Guide to ICANN57 Hyderabad

ICANN 57 HYDERABAD
3-9 November 2016
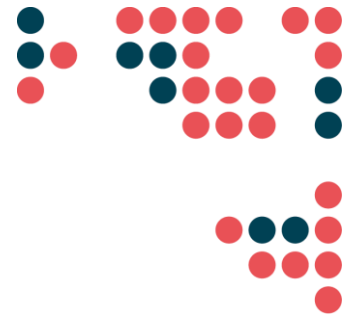
ccNSO, GNSO and GAC key issues

November 2016

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ccNSO pre-report

The [ccNSO Tech Day](#) is taking place on 5 November. The regular ccNSO meeting will take place on 6 and 7 November. Contrary to other SO/ACs, the ccNSO has not fundamentally adjusted to the new [7-day meeting format](#).

The **agenda for the ccNSO meetings** can be found [here](#). Unless specified otherwise, all ccNSO sessions take place in Hall 5.

With the IANA Stewardship Transition now behind us, the ccNSO is focussing again on the substantial policy issues that are relevant to ccTLDs across the world. However, there will still be discussions on the implementation, in particular on how the ccNSO will be involved in the newly created structures (e.g. the Customer Standing Committee). In addition, some of the accountability questions still need to be resolved. These have been grouped in what is called "Accountability Workstream 2".

Here is an overview of the key topics that will be discussed during these two days and some recommendations of sessions to attend.

Use of country and territory names as TLDs

This topic has been discussed for a few years now in a cross-community working group. This working group has prepared two reports: A [Progress report](#) and its draft [Interim report](#).

The Group has finalised its discussion on 2-letter codes, deciding that the status quo should be maintained: all 2-letter combinations – both those already on the ISO 3166 list and all other 2-letter combinations – should be reserved. After analysis of the community feedback on 3-character codes, a straw-person proposal on 3-character codes was presented and discussed during and following ICANN55. A broad cross-community session was held in Helsinki, where valuable input was received that has been taken into account by the group, focusing on the feasibility of a harmonised framework for the use of country, territory and other geographic names. The Working Group will present a progress report to the community and is working on developing its Interim Report for public comment, which includes the consensus views to date, the issues that the Cross-Community Working Group has surfaced and the conviction of the WG that a harmonised framework is not feasible. To assess whether such a framework would be feasible is the first task the WG has to undertake according to its [Charter](#).

Annebeth Lange (Norid) will provide an update to the ccNSO on **Sunday at 9.15**.

The CWG has an [open meeting](#) on **Saturday at 15.15** in G.01/02.

Extended Process Similarity Review Panel: final report

In June 2015 the ICANN Board of Directors requested the ccNSO, in consultation with other stakeholders, including GAC and SSAC, to provide further guidance on and refinement of the methodology of second string similarity review process, including the interpretation of its split recommendations, to be applied to the relevant current and subsequent cases in the IDN ccTLD Fast Track process, as well as to inform the proposed policy for the selection of the IDN ccTLD strings. In October 2015, the ccNSO established a working group with participants from the ccTLD community and GAC.

In July 2016, the EPSRP working group sought feedback, via a public comment proceeding, on its proposed guidelines for the methodology on the second string similarity review process, including the interpretation of split recommendation.

The ccNSO council will discuss the final EPSRP report at its meeting in Hyderabad.

The reports will be presented by the WG Chair Giovanni Seppia on **Sunday at 9.15**.

ccNSO PDP on review mechanism for decision on delegation, transfer, revocation and retirement of ccTLDs

While progress has been slow over the last year, this is one of the crucial missing pieces to complete the set of policies that will guide ICANN in how to handle the appeal mechanisms for decisions on delegation, transfer and revocation of a ccTLD. In addition, another gap in the policy framework is how to handle retirement of ccTLDs.

The main session at the ccNSO will take place on **Sunday at 9.35**, but it will also be discussed during the **joint session** with the GAC that **same day at 12.00** in Hall 4.

IANA Transition and ICANN Accountability

The implications for ccTLDs of the IANA Stewardship Transition will be discussed on **Sunday at 13.45**.

Update and next steps on ICANN accountability improvement: during this session on **Monday at 11.00**, Jordan Carter will lead an update and next steps session on what accountability improvements have already been implemented and which are still being discussed. An important part of this session is the ccNSO's own accountability and how it can be improved.

Other recommended sessions

Q&A with nominees for the ccNSO Council seats and the ccNSO nominee for the ICANN Board seat 11: As none of the nominations for these appointments are contested (there is only one candidate for each seat), this is a good opportunity for the candidates to explain how they see their future role and what they plan to do to (continue in most cases) serve the ccTLD community. This session is taking place on **Sunday at 15.25**.

DNS and Content High Interest topic (Sunday 17.00): The session will bring together all relevant stakeholders and constituencies including GAC and law enforcement representatives, the Intellectual Property Constituency, the Non-Commercial Users Constituency, and the registrars and registries, to discuss and debate the appropriate role of ICANN and its contracted parties in relation to Internet content hosted at a domain.

ccNSO meeting with the ICANN Board (Monday 8.30). Topics on the agenda:

- Selection location for ICANN meetings
- The use of Country & Territory Names in future gTLD rounds
- ccNSO Submission Guidance on how to deal with split decision Extended Process Similarity Review Panel
- What does the ICANN Board and ICANN organisation need to do to advance trust and confidence?

Legal advice for ICANN (Monday 15.15): Q&A with ICANN general counsel on the legal advice that ICANN receives and how that supports the ICANN mission. This high interest topic will explore how to improve transparency around
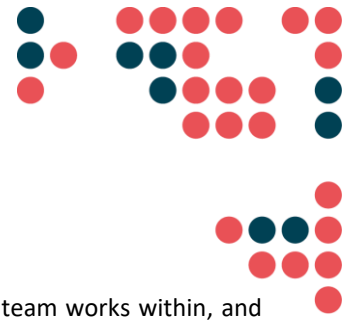
the production of legal advice, a better understanding of the operating practices the legal team works within, and ideas how to continue this process to increase community scrutiny of legal advice received by ICANN.

Always a good opportunity to hear about best practices: **ccTLD news session (Sunday 11.00)**, **ccNSO Legal session (Monday 9.30)** and **ccNSO Marketing sessions (Monday 14.00)**.

GAC pre-report

With seven days' worth of meetings, the GAC take full advantage of the new C-Meeting format. They are structured around internal, working group and cross-community sessions, as well as policy focussed and high interest topic sessions. For the first time, all GAC meetings, including the drafting of the Communiqué (Tuesday 13.30) will be public in Hall 4. The GAC will also discuss whether non-GAC members should be able to participate in WG mailing lists and meetings (Tuesday 9.30). Thomas Schneider, the only nominee for the position, will be re-appointed Chair of the GAC, and 5 Vice-Chairs will be elected in Hyderabad. The public schedule is available here.

Key points

*(Recommended sessions in bold, more details below)*

- Internal matters: elections of 5 Vice Chairs (6 nominations, 2 from Europe) (results on Monday 13.30)

- Meetings with other communities: **GNSO** (Friday 14.30), **ccNSO** (Sunday 12.00), **CCT Review Team** (Sunday 13.30), **ICANN Board** (Monday 13.45), BGRI, ALAC.

- Policy focus: **IANA Stewardship**, **Accountability Work Stream 2**, **ICANN Bylaw changes** (4 sessions), **country names & codes, new gTLDs subsequent rounds**, TMCH Review, IGO Protection.

- High interest topics: **Mitigation of abuse in gTLDs**, **WHOIS related initiatives**, **Public Interest within ICANN's remit**, **DNS and Content Regulation**, **Internet Governance**, Underserved regions, Transparency on legal advice given to ICANN.

- GAC Working Groups: **geographic names**, **PSWG**, **HRIL**, underserved regions, NomCom, Operating Principles.

- Other issues normally of interest to GAC: privacy & proxy services accreditation implementation update, CWG Use of country and territory names (UCTN).

IANA Stewardship Transition

The GAC will receive and discuss an update on the IANA Stewardship transition and the work of the CCWG Accountability Workstream 2. However, the core of the GAC's overall activities at ICANN57 will lie in discussing the necessary adaptations due to the new ICANN Bylaw changes, i.e. appointment to external bodies, GAC Advice to the Board and GAC's role in the empowered community. A total of four sessions are devoted to this.

- Update on IANA Stewardship Transition **(Friday 9.30)**

- Update on CCWG Accountability work stream 2 **(Friday 10.00)**

- ICANN Bylaw changes and role of GAC **(Friday 11.00, Friday 16.00, Monday 9.30, Wednesday 11.00)**
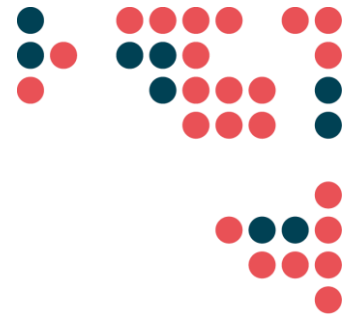
GAC Public Safety WG (PSWG)

The PSWG will hold various meetings, and has also initiated some high interest topic sessions that are discussed across communities in order to update on ongoing initiatives (abuse mitigation, WHOIS, etc.) and exchange and share best practices.

Background on Abuse Mitigation: The GAC want to make sure that various pieces of GAC Advice on abuse mitigation (dating back as far as 2010) will be implemented. This includes enforcement of contract provisions, 2013 RAR Accreditation Agreement, new gTLD Guidebook, DNS Abuse investigation, etc. (s.a. minutes of a conference call on 29/09/16).

Background on WHOIS: For the past years, GNSO task forces have been unable to agree on a comprehensive WHOIS policy reform, i.e. a registration directory service (RDS) that replaces WHOIS. WHOIS is said to have outgrown its potential purpose (a directory of content information for data transmitting), as today lots of different stakeholders, from registrants to law enforcement, request such data. A WG is working on defining the purpose of collecting, maintaining and providing access to gTLD registration data and to consider safeguards for protecting such data. To date, a draft statement of purposes is available (here). ICANN57 will discuss possible requirements. [Source: pp. 25].

Europol drew the GAC's attention to the need to define a clear GAC position with regards to RDS requirements, including conflicting GAC principles or positions related to data protection, data accuracy, public availability of data; the question of tiered access for better accuracy data despite the impact on law enforcement access to registration data (s.a. minutes).

Sessions

- GAC policy session: RDS/WHOIS and Domain Abuse **(Friday 13.30)**

- PSWG session: e.g. child abuse, but agenda not available yet **(Friday 18.30)** *(coincides with European stakeholder networking drinks in Novotel Ballroom)*

- High interest topic: Mitigation of abuse in gTLDs (initiated by PSWG) **(Saturday 13.30)**

- High interest topic: Update on WHOIS related initiatives (initiated by PSWG) **(Saturday 15.15)**

- PSWG working session: update of WG operating principles **(Tuesday 9.00)**

GAC WG on geographic names

Objective: The GAC still aims at developing best practices for future rounds of new gTLDs. They will also address what "public interest" in this context means. At ICANN56, this led into the debate about annexed and occupied territories. At its meeting with the ccNSO, the GAC will discuss the "uncertain future of the CCWG UCTN".

It will be interesting to see whether the GAC intends to address the parallel efforts (i.e. duplication of work) with regards to the use of "country code TLD names and geographic names" as gTLDs at the World Telecommunication Standardisation Assembly (WTSA). The WTSA, the steering body of the ITU-T (Telecommunication Standardisation Sector) Study Groups, is working on a resolution in that area at its meeting which concludes on 3 November 2016, s.a. issue matrix by ISOC.

Background on WG "Geonames": The GAC's WG on "Geonames" focuses on how to improve the protection of geographic names in potential new gTLD rounds. This includes capital city names, regions, countries, communities, etc. The WG does not cover two-letter country codes as second-level domains (SLDs) in current rounds. As the

interface to the CCWG on the [use of country and territory names](#) (UCTN), it will also look into 3-letter country codes in ISO 3166-1 (alpha-3 codes), s.a. see [CENTR ICANN56 Report](#), p. 10.

Sessions

- GAC WG session **(Thursday 8.30)**

- Meeting with ccNSO **(Sunday 12.00)**

- High interest topic: Public Interest within ICANN's Remit **(Sunday 15.15)**

GAC Policy session: Country names and country codes

The GAC will be discussing processes for handling requests for use of 2-letter codes and country names as Second Level Domain names in new gTLDs. It will also discuss conditions regarding the use of country names as Top Level Domain names in future new gTLD rounds. Given that only 30min are dedicated to the debate, it is unlikely that substantial progress will be made.

Session: Monday 9.00

GAC WG on Human Rights and International Law ([HRIL](#))

With the new ICANN Bylaws containing a commitment to human rights now and more and more processes referring to it, the GAC will devote a 60-minute discussion to surrounding issues (agenda tbc). This is particularly relevant because intellectual property rights feature high on the agenda.

Sessions

- GAC WG session **(Thursday 11:30)**

Underserved regions (USR)

In this context, the GAC focuses on various issues, including outreach, capacity building, and general support by the GAC to help them in their dealings with ICANN. Keeping an eye on these sessions can be helpful as one issue that keeps popping up is recommendations on how the DNS industry can be "supported" in underserved regions (s.a. [GAC WG page](#)).

High interest topic session: Underserved regions in ICANN **(Monday 17.00)**

Privacy & Proxy

The GAC will miss out on both [privacy and proxy](#) sessions due to a collision with their debates on ICANN bylaw changes. At ICANN56, their concerns were put in the [Communiqué](#) as GAC Advice and deferred to the implementation phase. They, as all other stakeholders as well, had time to give feedback on the IRT [proposed implementation plan](#) by 28 October. The issue was also discussed during the PSWG Conference call in September (see [minutes](#)).

Other sessions of GAC relevance

- General High interest topic: Internet governance **(Monday 18.30)**
- GAC Meeting with CCT Review team: Presentation of findings **(Sunday 13.30)**
- Privacy and Proxy services accreditation implementation: various sessions **(Friday 11.00, Wednesday 11.00)**
- High interest topic: DNS and Content Regulation **(Sunday 17.00)**
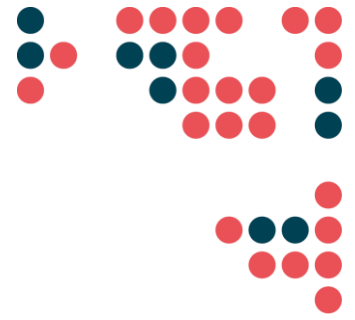
GNSO pre-report

Overview

In what appears to be a "calm after the IANA Transition", the GNSO Council has carefully been shifting its focus back to "business as usual" policy development and has managed to comfortably fill its agenda within the new ICANN meeting C format for ICANN57.

While work is still ongoing in relation to the IANA Transition (CCWG Accountability Workstream 2, implications from Bylaw changes and responsibilities under the empowered community arrangement), key work in the Council is currently focused around a handful of policy areas:

- Next Generation gTLD registration directory services (status: WG)

- New gTLD subsequent procedures (status: WG)

- Reviews of rights protection mechanisms (status: WG)

- Curative rights for IGOs/INGOs (status: WG)

- Auction proceeds (status: initiation)

The GNSO Council working session scheduled for Friday will include a series of short back-to-back updates/discussions from the above working group as well as meetings with GAC, Global Domains Division (GDD) and the ICANN CEO. Other relevant areas in the gTLD space to be discussed over the week include a variety of reviews of the new gTLD program, updates on WHOIS issues, mitigation of abuse in gTLDs, the geo-TLD interest group, brand TLD awareness and the gTLD health index.

Links/Documents

- [GNSO Background briefings](#)

- [GNSO Projects](#)

- [Centralised link to documents, agendas and information](#)

- [GNSO Council meeting agendas and documents](#)

Key points

- **Auction Proceeds CCWG:** The GNSO will consider whether to become one of the Chartering Organizations for the proposed new CCWG.

- **IANA transition:** Discussion on Bylaws drafting team report and empowered community, which is expected to be a greater challenge (given GNSO size/complexity) than other SO/ACs

- **Internet governance (CWG-IG)**: Vote on GNSO withdrawal as chartering organization for CCWG-IG

- **Next Gen Registration Directory Services** work likely to focus around fundamental requirements of user/purposes, data elements and privacy aspects.

- **IGO-INGO Access to Curative Rights Protections** WG expected to present preliminary PDP recommendations with open community session on Monday.
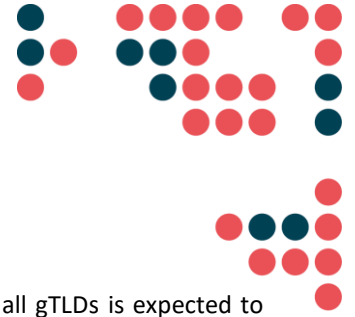
- **Rights Protection Mechanisms**: A WG reviewing rights protection mechanisms in all gTLDs is expected to provide the status of its work including a review of the Trademark Post-Delegation Dispute Resolution Procedure.

- **GNSO/GAC Liaison**: GNSO will be recommending/voting on Carlos Gutiérrez (former GAC rep for Costa Rica) to serve as next GNSO Council liaison to the GAC. The [Final Report of the joint GAC-GNSO Consultation Group](#) and recommendations will also be voted on.

- **GNSO looking to increase opportunities for Board/GAC/GNSO trilateral discussions** (eg. on topics of common interest such as new gTLD subsequent rounds, as well as ongoing IGO/INGO debates).

- **Geo-TLD interest group:** updates expected on progress (structural/financial, website, next round GAC restrictions, performance indicators, etc.).

- **GNSO chair**: James Bladel (current) sole nomination for next term to be his second and final.

Recommended sessions

- [GNSO – Next-Generation RDS PDP WG meeting](#) (Thursday 9.00)

- [GNSO – New gTLD Subsequent Procedures PDP WG meeting](#) (Thursday 13.45)

- [GNSO RySG – Geo-TLD Interest Group Open Meeting](#) (Friday 13.45)

- [GAC meeting with the GNSO](#) (Friday 14.30)

- [How It Works: Introduction to Registry Operations Workshop (ROW) Topics](#) (Friday 13.45)

- [GNSO RySG- DNA Healthy Domain Initiative Update](#) (Saturday 13.45)

- [High Interest Topics session: Mitigation of Abuse in gTLDs](#) (Saturday 13.45)

- [Update on WHOIS-Related Initiatives](#) (Saturday 15.15)

- [gTLD Marketplace Health Index Metrics](#) (Monday 9.00)

- [New gTLD Auction Proceeds Cross-Community Working Group](#) (Tuesday 17.00)

- [GNSO RySG- Brand TLD Awareness](#) (Wednesday 9.00)

New gTLD Subsequent Procedures

Recent developments: Steve Crocker wrote he was interested in knowing whether the entirety of the PDP would need to be completed before advancing a new application process and/or if new applications could proceed while policy work continues. In a [response,](#) the following points were raised: additional context is required as to why the questions were posed, a new application window should not be opened until all necessary reviews (including CCT review) are complete and considered by the Community and Board, and the RySG identified closed generics, distinct registry agreements for exclusive-use TLDs, as well as geographic names as key priority topics under the Subsequent Procedures PDP. The WG will consider input and feedback received from ICANN57 and other sources in attempting to reach conclusions. A face-to-face working group meeting will take place during ICANN57.
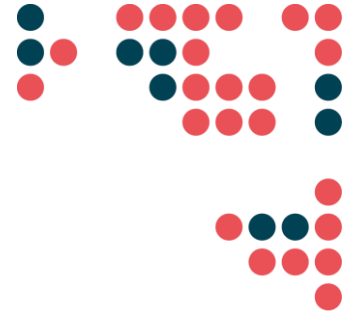
Auction Proceeds CCWG

The CCWG received confirmation from the ccNSO that it is ready to go ahead and consider the charter for adoption. A [webinar](#) on the topic was also held on 13 October, where no further issues were identified which would require modification of the charter. The drafting team has since submitted the proposed [charter](#) for a CCWG on new gTLD Auction Proceeds for consideration. At its Council meeting, the GNSO will consider whether or not to become one of the Chartering Organizations for the proposed new CCWG. A CCWG session will also take place to update on the status of the charter as well as next steps.

WHOIS Conflicts with local law

A [report](#) submitted by the Implementation Advisory Group (IAG) in May 2016 recommended a modification to the existing WHOIS Conflicts Procedure to allow a party to trigger the procedure by obtaining written statement from the government agency charged with enforcing data privacy laws indicating a WHOIS obligation conflicts with national law and then submitting the statement to ICANN. A motion to adopt the report was since withdrawn after concerns were raised about PDP consistency with original policy recommendations. It's expected to be resubmitted at ICANN57 with potential modifications.

Registration Directory Services

The WG has compiled a list of nearly 1,000 possible requirements for a gTLD Registration Directory Services (to replace WHOIS). Proposed requirements address two questions: "what are the fundamental requirements for gTLD registration data and directory services?" and "is a new policy framework and next-generation RDS necessary to address these requirements?". In addition to a face-to-face meeting on Day 1, the WG will also provide a status update to the GNSO during its [working session](#). The topic is also expected to be covered during the high interest topic session on '[Update on WHOIS related Initiatives](#)'.

Thick WHOIS Policy Recommendations

A session has been scheduled for members of the Thick WHOIS Implementation Review Team and other interested parties, such as registries and registrars. Participants will discuss the latest updates to the [draft policy implementation plan](#) (e.g. future requirements for all contracted parties, implementation mechanisms, timeline and coordination with Registry Data Access Protocol (RDAP)).

Competition, Consumer Trust, and Consumer Choice Review Team (CCT-RT)

After almost a year of meetings, the group has invited stakeholders to join a [community engagement session](#) on Friday 9.00 to share input on the Review Team's findings and help inform next steps.