazil goes badly it will reflect on all of us

Internet Governance: Strategy Panel on ICANN's Role in Internet Governance Ecosystem

This group chaired by Vint Cerf (not present during the session) provided an opportunity for the broader community to provide input to the panels initial stages of work. The panel deliverables are:

1. Review ICANN's place in the evolving Internet Governance Eco-System
2. Suggest ways to enhance ICANN's stewardship within a complex network of interests
3. Propose guiding principles for evolving and implementing ICANN's transnational, multistakeholder policy making model
4. Propose a roadmap for globalizing ICANN's role in the Internet governance ecosystem

The panel is expected to have a draft document by mid January 2013. [See presentation slides](#)

GNSO with ICANN CEO

In the CEO and GNSO session, the discussion was dominated by the Internet Governance topic which has spawned from recent developments such as the Montevideo statement (1net), the Brazil meeting on internet governance etc. Fadi spoke at length to the GNSO beginning by stating that "the board gave me a mandate to go out and form a coalition to energise a debate on internet governance". Fadi spoke about 1net (1net.org) noting that it is only a 'canvas' for all of us (civil society, Government, tech community etc) to tell the world what we have works.

Fadi also took the occasion to announce that there would be an official announcement (the following day) of a meeting to be held in San Paulo on the 23rd of April 2014. The meeting would be the 'first multi-stakeholder meeting on the future of Internet Governance'. He also stressed that the meeting would not be about surveillance.

Some of the questions from the room showed concern about the meaning of 'multi-stakeholder' when stated by Governments versus when ICANN uses the word. Other concerns related to the fact that ICANN did not make the Board mandate on this public. Fadi reacted by stating they did not want to make it seem like ICANN is leading this.

On the meeting in San Paulo itself, Fadi stated that the way we can ensure no decisions come from it is to get involved in the steering committee and engage. He also mentioned that we have 8 seats on the committee (1net).

GNSO with ICANN Board

Between the GNSO and ICANN Board, similar topics (to the CEO session) around internet governance were raised however the potential GNSO review, the GNSO PDP and new gTLDs were also included in the agenda.

On the topic of the GNSO processes and the old 'GNSO is broken' claims from some time ago, Jonathan noted that there is danger that it is a self-fulfilling prophecy. He therefore spoke about some of the positive actions and activities of the Council over the past 12 month such as increased engagement with the ccNSO and GAC. Another example brought up under this 'continuous improvement' area was the fact that the Council has organised a separate day session to be held just after ICANN48 to formally induct new councillors and orientate them. Steve Crocker encouraged GNSO input to the

public comments for the ATRT 2 recommendations as well as mentioning to the Council that the results of the Expert Working Groups (expected report by ICANN 49 Singapore) are expected to be delivered to the GNSO to implement it or go through the PDP.

Joint GNSO / ccNSO session

The GNSO and ccNSO met to discuss common areas of work and interest. The session was followed by short social slot allowing for the two SO's to mingle. Topics in the session included the SOP, the JIG and cross community working groups. The GNSO noted two areas of work which they consider ccNSO contribution valuable to; the translation/transliteration PDP as well as the RAA proxy/privacy accreditation PDP. No concrete steps were taken on how any joint work would take place as yet although in a separate GNSO 'wrap up' session, it was generally felt that the joint session was positive. Some comments from the council;

- Positive comments to the work of the ccNSO on the SOP topic. Potential for more discussion with the GNSO
- GNSO interested to know which sort of topics is the ccNSO prepared to discuss with the GNSO on matter of ICANN budget. The lines are blurring on ccTLD (some of which are back end providers to new gTLD applicants) – we need to find areas of strategic alliance with the ccNSO.
- We encourage an open communication channel as to what the ccNSO are prepared to discuss with the GNSO – are there no-go subjects?

PDP protection of IGO and INGO identifiers in all gTLDs

The GNSO commended the work of Thomas Rickert (WG chair) on the work which is considered complex and challenging. A set of 29 recommendations have been produced and voted on in what was noted as being the longest motion in GNSO history. The result of a unanimous vote was that the exact matches of the full IOC, RC/RC, IGO and INGO names will now be ineligible for delegation as gTLDs.

However the GNSO Council has voted to not protect the acronyms of these organizations – which conflicts previous GAC advice. ([more information](#))

GNSO Improvements and the ATRT 2

A [document](#) has been circulating in the GNSO since the Durban meeting outlined a set of proposals relating to potential improvements to the GNSO process – particularly the PDP. The elements/suggestions under discussion are;

- Include a charter as part of the issue report
- Increased intensity of PDP WG meeting (also part of ATRT 2)
- Increased pool of PDP WG volunteers (also part of ATRT 2)
- Require WG representative from each SG/C and possible liaison from SO/ACs
- Improved online tools and training (also ATRT 2)
- PDP WG rapporteur
- Professional moderation and involvement of experts (also an ATRT 2)
- Organise workshops/discussions at the outset
- Better data and metrics

GNSO Chair Jonathan Robinson suggested the Council implement one or more of the elements at least on a trial basis. The council also discussed how best to move forward on the suggestions.

Linked to this topic was the recommendations made by the ATRT 2 review team. Within the report from Interconnect, it points out that compared with other multi-stakeholder bottom-up processes, the GNSO PDP copes with a greater diversity of stakeholder types and more varied subject matter expertise. Other issues of concern were raised were that a vast majority of individuals taking part in working groups only do so once. Further to this, attendance in working groups are dominated by those for who its part of their job. English language barrier and the western culture of interaction were also seen as barriers. Communication of GNSO work is seen as another barrier to entry as only the people on the inside are finding out about PDPs etc. [ATRT 2 recommendations draft report](#)

Board initiated review of the GNSO

This review will be in the style of an audit and very driven by statistics and metrics. A committee is to be formed and collaborate with the GNSO (while it would be running a self-review at the same time). A timeframe is still unknown however a work plan will be formed once more detail is available.

In some sessions which addressed the issue of GNSO reviews, some councillors felt concerned that they are being over reviewed by groups that don't even attend and observed their sessions

SSAC update

Patrick Fältström presented work of the Security and Stability Advisory Committee (SSAC). The session focused on one particular issue [SAC062](#) – the SSAC Advisory on Mitigation of Name Collision Risk

In the context of top level domains, “name collision” refers to the situation in which a name that is properly defined in the global DNS namespace may appear in a privately defined namespace where users, software, or other functions in that domain may misinterpret it. SSAC has provided advice on high risk strings, trial delegation, root zone monitoring, and emergency rollback capability. Recommendations of SSAC were discussed and can be found in summary in the [presentation](#)

IETF and Whois update

Olaf Kaufman gave an update on the IETF and in particular the WEIRDs working group which deals with shortcomings of the Whois protocol. [See presentation slides](#)

Cross Community WG

The GNSO council recently (10 Oct 2013) approved formation of a new drafting team with co-chair John Berard. Draft principles included well received ccNSO feedback (June 2013). Invitation letters were sent to other SO/AC Chairs and follow up on this is expected. It is anticipated that the new drafting team will be formed in the weeks after ICANN48. A staff paper on the topic is [available here](#)

Update on WHOIS studies

The GNSO has commissioned several studies on various aspects of the publicly-accessible Whois gTLD data directory system. This session was an update on the two remaining studies – on Privacy and Proxy Service Abuse, which was recently published for public comment, and on Whois Misuse, which was recently completed and will be published for public comment following the Buenos Aires meeting. The GNSO will also consider how the results of these studies can inform ICANN's ongoing efforts to refine the provision of gTLD data directory services.

GNSO metrics and reporting non-PDP WG

This effort allows for a review in how the community can collaborate with contracted parties and other reporting service providers in the sharing of complaint and abuse data that may also further educate Registrants and Internet users in submission of complaints to the appropriate party.

Update: The lead of the project Mikey O'Connor gave an update to the status of the project – which is a drafting team for work which began in mid October. Next step is to come up with a charter and present it to the Council. There were some concerns in the room regarding risks that the work may be getting too broad and moving away from its original aims related to metrics and reporting of compliance and abuse issues to assist the PDP process.

Translation and transliteration of contact information PDP

Given the more internationalised nature of domain registration, there is a need for standardised query of the contact data. Translation is defined as the translation of text into another language and transliteration is the writing of words using the closest corresponding letters of a different script. The work of this is considered important in attending the needs of non-English speaking communities, is a direct continuation to IDN implementation, and has significant implications for all stakeholder groups. Two key questions in the charter; 1. Should local contact info be translated into a single common language (eg English) or transliterated into a single common script and 2. Who should bear the burden/cost for this process.

Update: The Charter was submitted to the GNSO council and is expected to be approved at ICANN48 after which the working group will begin its work by December 2013. After approval there will be outreach to SO/ACs.

Policy and Implementation

Mainly as a result of discussions stemming from implementation related issues of the new gTLD program, there is increased focus on which topics call for policy and which call for implementation work, including which processes should be used, at what time and how diverging opinions should be acted upon.

Chuck Gomes gave the update to the council on the work noting that the working group convened in August 2013 with broad representation of 35 participants. There has been outreach to all SO/ACs and the Board for input to their work. A work plan was reviewed during a face to face session in Buenos Aires and sub teams have been formed to address charter questions. The aim is to publish initial findings during the first 2 ICANN meetings of 2014.

[See presentation slides](#)

IRTP Part D PDP update

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. The working group started deliberations in February 2013

After input from other SO/ACs the group has agreed in principle to 4 of the 6 charter questions. The group hopes to produce an initial report by the end of the year.

[See presentation slides](#)

Summary of GNSO motions

Translation and Transliteration of Contact Information - The GNSO Council approved the [charter](#) at and appointed Ching Chiao as the GNSO Council Liaison to the Translation and Transliteration of Contact Information PDP Working Group. The GNSO Council directs that the work of the Translation and Transliteration of Contact Information PDP WG be initiated no later than 14 days after the approval of the motion.

IGO-INGO Protections Most points in the motion passed unanimously – See above for more detail on this topic. [full resolution](#).

GAC Report

.wine / .vin

It might have looked different, but basically there was one topic dominating the agenda of the GAC members during the Buenos Aires meeting: .wine/.vin (again). At its previous meeting in Durban the GAC had failed to come to a consensus on the .wine/.vin application, and had given itself 30 days extra time intersessional to come up with an advice.

On 9 September 2013 the GAC Chair informed the ICANN Board that the GAC advised that the .wine/.vin applications should proceed through the normal evaluation process¹. However, the same letter also mentioned in relation to the .wine/.vin application, that the GAC members couldn't agree whether or not additional safeguards were needed the handling of *geographical indications*.

Geographical indications?

A *geographical indication* is the name of a particular country, region or locality that is used to indicate the origin of the product and therefore linked to specific characteristics, quality or reputation²³. Typical examples are the names of cheese (Gruyere cheese), meat products (Parma ham) and of course wines (Bordeaux wine, Champagne).

In many countries the use of such geographical indications is protected by law. Only the products originating from that region and, or respecting its fabrication method can use the name. In many cases the protection afforded to geographical indications is similar to the protection afforded to trademarks.

In bilateral agreements, treaties or international trade agreements such as the WTO agreements countries can agree to respect and enforce each other's geographical indications for certain products.

This, the protection of geographical indications, is what is behind the whole discussion about .wine / .vin .

There are mainly two camps. On the one hand there is the vision defended by the European Commission, the EU Member States and several other countries that the applicant for .wine/.vin should agree with additional safeguards to protect geographical indications. Or, if the ICANN board would decide that it doesn't want or is not in a position to enforce such safeguards ICANN should conclude not to delegate .wine/.vin until the global protection of geographical indications is arranged by multilateral agreements (e.g. WTO).

On the other hand there are countries that share the vision of the USA, Australia and Canada, that because there is no international law or treaty arranging the protection of geographical indications on a global scale, the .vin / .wine application should pass the normal procedure. If the ICANN Board would set additional global safeguards to protect geographical indications under a .wine/.vin it would put itself in the place of sovereign states negotiating agreements.

One should realise that this discussion is about more than the strings .wine/.vin. Both camps realise that the advice regarding .wine/.vin creates a precedent for the protection of geographical indications in the next Guidebook for future new gTLD rounds.

To fully get the sharp tone of the discussion and the hostility between the camps, one should read the letter sent by EU Commissioner Kroes to the ICANN Board of 7 November 2013 in which the Commissioner not only clearly repeats the demand for the protection of geographical indications and the non delegation of .wine / .vin until a solution is found, but also questions the GAC's procedures and the role of the GAC Chair. *'This is why the current discussion around .wine and .vin also raises questions concerning decision making procedures in the GAC, preparation of meetings by the secretariat,*

¹ Letter from the GAC chair to the ICANN Board regarding .wine and .vin, https://gacweb.icann.org/download/attachments/27132037/Letter%20from%20GAC%20Chair%20to%20ICANN%20Board_20130909.pdf

² A *geographical indication* is a distinctive sign used to identify a product as originating in the territory of a particular country, region or locality where its quality, reputation or other characteristic is linked to its geographical origin. <http://ec.europa.eu/trade/policy/accessing-markets/intellectual-property/geographical-indications/>

³ Non-geographical names can also be protected if they are linked to a particular place. For example Feta cheese is not named after a place but is so closely connected to Greece as to be identified as an inherently Greek product

*the role of the chair and the possibility and conditions for GAC members to vote.*⁴

The only (public) plenary session on .wine / .vin was on Sunday. The highlights were a strong statement by the European Commission saying that it prepared a draft text it wanted to see in the Communiqué and a long response from the Australian GAC on the letter sent by Neelie Kroes. During the rest of the week, a smaller group of GAC members gathered during lunch breaks in the evenings after the official sessions to try and find a consensus text.

A funny anecdote is that the Iranian GAC representative took the lead of these closed sessions and he did his best to build bridges between Europe and the United States (or how the ICANN world is still something different).

What is the result? There is no GAC advice on .wine / .vine or the protection of geographic indications. The Communiqué reflects the two visions and suggests that the *ICANN Board seeks 'a clear understanding of the legally complex and politically sensitive background on this matter in order to consider the appropriate next steps in the process of delegating the two strings'* and explicitly adds that individual GAC members can write to the ICANN Board to elaborate on their position.

Other new gTLD related issues

.doctor

The GAC asks the ICANN Board to consider the string '.doctor' as relating to a highly regulated sector and therefore only allow .doctor domain names to legitimate medical practitioners.

Generic string

The GAC asks from the Board in writing how the Board identifies generic strings.

.guangzhou (IDN in Chinese), .shenzhen (IDN in Chinese), .spa

The GAC asks the Board not to proceed beyond initial evaluation until there is an agreement between the applicant and the relevant parties (ie the district or city authorities).

There was a small incident after Board member Chris Disspain had expressed his concern about governments 'negotiating with the applicant in respect to receive a financial benefit from the applicant.' Although Chris Disspain named country nor application, the Belgium GAC representative understood that he pointed at the .spa application and the ongoing negotiations between the applicant and the Belgian city of Spa and he reacted with a strong statement that such insinuations were untrue and that it was inappropriate for a Board member to make them⁵.

The Communiqué further mentions that the GAC continues to look into or follows up on the Protection of Inter Governmental Organisations (IGOs); the protection of "Red Cross", "Red Crescent" and related designations at the top and second level; .islam and .halal, requests a briefing on auctions and asks ICANN to raise awareness amongst new gTLDs about child protection and children's rights.

Geographic names working group

Since the Durban meeting a GAC working group has been focussing on amongst other the protection of geographic names and identified communities. The work of this group is not related to the current new gTLD process but wants to prepare the GAC's input for future new gTLD rounds. The final report of the working group will be presented at the GAC during the ICANN meeting in Singapore.

For the ccTLD community it will definitely be important to follow up what this report will propose.

During the update from this working group several GAC members agreed that working with lists to protect geo-names is not a good solution. Lists of protected geo-names will always be too limited and even if the lists are explicitly non-exhaustive, they give a wrong sign to the applicant. The Norwegian GAC referred in this context to the conclusions of the

⁴ Letter from Neelie Kroes, EU Commissioner to the ICANN Board, 7 November 2013
<http://www.icann.org/en/news/correspondence/kroes-to-icann-board-07nov13-en.pdf>

⁵ for more details: GACmail? Belgium denies .spa gTLD shakedown,
<http://domainincite.com/15118-gacmail-belgium-denies-spa-gtld-shakedown>

ccNSO working group on country and territory names⁶.

Highlights from the meeting with other constituencies

Meeting with ccNSO

The ccNSO updated the GAC on the IDN policy development process and the framework of interpretation working group and on the study group on country and territory names.

Requested by the GAC, a number of registries exchanged their practices and experiences with the release of one and two letter domains.

Meeting with the GNSO

The GAC received an update from the GNSO PDP working group and reconfirmed its engagement to work with the GNSO on ways to involve the GAC earlier in policy development processes.

Meeting with the Accountability and Transparency Review ATRT2

The GAC discussed the draft recommendations and report with the ATRT2 team members. It was noted that the GAC was already working on a better transparency and other points suggested by the ATRT2. Some GAC members had difficulties with some of the wordings used by the ATRT2, such as 'code of conduct' or said that the recommendation sounded too much as if an external party wanted to tell governments how to behave.

Meeting with the Brand Registry Group

The GAC discussed the proposal of the Brand Registry Group for a streamlined process under a for the approval of country names and 2 letter and character codes at the second level. Currently the Guidebook forbids the use of country names and two letter codes on the second level, unless the applicant asks special permission. Instead of the process where an applicant has to approach each country individually the Brand Registry Group proposes a process where permission can be asked to a group of countries and a no-reply within 180 days equals a positive answer.

Meeting with the Expert Working Group on gTLD Directory services

The Expert Working Group on gTLD Directory services explained their plans for a new generation directory services⁷.

New GAC Secretariat

Stwo consultants of the Australian Continuous Improvement Group (ACIG - www.acig.com.au) started to provide services to the GAC. The Norwegian GAC reconfirmed the commitment to finance the secretariat. Norway, the Netherlands and Brazil were the 3 countries that took the initiative to finance an independent GAC secretariat.

High Level meeting

The GAC agreed to organise a new High Level GAC meeting, similar to the meeting organised in Toronto during next year's ICANN meeting in London.

GAC Communiqué

The GAC Communiqué can be downloaded from:

<http://www.icann.org/en/news/correspondence/gac-to-board-20nov13-en.pdf>

⁶ ccNSO Study Group on Use of Names for Countries and Territories - Final Report - September 2013
<http://ccnso.icann.org/workinggroups/unct-final-08sep12-en.pdf>

⁷ A Next Generation Registration Directory Service
<http://buenosaires48.icann.org/en/schedule/sun-gnso-working/presentation-rds-17nov13-en.pdf>