



Report on

ICANN49

Singapore

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Executive Summary

ccNSO

As could be expected, the ccNSO agenda was dominated by the NTIA announcement on the IANA transition.

While the intension was to focus on the processes and principles, the debate shifted between the process and the concrete outcome of that process.

During discussions on “How do we build a process that will allow us to come up with a model that replaces the NTIA's stewardship role?”, the question “What will that model look like?” came up regularly. This made it clear that an ICANN wide problem statement is needed. Currently the discussions in the different SOs/ACs are not in sync.

The first question can be rephrased as: “Should the IANA discussion be held separate from the ICANN accountability discussion?”. The second question boils down to “Should ICANN and IANA be two separate entities?”.

In the main session on the IANA accountability transition, ICANN had set out some guardrails:

- This needs to go fast and smooth; we need to show the world that the multistakeholder model works.
- IANA stewardship transition and ICANN accountability should not be intertwined - they are two different discussions
- Discussions will take place in the ICANN ecosystem, not at the NetMundial

These guardrails were met by the community with scepticism as it was felt that ICANN already made some top-down decisions that would shape the debates to come.

During the week the initial tension was somewhat eased by both NTIA and the ICANN CEO emphasising that the September 30th 2015 deadline is not carved in stone: the IANA contract can be extended with two 2 year terms if needed. It was also stressed repeatedly that the input from ccTLDs that are not part of the ccNSO is welcomed and will be taken onboard.

GAC

- GAC urges Board to reconsider green light for .wine/.vin for reason of violation of ICANN Bylaws
- GAC Welcomes US announcement IANA transition plans
- new GAC members: Croatia, Grenada and the Solomon Islands
- GAC prepares protection of geo-names in future rounds

gNSO

- In the discussion on the protection of the names of Intergovernmental organisations, the Board is faced with a difficult choice between the GAC advice (protect) and the gNSO advice (give a very lightweight form of protection). According to the bylaws, the Board cannot look for a compromise, but must choose between both conflicting positions.
- Overview of GNSO Motions (Council Meeting)
 - o **The Charter for a Cross Community Working Group to Develop a Finalized Framework of Operating Principles for Future Cross Community Working Groups was approved.**
 - o A charter for a Cross-Community Working Group to develop a framework for the use of Country and Territory names as TLDs (UCTN WG) was adopted
 - o The Charter of the GAC-GNSO Consultation Group on GAC Early Engagement in GNSO Policy Development Process was adopted
 - o **Motion to Close the Joint IDN Working Group and Next Steps for Certain IDN-related Issues was approved**
 - o GNSO Operating Procedures to Address Resubmission of a Motion and Working Group Self Assessment was approved

ccNSO Report

ccNSO Council strategic planning session

The ccNSO council held a 4 hour strategic working session on Sunday. These are the top 5 issues that are expected to dominate the ccNSO calendar in the future:

1. IANA transition
2. Accountability
3. FOI work and related topics
4. SOP and budget work
5. Issues internal to the ccNSO: how is the organisation functioning, how does the enlargement impact this?

Framework of Interpretation Update (Keith Davidson, .nz, Bernie Turcotte, ICANN)

Goal: provide depth to existing policies and guidelines.

Defining three chapters: consent, significantly interested parties and revocation

Glossary completed that should be used by IANA when writing reports on delegations/redelegations

Now to work with the GAC to get their support for the framework of interpretation

Once we get that support it should be presented to the Board for approval. This process avoids having to go through a lengthy PDP.

NTIA Update (Fiona Alexander, NTIA, Larry Strickling, NTIA)

NTIA Announcement on Intent to Transfer Key Internet Domain Name Functions

The US announced its intention to transition out of its role in relation to the IANA functions (verifying changes in the root zone before passing it on to Verisign). It has always been clear that the US gov's role was temporary.

The NTIA called upon ICANN to convene the global internet community.

That process was kicked off with the session on Monday.

Certain conditions:

1. Multistakeholder based
2. Security and stability
3. Free and open nature of the internet
4. Needs to meet the needs of the IANA customers

If the work isn't done by Sept. 30, 2015, the contract can be extended for 4 years. During this time there will be a status quo.

Netmundial is not the platform to solve the IANA issues, but to find out how to include developing countries into the multistakeholder model.

Important to have the customers represented in the process.

Yes, there is strong political pressure and this is being exploited politically, but still it is crucial to get this right. There is no time pressure.

What happens with the other contracts?

Cooperative agreement with Verisign. That contract needs to be modified. (assuming Verisign needs to continue forward with its role). NTIA does not suggest that anything needs to be changed.

EU has been very strong partner in all of this.

Affirmation of Commitments remains in place.

But the community can talk about it.

NTIA checked if the process has been followed. In the last 14 years no significant errors were encountered.

Answering a question, Larry Strickling told the audience that the NTIA could not provide guidance on what multistakeholder model means.

Meeting with the ICANN Board

Framework of Interpretation working group update

The final consultation process will be launched shortly. There are a couple of outstanding issues with the GAC (mainly on interpretation).

After presentation to the board, IANA staff can start implementing the framework.

According to Keith Davidson (FoI WG chair) ICANN needs a fast-track policy process for the retirement of ccTLDs to beat the looming September 2015 deadline.

It is an ongoing problem for which there is no policy, so it would be appropriate to have some sort of policy in place. If a fast-track process it should reference a full scale PDP.

Steve Crocker: retirement needs to be long term: think 50 years, not 5.

Keith: Board has been making policy on the fly (cfr delegation/redelegation report). There is nothing in RFC 1591 or GAC principles.

Chris: true but not tied to the September deadline

Keith: agreed: this has not the highest priority.

What does the board think about the process in response to the NTIA announcement so far?

Two visions; narrow one focusing on the transition of the stewardship and the second one bringing in many more aspects

Community needs to build the process. There is unease about the lack of structure. But if more structure would have been provided by the Board or CEO that would have triggered even more unease.

Chair underlines that the deadline is not carved in stone. It can be flexible.

How do we make sure that the part of the community outside ICANN gets involved?

Feedback to the board so far consistently underlines the need for inclusiveness. The Board acknowledges that and will guard anything that would underline that.

Fadi: ccTLDs are crucial here. How do we reach the broadest and widest community of ccTLDs. The outreach must be inclusive – it is a clear condition.

Chris: Feedback is good, but scope is not clear yet. This is not about IANA globalization. It is about the globalization of the stewardship.

Mann: The real problem we are facing are the (businesses) outside our community – we don't communicate well with them

Plzak: feedback is total lack of understanding of what IANA does, what the USG relationship is with IANA. We need a clear precise statement of the problem. There also needs to be a clear understanding of what IANA does.

Burr: It is not settled what we are trying to achieve here. Confusion is what stewardship means. Is it technical functions? Or is the stewardship role more than the sum of these technical functions?

Meijer: **Nobody will be fooled by the idea that the removal of the light-weight US overview/check will make any difference as long as ICANN's important policy role (e.g. on delegation/redelegation issues) remains in place and affected by the affirmation of commitment. This is not about day-to-day issues, but about the extraordinary ones.**

Fadi: USG roles transitions beyond the narrow IANA role but these two issues are intertwined, but the process by which we hold this dialogue might be slightly different (also in timeline).

Silber: let's avoid making things dependent on each other – don't make the two interrelated.

Internet Governance Developments in Asia

Asian Prospective of Internet Governance: New Developments (Hong Xue, ccNSO NomCom Councillor)

Only by involving governments and businesses from developing countries we will be able (and allowed) to shape the future of the Internet Governance.

<http://singapore49.icann.org/en/schedule/tue-ccnso-members/presentation-asian-perspective-ig-25mar14-en.pdf>

Update on the Korean Internet Governance Model (Minjung Park, .kr)

IGF and Singapore – an Update (Justin Lee, Infocomm Development Authority of Singapore)

<http://singapore49.icann.org/en/schedule/tue-ccnso-members/presentation-igf-25mar14-en.pdf>

Perspectives on the Globalisation of IANA

Kathy Brown, ISOC
Theresa Swinehart, ICANN
Milton Mueller, Syracuse University
Paul Wilson, APNIC
Jari Arkko, IETF
Pat Kane, Verisign

Becky Burr: what is it we're discussing?

Paul Wilson: globalization of IANA. RIRs need to relook at their agreements with IANA through NRO. Same for NRO agreements with ICANN. Need to be updated and serve the purpose that they need to serve in the absence of the IANA – USG contract.

Kathy Brown: not a surprise: some say it is more than just a technical function: it was a safety stop mechanism for the system. It is questioned if ICANN can be trusted to be a good steward.

Pat Kane: clerical function, technical function, authorisation function (NTIA) How does the process become more automated. What is the accountability mechanisms for that?

Jari Arkko: We have been making changes all along, this is an important step, but just a step along that line. This is evolution.

Milton Mueller: We are talking about the authorization function, but this will have an impact on the clerical and technical part. We are also dealing with issues of accountability and authority.

Lesley Cowley: What are we transitioning?

Pat Kane: We recognized that we might not always be the publisher of the zone. Security and stability is key. 10 years without a mistake. We need at least the same level of performance. So only organisations full time involved in software development.

Verisign is not looking to leaving this role. For investors, this role means that it can control its own destiny. Verisign is not trying to give it away, but if that happens, it needs to be run at least as good as today. Scaling needs to improve. Clerical function is becoming more automated. The technical checks are not so automated yet.

Lesley Cowley: will the ICANN role take over part of the oversight role?

Pat Kane: could be an interesting idea to think of the possibility of two boards: one oversight of this function, the other dealing with accountability issues.

Roelof Meijer: The authorization role of the USG is restricted to checking if the process was followed and the work of the FoI showed that the ICANN board made the important decisions. So the real authority is already within ICANN?

Milton: You have power if you don't have to exercise it 99,99% of the time. It is the treat of that power being used that makes the US powerful. That power is going on in the background: lobbying in Washington.

One can not underestimate the significance of that backstop role. We need structural separation.

What are the risks in this process?

Pat Kane: biggest risks is publishing inaccurate zonefiles.

Milton: biggest risk is that ICANN would become unaccountable. Second risk is that there is no agreement and it would demonstrate that the MSH model does not work.

NTIA is only ending their own authorization role.

GAC - ccNSO

FoI WG update – detailed, self-explanatory presentation available at <http://singapore49.icann.org/en/schedule/thu-foi/presentation-foi-27mar14-en.pdf>

Iran points out that there is lack of clarity whether we are discussion the transfer of the stewardship or transfer of the function.

Keith: If the final report from the FoI WG is accepted by the GAC as advice and sent as such to the Board we avoid the lengthy PDP process to accept this as part of the policy process.

ICANN meeting strategy working group

Recommendations for Public Comment

How to accommodate the growing needs?

The proposal suggests that the current three meetings per year format should be kept, but that these three meetings would have different structures:

- A. Similar to current meeting
- B. Focused on SO/AC meeting
- C. Includes AGM and focusing on showcasing ICANN's work

Continue regional rotation

B meeting will be smaller, so allowing going to places where the current meeting format does not allow us to go

Split public forum: 1st part at the beginning of the week, 2nd part at the end of the week

B meeting: SO meets from 9 AM to 3 PM and after that, issue based discussions take place after that.

<http://www.icann.org/en/groups/board/participation/mswg/recommendations-25feb14-en.pdf>

The goal of the ICANN meeting is to provide a venue for SO and AC's to do their work and allow ICANN staff to provide relevant updates to the community.

Comment period until 25th April.

Final report three weeks before London for the Board to take action.

In all three meetings there is time for outreach to the local community.

The presentation of the meeting strategy group was good. Gave some background that made the report easier to understand. Lot of interesting ideas.

Name Collisions Update

Name collisions is not just a gTLD issue. It is relevant for ccTLDs too.

Excellent presentation available at: <http://singapore49.icann.org/en/schedule/tue-ccnso-members/presentation-name-collision-mitigation-25mar14-en.pdf>

IANA Update

<http://singapore49.icann.org/en/schedule/tue-ccnso-members/presentation-iana-ccnso-25mar14-en.pdf>

Delegations / redelegations improvements

Following work from GCA/ccNSO working group on Fol

Public reporting of pending redelegation requests

New reporting and documentation

IANA is providing an increasing range of reports: both audit report and SLA/performance reports.

Performance reports available on the site. <http://www.iana.org/performance/metrics>

IANA customer survey

Done by external party

Satisfaction is quite high

Survey results available at: <http://www.iana.org/reports/2013/customer-survey-20131210.pdf>

Security session

What do the recent SSAC reports actually say? – Patrik Fältström

SSAC recently released reports SAC064 on Search List Processing and SAC065 on DDoS Attacks Leveraging DNS Infrastructure. Patrik explained why these two reports are important for registry operators.

<http://singapore49.icann.org/en/schedule/wed-ccnso-members/presentation-ssac-26mar14-en.pdf>

Who to contact in case of need – survey results on Need of Contact Repository - Christian Hesselman, SIDN

<http://singapore49.icann.org/en/schedule/wed-ccnso-members/presentation-cri-26mar14-en.pdf>

VerifiedID@SG: Mitigating Identity theft in .sg registrations – Ryan Tan, .sg

In order to enable convenient and immediate registration of a domain name, the industry norm globally is not to perform identity verification during the registration of domain names. However some registrants exploit this convenience to perform identity theft or provide fake identities. Such exploitations are also often precursors to other abusive uses of domain names. VerifiedID@SG is a pre-emptive effort that makes use of a SingPass (Singapore Personal Access) to verify the identity of sg¹ registrants and mitigate identify theft in .SG domain names.

<http://singapore49.icann.org/en/schedule/wed-ccnso-members/presentation-verified-id-26mar14-en.pdf>

The New Zealand Internet Task Force – a bottom up approach to improving the cyber security posture of a country – Barry Brailey, .nz Domain Name Commission

The New Zealand Internet Task Force (NZITF) is a non-profit with the mission of improving the cyber security posture of New Zealand. It is a forum based on mutual trust for debate, networking, information sharing, and collaboration on matters relating to the cyber security of New Zealand. The presentation covered the creation of the NZITF and it's evolution over the last six years and an overview of NZITF's initiatives. <http://singapore49.icann.org/en/schedule/wed-ccnso-members/presentation-itf-nz-26mar14-en.pdf>

Update: Annual Results of Malware Mining in National Domains with the Netoscope.ru Machine – Andrei Kolesnikov, .ru

In Beijing, .ru shared information about the fight lead by .ru in cooperation with large service providers and industry leaders against malicious domain name registrations, malware distributors, spammers and other 'bad guys'. This resulted in 30.000 domains being deleted! <http://singapore49.icann.org/en/schedule/wed-ccnso-members/presentation-malware-mining-ru-26mar14-en.pdf>

ccTLD News and RO update session

Finland's Government's proposal for Information Society Code - Kirsi Sunila-Putilin, .fi

Calzone.org Service for TLDs - Andrew Barrett, Calzone.org

Becoming the National Hub of TLD Operation and Surviving in the New gTLD Era - Xiantang Sun, .cn

.CO – Growth Through Building a Brand - Crystal Peterson, .co

Marketing of .nz – a multi-routed Marketing Strategy - Jay Daley, .nz

Presentations available at: <http://ccnso.icann.org/meetings/singapore49/presentations.htm>

Community discussion - Defining Principles / Requirements for the IANA Function Transition Process from a ccTLD Perspective

The transcript of the session will be made available on <http://ccnso.icann.org/meetings/singapore49/transcripts.htm>

During this session Jay Daley from .NZ presented an excellent overview of scenarios. The full .NZ paper can be found: <https://internetnz.net.nz/system/files/pages/2014/2014-03-icann-iana-role-structures.pdf>

GAC Report

GAC Singapore: Almost fully public, almost without a fight but then came along .wine

.wine / .vin

The discussion on the .vin/.wine application and protection of *geographical indications* dominated the GAC meeting in Buenos Aires. There was no discussion planned in Singapore on these strings, both applied for by Donuts. How then did .wine/.vin managed to turn into a stumbling stone?

It was only by the end of the ICANN week, at the time the GAC sat together to draw up its communiqué in which it gives an overview of its activities during the ICANN week and formulates its advice to the ICANN Board that GAC members learned about the decision of the ICANN Board to give green light for the .wine/.vin applications.

This decision had been taken on 22 March, so on the Friday before the ICANN week. Apparently the resolutions from the meeting weren't immediately published or at least weren't picked up by GAC members. GAC members, those opposing the .wine/.vin applications were very annoyed by this news and the GAC needed an additional full day deliberations behind closed doors to agree on a communiqué text. In the corridors it was heard that some GAC members were very unhappy with the fact that ICANN staff nor the GAC Chair – who is part of the Board New gTLD Programming Committee that took the decision – did not inform the GAC.

On 22 March the New gTLD Program Committee (NGPC¹) decided '*that the applications for .WINE and .VIN should proceed through the normal evaluation process*'². The NGPC followed with this decision the conclusion of an external legal analysis³ which said that there '*is no rule of the law of geographical indications, nor any general principle which obliges that ICANN had to reject the applications or accept the applications under certain specific conditions*'.

It was the GAC which in its Buenos Aires Communiqué, after it was clear that there was no consensus possible amongst GAC member on the topic, had suggested that the ICANN Board would seek '*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*'⁴.

As explained in the CENTR GAC report of the Buenos Aires meeting⁵ the discussion on .wine/.vin is – at least for the opponents of the strings (the European Commission, the EU countries and several other countries) – broader than just a discussion on the two next gTLD strings. There are two conflicting visions within the GAC on whether ICANN should oblige the applicant to agree with additional safeguards to protect *geographical indications*. Opponents of .wine/.vin want ICANN to include such safeguards, other countries (like the US, Canada, Australia) are of the opinion that the protection of *geographical indications* should be agreed between countries in multilateral Trade agreements (such as the WTO) and have nothing to do with new gTLDs.

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 reputation^{6 7}. Typical examples are the names of cheese (Gruyere cheese), meat products (Parma ham) and of course wines (Bordeaux wine, Champagne).

After a long deliberation in Singapore, the **GAC advised that the Board reconsiders its decision before delegating these strings** due to at least **one process violation and procedural error**. The GAC argues that according to the ICANN Bylaws⁸

¹ The New gTLD Program Committee is the is the part of the Board that is entitled to take the decisions on the new gTLD issues. Board members that could have a conflict of interest because they are involved in one way or another in the new gTLD process are not part of the NGPC.

² [Approved Resolutions, Meeting of the New gTLD Program Committee, 22 March 2014](#)

³ [Analysis .wine / .vin](#)

⁴ [CAG Communiqué Buenos Aires, 21 November 2014](#)

⁵ [CENTR report ICANN meeting Buenos Aires](#)

⁶ 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.

⁷ 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.

⁸ ICANN ByLaws Article XI-A, Section 1 subsection 6

the GAC and the other Supporting organisation should have had the opportunity to comment on the external advice the Board asked with regard to the .wine/.vin strings prior to any decision by the Board.

To be continued ...

GAC advice on other new gTLD strings

As mentioned before, there was no real new gTLD session on the GAC's Singapore agenda. Some representatives raised concerns about specific strings or categories of string for example during the meeting with the Board or ICANN staff but there was no controversy or discussion among GAC members.

The Communiqué welcomes the news that an agreement has been reached between the city of Spa and one of the applicants for **.spa**; shares Brazil's and Peru's concern regarding the absence of a decision on the **.amazon** string for which the GAC issued an Objection in July 2013; supports India's request not to proceed with the **.ram** (for religious reasons) and **.indians** strings; and reiterated its advice that admitting **singular and plurals** of the same word could lead to consumer confusion.

The GAC also repeated its earlier advice to protect **Inter-Governmental Organisation (IGO) Names and Acronyms** at the top and second level and the protections of terms associated with the International **Red Cross and Red Crescent Movement**.

Strings for which additional safeguards were asked

Attached to Communiqué is a long list of questions on how ICANN is implementing the additional safeguards that were asked by the GAC for specific categories of strings for example for reason of consumer protection, in case of regulated markets (eg .financial, .loan, .lotto), regulated professions (.doctor). This annex was prepared intercessionally and was not in depth discussed in Singapore.

Of the six different types of safeguards, three need some kind of verification. The GAC wants to know how this verification will be performed and expressed the concern that it felt that on some points its advice had been softened.

Country names and 2-letter and character codes at the second level

The Brand Registry group submitted a proposal for a fast track process to ask for permission to use country names and 2-letter codes on the second level (*country.brand*). The GAC is of the opinion that such an approval should be discussed directly with the country concerned. However, to ease the process for .brand applicants, the GAC suggests the creation of a register of countries that do not require individual requests to be made if a .brand TLD wants to use a country name or 2-letter code on the second level.

Protection of geographic names in FUTURE new gTLD processes

A GAC working group is discussing the protection of national, cultural, geographic and religious names in future new gTLD rounds. It is the aim of the working group to come up with proposals for changes to the Applicant Guidebook if needed.

The members of the working group, lead by Olga Cavali (GAC Argentina) gave an update on its work during the ICANN week.

The work is still in a 'draft status' and suggests amongst other things that Countries update as much as possible the ISO 3166-2 list with regions and sub-regions (districts, cantons, provinces, ...) and the creation of a geographic names repository as a reference for new gTLD applicants.

The idea of a repository provoked a lot of comments, both pro and contra; for example how inclusive such a list would be and if it would be an indicative list or a repository.

It was also mentioned that such a list wouldn't solve all issues, for example different cities with the same name.

Data Retention and Data Provision Waivers

Also the GAC discussed the issues European registrars have with data retention requirements imposed by the new Registry Registrar Agreement and the conflicting national and European law. Some members asked ICANN not to take legal action against those Registrars in order to fulfil their data retention requirements pending a decision on these

waivers.

During the discussion with the Board on this topic ICANN CEO Fadi Chehadé reminded the country representatives that, referring to the ICANN Dakar meeting, the GAC had put a lot of pressure on ICANN and the Registrar community to include very stringent requirements based on the suggestions made by the Law Enforcement Agencies and now is asking to waive some of the requirements. He further pointed out that the reason for the slow granting of waivers must be sought in the particularities of the European legislative process where individual countries can add additional, further reaching requirements on top of the European Directive. As a result, each waiver request from a registrar is different. The European Commission representative replied that the European LEAs can agree with a shorter data retention obligation.

Other topics

IANA Functions: US Government Announcement

The GAC received a briefing from Assistant Secretary Larry Strickling of the NTIA regarding the announcement of 14 March 2014 that the United States Government would transition key Internet domain name functions to the global multistakeholder community. Although high on everybody's agenda this meeting, this didn't lead to a lot of discussion within the GAC.

The fact that the statement came very short before the ICANN meeting – too short for governments to formulate elaborate positions – and the fact that countries represented in the GAC are familiar with concepts such as 'multi-stakeholder', 'technical community', ... , probably explain the tone of the discussion. In general all representatives welcomed the statement and praised the US government.

In its Communiqué the GAC underlines that the consultations and discussions should reach out to all parties, including those governments that are not presently members of the GAC and also not part of the ICANN multistakeholder community.

Some individual GAC members stressed that the quality of the solution is more important than the deadline and expressed some concern about the short period to come up with a replacement for the current situation. Such comments were answered by Larry Strickling with the assurance that there are two 2-year options in the current contract, which could be used in case no solution is ready by September next year.

Other questions and concerns raised by individual government participants where amongst other dealing with the participation of the developing world to the debate, the reason for the timing of the announcement before NETmundial, the role of VeriSign, ...

Miscellaneous

Whois – the GAC flagged that in different working groups and SOs work is being done on Whois related issues and expressed concern that this might lead to a lack of overview and consistency.

GNSO – a GAC-GNSO Consultation Group will consider processes for smooth and timely information exchange; early engagement of GAC in GNSO PDP work; resolving early stage conflicts; and accommodating the different working methods of the two organisations.

London High Level meeting - there will be a High Level meeting organised by the UK government (similar to the High Level meeting during the ICANN meeting in Toronto). The GAC members had a first exchange of views with the organisers.

ccNSO – the ccNSO/GAC meeting was dedicated to the issue of delegation and redelagation (Framework of Interpretation Working Group)

[GAC Communiqué Singapore](#)

Data retention waiver and nation law conflicts with respect to 2013 RAA

A discussion point in the GNSO Council Meeting was on the topic of the conflicts (particularly in the EU) of data retention and the waivers offer. The issue was also raised in a session between the GNSO and the Generic Domains Division (GDD).

It was noted that most waiver requests are still in pending status and that the issue is proliferating. There were many comments that ICANN needs to suspend elements of the RAA relating to data retention until solutions can be found. The GNSO chair raised the issue to the Board in the Public Forum section of the ICANN meeting. A couple of councillors' statements:

Thomas Rickert: There is no room for negotiation on this.

Maria Farrell: ICANN does not get to re-negotiate European data protection law.

GNSO & GAC Consultation Group

The central theme in this session was the consultation group between the GNSO and GAC. The GNSO also voted on a charter for the consultation group on GAC early engagement in GNSO Policy Development. Although the consultation group had actually already been meeting regularly, the Council voted in favour of the charter. This topic is important, especially given recent differences of views on topics (IGO/INGO conflict). The GNSO would like to have GAC involvement into their policy development earlier on in the process so as to identify any potential conflicts which otherwise may arise later on in the process of a PDP. On a practical level, the GAC aims to provide comments within the first two comment periods of a PDP and develop 'issue indicators' to trigger proactive actions.

The two groups also would like to have a closer functional co-ordination and synchronise on their different working methods. Generally both the GNSO and GAC reacted positively to this initiative.

GNSO with ICANN CEO

The GNSO council met with Fadi Chehade on one of the weekend sessions. In this session, Fadi often gives a flavour of what he will be talking about in the opening address of ICANN (Mondays) in this case not surprisingly the US government decision regarding the transition of the IANA function. Fadi commended the community quoting Larry Strickling's comment "you deserve this in spades".

Points from the session;

- Fadi on the greatest misconception about ICANN: "that we (ICANN) are entirely controlled by Washington – it's not true"
- Fadi: we are looking for 'mechanisms' (not institutions) to replace the role of the US government.
- What 'bridles' ICANN now – the US Government and the AoC. This will change – we want the 'AoC to be signed by the multi-stakeholder community. We need to discuss the mechanisms (referring to Monday sessions – see IANA sections of this report).
- M O'Conner: How can make sure the scope/charter/people/resources etc are all right to move forward on this and that we work well together? The stakes are so high. Fadi: I want us to start working together bottom up on Monday (ICANN opening).
- M O'Conner: "We really need to get the charter (IANA topic) right and the charter can't be written by 500 people".
- On concerns on a 'top down' (Strategy panels) perception, Fadi assured the GNSO that policy consensus is a high priority. "Consensus policy from the GNSO is immovable", "We do pay attention to GNSO, could we do a better job? Yes, probably". "Please keep sensitising us to this issue". "Even if we (Board) think it's not the right thing, if its consensus policy at the GNSO, we should stick with it".
- On the Strategy Panels and Advisory Panels: Fadi defended the strategy panels and advisory panels on what some people considered top down. "We wanted some fresh thinking. I won't implement their recommendations without your views". In general it seemed Fadi was very aware and sensitive to the perception these panels had been among some of the community. Fadi also said that his sense of why this perception came

about is perhaps because our community can be 'insular' sometimes. He also wanted to take some of the blame for this perception and has learnt from this in terms of how it was done.

- Given sensitivity on the topic of GNSO 'top down' concerns, Fadi suggests a regular 'Bottom-up call' (phone call) to allow the community to talk about any things they feel might be top down.

Proposed community performance review of CEO

In a couple of sessions within the GNSO, there was an idea to introduce the concept of a performance review of Fadi and/or ICANN leadership. In a session between the GNSO and ICANN Board, the Board stated they would be open to ideas on this topic. Some ideas floated around included the formation of a cross community WG and it was also noted that a [document](#) on a 360 performance review was already circulated around the time of ICANN Dakar.

Drafting Team on Cross Community Working Groups

Background: This non-PDP will be responsible for coming up with principles for working groups jointly chartered by GNSO and other SO/ACs.

Update: John Berard spoke about this group which initially will be lead by the GNSO and ccNSO however it was noted that the group is looking for members from as many other SO/ACs as possible (With a cap of 5 members per group). Some points made from the update:

- Methodology is crucial
- “Thanks to the sanity of the ccNSO, we will have two levels of consensus: yes or no. “
- These sorts of groups will come up fast given the IANA function work.

The Charter for a Cross Community Working Group to Develop a Finalized Framework of Operating Principles for Future Cross Community Working Groups was approved by the GNSO Council at the Meeting in Singapore.

IRTP Part D PDP

Background: 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.

Update: Preliminary recommendations include: 1) Reporting requirements be incorporated into the TDRP policy, 2) A domain name be returned to the original Registrar of Record if it is found through a TDRP procedure that a non-IRTP compliant domain name transfer has occurred, 3) the statute of limitation to launch a TDRP be extended from current 6 months to 12 months from the initial transfer, 4) if a request for enforcement is initiated under the TDRP the relevant domain should be 'locked' against further transfers, 5) no dispute options for registrants be developed and implemented as part of the current TDRP, but the GNSO should ensure that IRTP-C inter-registrant transfer recommendations are implemented and include appropriate dispute-resolution mechanisms, and 6) the TDRP be modified to eliminate the First Level (Registry) layer of the TDRP.

It was noted in the presentation that transfer policy although dull is very important as it underpins competition and allows registrants to vote with their feet. It also helps to ensure security and stability of domain names.

Data & Metrics for Policy Making Working Group

Background: The effort (originally called “uniformity of reporting”) here is to investigate more the 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)

Update: GNSO approved the WG charter in January 2014 and the group (25 members) are to publish an initial report with a public comment period to follow. Along the line there will be reach out to SO/ACs for their input on a series of questions derived from the charter.

Translation and Transliteration of Contact Information PDP

Background: 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

Policy and Implementation

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

Update:

After input from all SO/AC/SG/C the WG developed a set of [working definitions](#) and is finalizing a set of working principles that are expected to underpin the WG deliberations. Key work of the WG is;

- Develop criteria to determine when an issue, once identified as "policy", may be appropriately addressed outside a formal PDP (e.g. Through Policy Guidance)
- Develop criteria to determine when an action should be addressed through a policy process (whether through a PDP or as Policy Guidance) and when it should be considered implementation & Develop a framework for discussing implementation issues associated with GNSO policy recommendations

The WG met in Singapore and aims to deliver an Initial Report by the ICANN meeting in Los Angeles.

[See presentation slides](#)

Joint ccNSO/GNSO (JIG) WG

The JIG was chartered to develop recommendations on three IDN-related issues: Single Character IDNs ([final report](#)), IDN Variants ([final report](#)) and Universal Acceptance of IDNs ([final report](#)) It was noted that many of the JIG's recommendations have now been either incorporated into, or are more appropriately part of, broader ICANN work.

The JIG was formally closed (both by resolutions in the ccNSO and the gNSO) however it was recommended that the ccNSO and gNSO monitor developments in their communities for future policy work.

Whois Studies

The GNSO commissioned several studies on aspects of the publicly accessible Whois gTLD data directory system between 2010-2011. The final two studies, one on Privacy & Proxy Service Abuse and the other on Whois Misuse, have just been completed. A couple of key points from the studies;

NPL's Privacy & Proxy Abuse Study:

- A significant percentage of the domain names used to conduct illegal or harmful Internet activities are registered via privacy or proxy services to obscure the perpetrator's identity
- Its partially true that the percentage of domain names used to conduct illegal or harmful Internet activities that are registered via privacy or proxy services is significantly greater than the percentage of domain names used for lawful Internet activities that employ privacy or proxy services

CMU's Whois Misuse Study:

- Public access to Whois data leads to a measurable degree of misuse and that the types of misuse is often relating to email, phone and postal scam. DDos attacks were not observed to be statistically significant forms of misuse from public access to Whois.

[See slides](#) for more information.

IGO/INGO - GNSO recommendations and GAC advice issue

Background: A set of 29 recommendations were produced and voted on in ICANN 48. The recommendations state that exact matches of the full IOC, RC/CR, IGO and INGO names will now be ineligible for delegation as gTLDs. The GNSO Council however has recommended not to protect acronyms of these organizations – which conflicts previous GAC advice.

Update: The GNSO brought up the issue of the IGO/INGO conflict issue with the Board. Thomas Rickert stated that the community came up with recommendations and now there are concerns the Board will not adopt these policy recommendations (given the GAC advice). The Board responded by stating that the NGPC recognise and appreciate the GNSO PDP and will produce a comprehensive response – they are still trying to formulate their response.

Chris Disspain explained they have replied to the GAC stating their advice on reserving acronyms is 'troublesome and difficult to implement' however the advice has not been rejected. The acronyms have been temporarily reserved and the Board are now working with the IGOs. Chris stated they only have two alternatives, to accept the GAC advice and reject GNSO recommendations (effectively meaning the names will be reserved) or to accept GNSO recommendation and reject GAC advice which would result in a bylaw process. The Board are suggesting interim measures ensuring IGOs

would have access to the URS and DRP – this all will hinge on another GNSO policy development on URS/UDRP (See below). Chris noted that if the interim suggestion goes forward it effectively means the acronyms would be freed up. A GNSO councillor stated they would like to see the Board 'facilitate a compromise not 'craft' one. It was also noted that the GNSO are working on better interactions with the GAC (see GNSO/GAC consultation group section of this report) which aims to determine potential issues before that get to the Board.

IGO-INGO Access to Curative Rights Protection Mechanisms Issue Report

Background: One of the recommendations from the PDP on IGO/INGO Protections in all gTLDs was that the GNSO Council request an Issue Report on permitting IGOs/INGOs to access and use existing curative rights protection mechanisms (the Uniform Dispute Resolution Policy and Uniform Rapid Suspension procedure), to protect their names and acronyms at the second level in both existing and new gTLDs.

Update: [Prelim issue report](#) was published with public comment open till ICANN Singapore. A final Issue Report will be prepared following this.

Privacy and Proxy accreditation services Issues

Don Blumenthal presented on this topic to the gNSO in stating they are working through charter questions with preliminary conclusions recorded through templates to be reviewed priority to initial report. It was noted that the group has been reaching out to ccTLD community. A target date for initial report is early 2015

Standing Committee on GNSO Improvements Implementation

Topics being discussed

- New procedures to address resubmission of a motion
- Working group self assessment
- Voting by email and waiver or exceptions in gnsO operation procedures

Other sessions

ICANN Meeting Strategy Group

The meeting strategy Group has been looking at the format of ICANN meetings in an effort to improve and make improvements to efficiencies etc. The group presented at several forums over the ICANN week with an overview of their recent work. Some points from the presentation –

- Stay to 3 meetings
- 1st meeting similar to current format and 2nd meeting would focus on SO/AC policy development work and be just 4 days. The last meeting would be an 'annual general meeting' which would focus on showcasing ICANNs work – that meeting would be longer (8 days)
- The meetings would rotate from region to region.
- The idea of working only with Hubs such as Singapore or LA is rejected.

[See presentation slides](#)

ICANN Strategy Panels

Leaders from the ICANN Strategy Panels gave an update to their work. They have all published recommendations and draft reports. The panels were aimed at getting input to ICANN's vision and 5 year strategic plan. A few of the panels are listed below with further details on their outputs. See slides from [all panel updates here](#)

Identifier technology innovation (chaired by Paul Mockapetris) –The panel considered issues around DNS limitations and possible enhancements, a shared zone control, rethinks in DNS fundamentals and others. Recommendations under consideration – ICANN publish more signed data for reserved labels, study to define vision for DNS in 2020, prototype open root publication, prototype share zone control, perform collision practice exercises to verify procedures. The draft report of this panel is [available here](#)

ICANN Multi-stakeholder Innovations (chaired by Beth Novek) – This panel looked at how to make decisions and how to work in the networked, collaborative space. The panel was chartered to propose new models for international engagement, consensus driven policy making and structure to support it. The panel made 16 proposals to ICANN which introduce pilot projects that could be run over the next year. [More on this panel here](#)

ICANNs role in the Internet Governance Ecosystem (chaired by Vint Cerf) – This panel look at governance models/concepts/principles and how ICANN fits and links into the broader internet governance ecosystem. The group look also at ways ICANN can maintain its stewardship in the evolving landscape. The draft report is [available here](#)

Public Responsibility Framework (Chaired by Nii Quaynor) – This group looked at ways to promote global public interest, diversity of stakeholders (developing world) and capacity building. The draft report is [available here](#)