



Report of ICANN 43 San José



11-16 March, 2012

Table of Contents

Executive summary	3
ccNSO Report	4
Working Groups on Sunday	4
Joint ccNSO / gNSO lunch	4
Main ccNSO meeting	4
Finance WG update:.....	4
Meeting with the ICANN Board:	4
IGF update	5
IANA update.....	5
Security and stability review.....	6
DSSA overview.....	6
Regulatory & Legislative Developments and their Impact on the Global DNS and Internet.....	6
SSAC update - Patrik Fältström (Chair)	6
SOP WG update - Roelof Meijer (SIDN)	7
Framework of Interpretation working group update - Keith Davidson (.NZ)	7
WHOIS roadmap - Steven Cheng.....	7
ccNSO Council – GAC meeting	7
Inter-Registrar Transfer Policy (IRTP).....	7
Session on roles and responsibilities at the ccNSO	8
ccTLD news session.....	8
Panel Discussion: Marketing ccTLDs with the advent of gTLDs.....	9
gNSO Report	11
Registrar Accreditation Agreement (RAA).....	11
Uniformity of Contracts Preliminary Report	11
Geo-Regions Review Update	11
Security, Stability Advisory Committee (SSAC).....	11
New gTLDs.....	12
Inter Registrar Transfer Policy (IRTP)	12
Post-Expiration Domain Name Recovery (PEDNR)	13
IANA Contract and GNSO	13
WHOIS Review Team.....	13
WHOIS Studies	13
Replacement of the WHOIS Protocol.....	13
GNSO Public Meeting.....	13
ICANN Public Forum	13
GAC Report	15
GAC Secretariat	15
New gTLDs.....	15
End user protection	16
Conflict of Interest.....	17
Whois review team	17
LEAs and RAA negotiations.....	17
High Level Meeting.....	17

Executive summary

The rabbit, the top hat and the NTIA

Every ICANN meeting holds at least one big surprise. This time it was the communication from NTIA that none of the proposals in response to the RFP for the IANA function met the criteria. The RFP was cancelled and the process will be restarted. In the meantime the current contract is extended for 6 months.

As no further announcements or details are known at the time of writing wild speculations are filling the information gap.

Highlights from the ccNSO, gNSO and GAC discussions:

ccNSO

- Results from the Finance Working Group survey are met with applause and a few raised eyebrows
- WCIT seems to take a lot of ccTLDs off guard, background and guidance will be shared through the ccNSO channels
- Framework of Interpretation working group has finished first stage of their workplan
- Excellent debate on the impact of new gTLDs on ccTLDs stresses importance of unique selling point
- Work by the WHOIS review team puts WHOIS accuracy in the spotlight

gNSO

- ICANN falls short in IANA contract proposal however given an extension of 6 months
- 'Batching' of the new gTLD applicants is a topic with a lot of concern and pressure on ICANN to come up with a resolution. Currently the 'secondary timestamp' (see below) is the suggested model however faces a lot of opposition given its lack of fairness particularly for applicants who apply in the Applicant Support Program.
- Negotiations between Registrars and ICANN regarding the Registrar Accreditation Agreement (RAA) still underway with PDP the intended outcome.
- Discussion on whois accuracy and validation. Current practices from different types of organisations were brought together and discussed.
- Motion to protect Red Cross and IOC Names in new gTLDs: The motion was deferred at the request from NCSG which created many divided views in the GSNO given questions on acting fast from GAC advice and the April 1 deadline for new gTLD applicants.
- 27 TLDs were congratulated for their 25th year anniversaries in the Public Forum session, many of which were CENTR members

GAC

- Disagreements between GAC members on their secretariat leads to long and hard discussions
- European Commission unhappy about ICANN's performance
- Diverging views on the need for High Level meeting before Prague
- GAC positive on progress LEA recommendation, while already past deadline
- GAC sees no need to expand the IOC/RED Cross protection to other IGOs

News in the margin

- Controversy about a positive and light-hearted promotion campaign for the ICANN Prague meeting underlines cultural sensitivities in the ICANN community.
- The CEO search seems to have narrowed down: only three candidates remain
- LACTLD successfully ran a booth promoting the Regional Organisations
- The results of the Joint survey by the ROs raised a lot of interest, many ccTLDs who didn't respond have asked to be added
- It was announced that this was the largest ICANN meeting ever with more than 1500 participants.

ccNSO Report

Working Groups on Sunday

The council Working Group has as main goal to organize the workload of the Chair, vice-chairs and counselors in order to become more transparent and more efficient. Additional conclusion of the group is to keep the terms for Chair and Vice-Chairs to 1 year.

The Strategic and Operational Planning Working Group focused on the mid and long term strategic goals for ICANN. Sabine Dolderer highlighted the concerns that ICANN should remain well within the scope of its mandate.

The Finance Working Group looked at the results of a survey amongst ccNSO members (55) which will be used as a basis for further discussions on the ccTLDs financial contributions.

Joint ccNSO / gNSO lunch

- Financial contributions working group update
- SOP update
- WHOIS review: starting PDP on obligatory thick model for new gTLDs?
- Country and territory names working group
- Joint stability and security analysis working group
- Joint letter to the Board on the single character IDN

Main ccNSO meeting

Finance WG update: *Byron Holand (.CA) shared the results of the finance survey.*

- 55 ccNSO members responded
- Goals of the survey was to find out what ICANN services are used, what resources do ccNSO members spend on ICANN
- Findings:
 - o The ccTLDs that use the least amount of services provide the largest financial contributions
 - o The financial contribution of ccTLDs is independent of a formal arrangement between ICANN and the ccTLD
 - o The ccTLD finance contributions disclosed by ICANN are significantly less than the total of the financial and non-financial contributions by ccTLDs
 - o ccTLDs not only make direct contributions to ICANN but they also contribute to the ICANN model by hosting meetings, sponsoring meals and events, capacity building, contributing to ICANN issues and ccNSO activities

<http://costarica43.icann.org/meetings/sanjose2012/presentation-ccnso-finance-wg-holland-13mar12-en.pdf>

Meeting with the ICANN Board: In preparation of the meeting 7 questions were prepared by the ccNSO – 5 of which were discussed:

IANA contract news – the ccNSO was surprised that there were no proposals received by the NTIA that met the RFP requirements. Recognising the importance of the IANA function to ccTLD managers, what happened and what are the next steps?

Steve Crocker responded that the NTIA extended the existing arrangements by 6 months and restarted the process. A debrief in which the NTIA is expected to shed some more light on the reasons for the rejection is expected soon. The ICANN Board is committed to follow this process closely. On timing: pure coincidental that this falls in the new gTLD application window and just before the ICANN meeting. The main reason for the timing is that the current contract expires on March 31st.

WHOIS accuracy: What are some of the experiences with ccTLDs with WHOIS verification - which ones require full authentication?

Peter Vergote provided a summary of the .BE verification processes. Annebeth Lange (.NO) gave a status update from Norway.

Progress FOI WG and next steps: Keith Davidson highlighted the key findings so far (in particular on the issue of "consent"). These are all the topics that will be covered in the future work of the working group:

- Consent
- Significantly interested parties
- Revocation (what is substantial misbehaviour)
- Glossary
- Recommendations for IANA report

Finances: Presentation of and discussion on the Results of ccNSO Finance WG Survey on contributions of ccTLD's to ICANN and use of ICANN services. The ccNSO Finance WG has conducted a survey among the ccTLD community (with 55 + responses). The purpose of the survey was to understand the contributions ccTLD's make to ICANN (both financially and "in kind" and understand the use of ICANN services. This is part of the work of the ccNSO Fiance WG in its ongoing work on financial contributions. The results of the survey will be presented to the community and others during the ICANN meeting in Costa Rica.

IGF update

- Chris Disspain highlighted what is going on at IGF
- No news on the MAG yet
- Main discussion at the last MAG meeting: should human rights be on the Baku agenda?
- Financial contributions: IGF needs more money, UN claims that they can't have a proper secretariat without having more money
- Call on ccTLDs to contribute – 5k would be very welcome
- WCIT – ITU conference in December to update the 1988 telecom regulations
- There is a stated intention from some governments to have the regulations extended to the internet
- As it is a treaty it is government only (sector members are allowed to attend some of the pre-sessions).
- Nigel Hickson will be working on the ICANN response, ISOC (Markus Kummer and Bill Graham) have done significant amount of work on this already.
- Chris advised ccTLDs to talk to their government with the clear message that the ITU should not get into internet regulations
- There is a grave danger that the ITU takes over the management of the internet infrastructure
- The new proposal will be sent to the member states by June.

IANA update

- Automation update
- Cut over to workflow automation management July 2011
- August-September 2011: all ccTLD managers received access
- To be added: two factor identification to increase security (will be opt-in)
- New web interface: adoption Just over 50%
- Continuous improvement – Business excellence
- 3rd self-assessment revealed significant improvement of customer satisfaction
- More and more processes have been standardized. 50% so far, more to follow in 2012
- Security and continuity: revision planned in November 2012
- DNSSEC: key signing ceremonies 7&8 completed successfully

- SysTrust certification renewed
- Other services
- Time zone database: treat of legal action has been removed
- **Very interesting stat on Root Decay impact:** what would be the effect if the root servers were unable to update for some reason?

<http://costarica43.icann.org/meetings/sanjose2012/presentation-iana-update-davies-13mar12-en.pdf>

Security and stability review

- Draft report coming close to conclusions
- ICANN are doing some good work on a number of areas.
- But there is still room for improvement.
- What's missing: outreach beyond ICANN boundaries (ISPs, registrars, ...), budget difficult to track, no strong risk management framework, stronger ties with external bodies (academia), formal incident and threat notification process (This is not to be confused with a DNSCERT!)
- A final report should be available by the summer.

<http://costarica43.icann.org/meetings/sanjose2012/presentation-ssr-rt-update-pisanty-13mar12-en.pdf>

DSSA overview

Goal of the group: Report to participating Acs and Soss on actual level of threat

Regulatory & Legislative Developments and their Impact on the Global DNS and Internet

Becky Burr gave an interesting overview of ACTA & SOPA

<http://costarica43.icann.org/meetings/sanjose2012/presentation-sopa-acta-additional-slides-burr-13mar12-en.pdf>

Keeping the internet open in Mexico - Alejandro Pisanti

The presentation provided background and mechanisms of some recent internet campaigns in Mexico: fighting proposed internet tax, ACTA, private copy, intellectual property levy on computers, ...

<http://costarica43.icann.org/meetings/sanjose2012/presentation-pisanty-13mar14-en.pdf>

China, Law enforcement and DNS filtering – Prof. Hong Xue,

- A straight forward and detailed presentation on the mechanisms and impact of the Chinese domain name laws.
- Sees a clear trend around the world to use the DNS as a tool for law enforcement purposes
- New gTLDs (company, network, governmental affairs, public interest)
- MIIT is the high authority: all registries operating in China need to receive their approval
- Enforcement measures could potentially compromise security and stability of the internet.
- Four issues
- No judicial review or supervision available.
- No data protection law in China (registration data is regulated by MIIT) Content verification Extraterritorial effect (CN is available to overseas registrants, these domains are affected by the Chinese law) <http://costarica43.icann.org/meetings/sanjose2012/presentation-xue-13mar12-en.pdf>

Internet governance in Korea - Young-um Lee

<http://costarica43.icann.org/meetings/sanjose2012/presentation-internet-governance-kr-lee-13mar12-en.pdf>

SSAC update - Patrik Fältström (Chair)

Key messages from

SAC050

SAC051

SOP WG update - Roelof Meijer (SIDN)

<http://costarica43.icann.org/meetings/sanjose2012/presentation-sop-wg-13mar12-en.pdf>

Framework of Interpretation working group update - Keith Davidson (.NZ)

<http://costarica43.icann.org/meetings/sanjose2012/presentation-foi-wg-update-davidson-turcotte-13mar12-en.pdf>

WHOIS roadmap - Steven Cheng

This is a follow-up from the publication of SAC051

Roadmap has three recommendations:

1. adopt a set of terminology outlined in SAC051 (data DNRD/protocol DNRD-P/service terminology should be kept apart)
2. Evaluate and adopt a replacement domain name registration data access protocol
3. Develop a uniform and standard framework for accessing DNRD

Weirds Process (Worthwhile extensible Internet Registry Data Service Work) undertaken at IETF

Urgent need to support IDN registration data in standardized format.

Path forward:

- Promote participation of ccTLD and gTLD registries and registrars in the development of a protocol to replace WHOIS within the IETF
- Initiate a GNSO PDP with ccNSO, SSAC and ALAC participation to replace the WHOIS protocol?
- Negotiate the inclusion of provisions in gTLD registries and registrars' contracts, as appropriate
- Promote adoption of the WHOIS replacement protocol within ccTLDs

<http://costarica43.icann.org/meetings/sanjose2012/presentation-whois-roadmap-13mar12-en.pdf>

ccNSO Council – GAC meeting

The following items were discussed:

1. Framework of Interpretation (FoI) Working Group Reports
2. Key topics: consent, significantly interested parties, revocation, glossary, recommendation for IANA on delegation and redelegation
 - Discussion Final Report on Consent, seeking support from the GAC;
 - Working Group Interim report on Significantly Interested Parties, seeking input from the GAC
 - See section on FoI in ccNSO report
3. ccNSO Finance Working Group Survey
 - most important services: root zone management, news and policy updates, delegation/redelegation services
 - see section on Finance WG in ccNSO section
4. Progress of the Study Group on Use of Names for Countries and Territories, including informing the GAC on the UNESCO survey
 - Purpose of the group:
 1. Look at current and proposed landscape
 2. Look at different representations of countries and territories
 3. Provide overview of what happens when we apply policies to these names
 - Next steps: distribution of survey (with UNESCO)

Inter-Registrar Transfer Policy (IRTP) – exchange of views with GNSO IRTP Working Group on ccTLD experiences with 'change of control' policies - James Bladel co-Chair GNSO IRTP Part C Working Group, Michele Neylon (Blacknight)

In the context of the review of the GNSO Inter-Registrar Transfer Policy, a GNSO Working Group is looking at the issue of 'change of control' of a domain name registration which is currently not defined in the context of gTLD policies. Many ccTLDs do have policies in place to deal with this issue (e.g. Registrant transfer (.uk), trade (.eu) or transfer domain holder (.ie)). The GNSO IRTP Part C Working

Group is very interested to learn from ccTLDs about their experiences with these policies in order to determine whether applying a similar approach to gTLDs might be beneficial. While this resulted in a constructive exchange, it remains to be seen if this is the proper format to transfer this type of knowledge. CENTR will consider sharing results from previous surveys.

Session on roles and responsibilities at the ccNSO

Lesley Cowley (.UK) provided an overview of all the work that is being done at ccNSO and how the workload is shared by the ccNSO councilors.

<http://ccnso.icann.org/about/guidelines-ccnso-work-plan-maintain-update-review-jun11-en.pdf>

<http://ccnso.icann.org/about/guideline-roles-responsibilities-mar11-en.pdf>

ccTLD news session

.cr launch DNSSEC with Banco Nacional de Costa Rica - Luis Diego Espinoza, .cr

Main issues:

- process to approve and publish DPS
- Cisco firewall issues
- backing up TPM keys

<http://costarica43.icann.org/meetings/sanjose2012/presentation-dnssec-implementation-cr-espinoza-14mar12-en.pdf>

Dot CN Soon Available for Individual Registrants - Hong Xue, ccNSO Council Member

Although .CN is an open domain available for registrants from all over the world, the registrants are restricted to "entities", with or without legal personality. Under the approval of the Chinese authority, the restriction will be removed in 2012 to enable millions of individuals to become CN domain name holders. The new policy is expected to benefit 500 million Chinese Internet users and stimulate the development of CNNIC.

<http://costarica43.icann.org/meetings/sanjose2012/presentation-dot-cn-xue-14mar12-en.pdf>

Running a gTLD on a ccTLD infrastructure: a case of ZA and .africa – Vika Mpisane, .za

The presentation about how ZA is making its ccTLD registry infrastructure available for the operation of .africa and other potential new gTLDs, while accelerating its efforts of marketing and growing ZA.

<http://costarica43.icann.org/meetings/sanjose2012/presentation-gtld-cctld-infrastructure-part1-mpisane-14mar12-en.pdf>

<http://costarica43.icann.org/meetings/sanjose2012/presentation-gtld-cctld-infrastructure-part2-mpisane-14mar12-en.pdf>

Registrar satisfaction measurements – Giovanni Seppia, .eu

EMAS The EU Eco-Management and audit scheme: tool to evaluate, report and improve their environmental performance.

EMAS is just the first step of a long term process.

<http://costarica43.icann.org/meetings/sanjose2012/presentation-greener-cyberspace-seppia-14mar12-en.pdf>

The Rebirth of .jo / الاردن (.al-ordun) – Fahd Batayneh, .jo

The Jordanian registry was reborn on April 4, 2011. While DNS operations prior to this date were scattered amongst various departments within NITC, the newly structured DNS division was developed to be on-par with other ccTLD registries worldwide. The new division has faced many challenges since then, and the presentation explains these challenges and how they were dealt with.

Panel Discussion: Marketing ccTLDs with the advent of gTLDs: Strategies and Reactions to the Changing Environment

Chair: Patricio Poblete, .cl; ccNSO Council

Moderator: Byron Holland, .ca; ccNSO vice-Chair

Panelists:

Fernando Espana, .us

Jordi Iparraguirre, .cat

Adrian Kinderis, AusRegistry

Eduardo Santoyo, .co

Marta Tellez, CORE

Adrian: how will this impact ICANN as an organization?

Will new gTLDs a threat to ccTLDs? Will there be a negative impact?

Eduardo: new gTLDs don't initiate from the demand side. Is an opportunity to make clear to the users that .COM is not the only option. Conclusion: more opportunity than threat.

Adrian: need to assess what the ccTLD's goals are: if it is growth than they will be impacted by new gTLDs. Sydney and Melbourne and two states in Australia are using same backend provider that is running .AU. That is an ideal situation as synergies can be created.

Roelof: The fact that big brands will be using their gTLD in advertisements might have an impact on ccTLD visibility.

Alex: Will be harder to get shelf space from registrars. So probably need to search for a unique selling point. Economics of the industry could be changed if some firms end up with large portfolios.

Jordi: most customers go to the nearest sales point. Therefore for some domains shelf space is not really an issue

Fernando: shelf space is already an issue today. Focusing market activities on specific segment. Drive traffic to sales channels and let them do the sale.

How are the relations being changed with the registrars?

Annebeth: relations with registrars are even more important than today, .no should be seen as a quality domain - something special that you would like and then in addition other new gTLDs might be added to that. Therefore this will probably mean additional registrations.

Lise: high number of domains per capita. Plans to make .DK as a brand for Denmark. Maybe a city TLD can be seen as an alternative, but no confirmation on that yet. Agree with Annebeth to position .DK as a quality domain.

Marta: Agree with Annebeth that city TLDs should be seen as an opportunity: they will bring the ccTLD in the spotlight too. There has been an evolution: most people don't see it any longer as a threat.

Kinderis: it all comes down to value. Undertake a value review. Don't lose the culture of your product (ccTLD). Make your customers understand what your place in the market is. Maybe it involves verification, identity requirements, ...

Eduardo: continuously reviewing relationship with registrars: make it easy for them to sell a particular domain

Fernando: solidifying relations not just with registrars but also with resellers (which are sometimes larger than registrars)

Has anybody considered going direct to the customers?

Annebeth: might be necessary to review sales channels

Jordi: most committed registrars are geographically close: disadvantage: local registrars are typically smaller and have no bandwidth to accommodate e.g. IDN introduction, large international ones have that bandwidth but might not necessarily be interested

Alex: issue of ICANN accreditation is important: e.g. only 1 out of 100 registrars in Wales is currently able to sell .wales

What makes a ccTD unique?

Byron: security and trust is the unique selling point for .CA

Adrian: user confusion/education will be key. Be prepared to answer questions from consumers. Become the authority in your jurisdiction

Jordi: currently educating users (with limited means) e.g. in cooperation with CENTR

Lesley: media strategy is key

Adrian: new gTLDs managers will have spend a lot of money to get one. Rest assured they are going to do whatever possible to make it work. They will flood your market with campaigns. Currently you have an advantage (visibility): make sure not to lose it.

Peter: Comments from previous discussions: resellers are/will be more important than ICANN accredited registrars. Two points of advice from registrars: 1. don't make changes to your process/EPP

As soon as the launch window opens. 2. think about prepayments - introducing credit cards could give an advantage

Adrian: Stressing that this is about value. If your domain is valuable someone will sell it. Don't be concerned with registrars. Be concerned about your product.

Roelof: Keep the telco incumbents in mind! They had the market and the experience, but still new entrants did very well.

Jordi: We need to start thinking about the current structure ccTLDs/gTLDs. In the future this will become difficult to maintain.

Marta: Governments should play an important role in educating the end-users.

Fernando: Focus on specific market sections. E.g. .US is currently focusing on the mid-west

Adrian: Key is marketing and education strategy. Also consider what you are doing to make sure domain names in general are relevant.

Fernando: get you plan together for the next three years

Jordi: Understand your community - who are you serving

gNSO Report

Registrar Accreditation Agreement (RAA)

On 6 March 2012, a [Final Issue Report](#) on the RAA amendments was published which among other things addresses Law Enforcement (LE) recommendations on registrant protection. The report in effect commences a PDP to consider “meaningful amendments to the RAA in the global public interest with the twin goals of registrant protection and stability..” A [summary of the negotiations](#) was released on 1 March 2012 – currently there are no “remaining items” to address in a PDP. In the final report it is noted that the GNSO should commence a PDP once the negotiations are complete.

In an update session on RAA various presentations were given on the topic of Whois data validation and accuracy. Experiences, practices and views were shared from Registries (including CIRA), RIR’s, Registrars etc.

When the Board met with the Registrar Stakeholder Group, the focus was the RAA. The following points were made;

- Registrars are still working with LE on the negotiations
- Essential topics in the negotiations are whois validation/verification and the specific requests from Registrars relating to predictability in the methods to amend the agreement.
- The Board (particularly Bertrand de la Cappelle) pushed for a faster resolution on the negotiations
- Registrar SG stressed arriving at an agreement of ‘quality’ rather than rushing anything.
- Questions of why there is no one from the Compliance department on the ICANN negotiating team

The Registrars Stakeholders group noted the next steps would be to publish a draft agreement available for comments. Although a timeline is unknown, Mason Cole stated that the draft would be out ‘within a matter of weeks’.

Uniformity of Contracts Preliminary Report

Discussion on the work of the Registration Abuse WG (RAPWG) and recommendations from that group. A preliminary issue’s report will be made followed by a public comment period and then a Final Issue Report.

The council felt this topic may be pre-mature given other work being done in other areas on the topic of registration abuse.

Geo-Regions Review Update

The GSNO council discussed this topic particularly in relation to concerns regarding SO/AC employing their own geographic diversity methodologies – please see ccNSO update for more details.

Security, Stability Advisory Committee (SSAC)

Patrik Fältström chairs this group and provided an update to key areas of work. Among the numerous SAC reports, the following were highlighted given their current relevance:

- SAC051: WHOIS terminology and structure – group recommends ICANN community to adopt the definitions. This report is still available for comments.
- SAC050: DNS Blocking: Benefits vs harms. As a follow up to SAC050, the group is discussing the topic more deeply in particular to the role a Registry in the ecosystem as well as classifications of intermediaries.
- SAC052: on Single character IDNs: the Group is concerned for stability and recommends a conservative approach to this area – to disallow all single character IDN TLDs in all scripts with some exceptions on case by case scenario
- SAC053: Dotless domains (report released FEB 2012)

[See all SAC reports here](#)

New gTLDs

At the GNSO working session, Kurt Pritz outlined some of the recent developments in the new gTLD program process. As at 11 March 2012 there were 254 applicants in the TAS system (each applicant could include up to 49 strings)

1. IP Clearinghouse – currently ICANN is in the process of selecting service provider/s for the functions of validation as well as database administration. Submissions are being evaluated and ICANN will most likely publish a name/s (it could be one or more to operate these functions) very soon.
2. EBERO (Emergency back-end operator) – Submissions from an RFP are currently being evaluated and there are also simulations/drills with those candidates currently running.
3. Batching - Pritz mentioned it was a challenge for ICANN to come up with a good batching system. They have de-selected options of first come first serve, auctions and random selection (due to complications with lottery/gambling laws in California). They have come up with a system called a 'secondary timestamp' in which applicants must select (after the application closing date) a target time in the near future – they then click the submit button as close to their chosen time as they can. The closer to that time they get, the higher the priority in batching they will receive. This batching will also take into account the geographic regions. Network speeds were considered a concern from the GNSO council and they thought applicants might already try to get servers as close to ICANN as possible (gaming). Concerns on batching from the GNSO were also echoed by Andrea Glorioso (European Commission) in another session where he said that batching is very important and should be resolved as soon as possible especially given equal treatment of all applicants.
4. Applicant Support Program – this has 3 areas:
 - 3rd party pro-bono services: there is a site via ICANN to allow organisations to connect to each.
 - Financial assistance: chance of a fee reduction to 47,000 USD or a staggered payment. For this there is an independent supporting applicant review panel (SARP) which currently is in the stage of elections for the panel (evaluations will start in May 2012).
 - A support fund currently standing at 2 million however ICANN is aiming to increase that. This initial fund will support 14 applicants.

In another session on new gTLDs, Kurt Pritz addressed the issue of 'defensive registrations'. Here it was noted that there has been a comment period to receive proposals of models of how to deal with this issue. ICANN area currently evaluating the submissions received. See a [summary of the public comments received](#)

Points from other sessions regarding new gTLDs:

- On the topic of process development ICANN have formed an Implementation Assistance Group (IAG) to help with creating a model for the programme operations.
- The Registry Stakeholder group showed concern on the centralised clearinghouse stating it has potential for 'single point of error'. Given the high queries expected to be received on new gTLD Registries the system must be very robust and EPP experienced. Stress tests were suggested.

On the topic of promotion of the new gTLD programme, the following were listed as the tools used;

- Online Google ad campaign: geo-targeted ads with focus on developing countries
- Social media: Facebook and twitter (around 45,000 followers on twitter).
- Traditional press: over 10,000 articles many in major news providers like BBC and Reuters.
- Live events: almost 60 events across all ICANN geo-graphic regions

Inter Registrar Transfer Policy (IRTP)

Revisions under part IRTP part B; Registrars must provide Transfer Emergency Action Contact (TEAC) with human response within 4 hours, and, Losing Registrar must notify registrant of transfer out request.

- These revisions to IRP provisions will take effect 1 June 2012
- A new contact field has been added in RADAR to each Registrar to enter its contact details for the TEAC
- A formal notice to Registrars about the changes has been sent on 29 February 2012.
- Within RADAR, Registrars have access to contact info for all other Registrars

Post-Expiration Domain Name Recovery (PEDNR)

Status: ICANN staff have reviewed and sent a list of issues. PEDNR working group are expected to set an implementation plan between now and ICANN Prague meeting.

IANA Contract and GNSO

The GNSO expects ICANN will submit a revised ICANN proposal that addresses what the NTIA says was lacking in the first proposal. GNSO requested more information from the Board however was responded with a 'No' from Steve Crocker. The Board felt the issue was too recent and therefore were not in a position to comment.

WHOIS Review Team

Emily Taylor of the review team presented findings and 20 recommendations from the team by way of a draft report published in December 2011. It was noted that the comment period is still open until 18 March 2012 and that a final report is likely to be published at the end of April 2012. Some of the findings of interest are as follows:

- No clear Whois policy as different sections are scattered (Eg registry and registrar contracts) so ICANN should create a single policy. In a separate session with the GNSO it was noted by the review Team that this recommendation is directed to the gTLD model and ICANN and hence does not include ccTLDs.
- Outreach should be expanded on whois policy issues : cross community outreach including consumer awareness
- Data accuracy (including contractibility) needs to be improved (see also NORC study on whois). ICANN should produce ongoing reports on data accuracy in whois.
- Privacy and proxy services need to be clarified given difficulties for investigations particularly with LE agencies. The team recommends clear requirements for all privacy services consistent with national laws.
- Data is difficult to find (consumer trust) so ICANN should set up dedicated interface to provide thick whois data.

All findings and recommendations can be found here:

<http://costarica43.icann.org/meetings/sanjose2012/presentation-whois-rt-draft-final-report-12mar12-en.pdf>

WHOIS Studies

- Misuse Study : initial results early 2013 (awarded to Carnegie Mellon Pittsburgh)
- Registrant identification: initial results late 2012 (awarded to NORC)
- Privacy/Proxy Abuse : contract delayed, now being finalised
- Privacy/Proxy relay and reveal: initial results April 2012
- Whois service requirements report: 63 question survey (technical orientated) next steps is WG will test and edit the survey then draft survey to GSNO council and public comment.

Replacement of the WHOIS Protocol

This session took place to, among other things, provide a [roadmap](#) to implementation of SAC051 which focuses on whois terminology and structure. The roadmap will be finalised for Board and community action by ICANN Prague. IETF representative Andrew Sullivan gave an update to the WEIRD (worthwhile extensible internet data service) also requesting participation by means of a mailing group

GNSO Public Meeting

- GNSO Council launches a PDP to consider converting all gTLDs to "Thick" WHOIS
- GNSO Council approves the charter from the Drafting Team concerning the locking of a name for UDRP
- Red Cross and IOC motion (protected names) was deferred at request from NCSG.

ICANN Public Forum

- 27 TLDs were congratulated for their 25th anniversaries - .au, .ca, .ch, .com, .cl, .net, .de, .edu, .gov, .jp, .fr, .mil, .nl, .nz, .org, .uk, .us, .ar, .dk, .fi, .fr, .il, .is, .it, .my, .no, .se

- Public comments revolving around 'public perception' and ICANN acting in the global public interest
- On the topic of documents and planning, an ICANN rep stated they are striving for a 2 year planning cycle rather than 1 year cycle.
- Extended comments from stakeholders on conflicts
- Ondrej Filip (.cz) gave a presentation on ICANN44 in Prague.

GAC Report

GAC Secretariat

The Costa Rica GAC session was overshadowed by discussions on the organisation of the GAC Secretariat. The GAC members had several sessions behind closed doors about this internal and organisational issue. The tone of those discussions was very sharp and one could sense that there were serious tensions between the members.

Reminder: Since the San Francisco meeting (March 2011) the GAC had an independent secretariat created and funded by Norway, Brazil and the Netherlands. However, this model soon became unworkable. Already in September 2011 the Executive secretary left his position and recently also the Senior Adviser changed jobs. The reason for the failure has to be sought in different views amongst the members, including the Chair, on the tasks and responsibilities of the secretariat which resulted in a lack of trust and a problematic communication.

By the end of the week it was said that a compromise was found on some general principles to amongst other things better separate the financing and ownership of the secretariat. Additional work on the details needs to be done by a working group so that the GAC can find an agreement during the session in Prague (June 2012).

New gTLDs

Defensive applications / second round.

Several GAC members, including the EC, are concerned that a large number of parties will apply for a new gTLD string because they see it as the only way to protect name. ICANN was urged to create clarity about whether and if so, when a second application round would follow after the current one. GAC members believed that the announcement of a second round would decrease the need for defensive applications.

It was also remarked that if there comes a second round, ICANN should clearly define when the first round ends.

Root zone scaling.

GAC members regretted that the root zone scaling report was still not published and reminded that there was a clear commitment from the Board to publish the report before the launch. Suzanne Woolf confirmed during the Board/GAC meeting that the GAC would receive the draft report one week after the ICANN Costa Rica meeting. The EU representative requested to receive the report with the supporting data in order to be able to repeat the assessment.

Batching.

The GAC warned already at the Dakar meeting that it would not be able to process more than 500 applications during the 60 day early warning period. There are still many unanswered questions about the timing and how ICANN will divide the applications into batches. The GAC members asked a clear confirmation that in case there are multiple batches, no new batch would be started before the end of the 60 day early warning period of the previous batch.

Applicant support fund.

GAC members regretted that there was still too much uncertainty about the Applicant support fund. It was stressed that since applications have to be submitted before the end of the month applicants from developing countries no longer can wait on this information.

Early warning process.

ICANN will not translate the IDN strings into other languages. The GAC warned that this would influence the speed with which the GAC can process non Latin strings. GAC members also asked if the information of the criminal background check ICANN will perform would be available for GAC members during the early warning period.

Cross ownership.

The European Commission reminded ICANN that competition authorities remain to have the right at any point in time to intervene if necessary. The Commission representative also remarked that the EC sent letters on this issue to ICANN while the slides presented by the ICANN staff seemed to suggest that

ICANN took the initiative to engage Competition authorities in the debate. The EC also found it very disappointing that ICANN again had sent a reply to the Commission within 24h before the discussion.

Trademark clearing house.

ICANN staff was asked to set the date for the launch of the trademark clearing house and the importance of the communications plan to raise awareness was underlined.

Protection of 'Red Cross / Red Crescent' and the 'International Olympic Committee'

Background:

In September 2011 the GAC sent a proposal to the GNSO to protect the International Olympic Committee and Red Cross/Red Crescent Names in New gTLDs. The detailed proposal can be found at <https://gacweb.icann.org/download/attachments/1540128/GAC+advice+on+IOC+and+Red+Cross+Sep.+2011.pdf> (see the discussion in the GNSO Council on Wednesday for further details)

Mid December 2011 ICANN received an open letter from Intergovernmental organisations (IGOs) which requested a similar protection against the misleading use of the names and acronyms of International Intergovernmental organisations in the DNS. The open letter can be found at <http://www.icann.org/en/correspondence/igo-counsels-to-beckstrom-crocker-pritz-04jan12-en.pdf> .

ICANN clarified that it was not possible to create a reserved names list for names and acronyms of IGOs and requested the GAC and GNSO to provide advice. (letter ICANN to IGO Counsels <http://www.icann.org/en/news/correspondence/beckstrom-to-igo-counsels-11mar12-en.pdf>, letter ICANN to GAC and GNSO <http://www.icann.org/en/news/correspondence/crocker-beckstrom-to-dryden-van-gelder-11mar12-en.pdf>)

GAC members such as Portugal and Italy argued that many other organisations should be eligible for protection similar to the protection of the IOC/Red Cross. The United States representative reminded her colleagues that during the discussion of the IOC/Red Cross proposal there was a clear consensus within the GAC that only those two organisations would be protected and that the protection of IOC/Red Cross would not open the door for the protection of other IGOs. The rationale behind this decision was that only the IOC and the International Red Cross have to levels of protection, i.e. protection by a Treaty and a protection at the national level.

The GAC Chair concluded that there was need to clarify why the GAC decided that additional protection for IOC and Red Cross was needed and she noted that there was no consensus within the GAC for the protection of other IGO names.

Staff changes to GAC advice

Background:

The text of the Applicant guidebook regarding sensitive strings was changed by the ICANN Staff.

The GAC was indignant about the changes since this text was part of a formal GAC advice. By matter of principle the GAC found it unacceptable that its advice was changed without consultation beforehand nor information why the changes were necessary.

Moreover the GAC was of the opinion that the changes weakened its role since the new text seemed to make it easier for ICANN to reject a negative advice against a certain string.

During the Board/GAC meeting the ICANN board agreed that the changes to the text would be deleted and confirmed that the Board ignores GAC advice regarding the new gTLD strings, the normal procedure as defined in the Bylaws would be applicable.

End user protection

The ALAC/GAC session ALAC demanded that ICANN should do more for end user protection, proposed to widen the mission of ICANN's compliance department and suggested the creation of a single point of contact for serious problems with domain names.

The EC firmly replied that widening the scope of ICANN's activities and the creation of new services can only be allowed after ICANN is performing well in its current tasks.

Conflict of Interest

In Dakar the ICANN Board made the commitment to come up with a new proposal for its Conflict of Interest policy by the end of March 2012. The publication of the proposal was now delayed to Prague. During the meeting with the Board GAC representatives insisted that the highest priority was given to the COI policy and asked ICANN to report on progress and time schedule in between Costa Rica and Prague.

Whois review team

The GAC welcomed the conclusions and recommendations by the Whois review team.

(<http://costarica43.icann.org/meetings/sanjose2012/presentation-whois-rt-draft-final-report-12mar12-en.pdf>)

The US stated that the requirements for data accuracy in the current RAA are very low and that there is a need for compulsory rules for proxy services and a definition of the liability of the registrar providing the proxy service.

The EC described ICANN's compliance service as understaffed and working reactive and urged ICANN to work better.

The Chinese representative informed about the successful active approach of CNNIC, the .cn registry, which resulted in an increase of the Whois accuracy from 40% to 99% since 2009.

LEAs and RAA negotiations

The ICANN Board was severely criticized by the GAC for performing badly on compliance.

The US pointed at some loopholes in the current RAA and demanded tighter contracts. The Australian representative suggested the creation of an independent structure to host the compliance department.

Rod Beckstrom listed all the changes he made since his arrival and concluded that ICANN was on a good trajectory. He argued that with all the ongoing changes it was not the right time to change the compliance function.

Although slightly disappointed that the RAA negotiations didn't yet deliver a text which includes all the LEA recommendations, several GAC representatives were very positive on the progress reported by ICANN.

High Level Meeting

What was foreseen in the planning as a 5 minute update to announce that a working group would start liaising with the Czech government to plan a High Level meeting before the ICANN meeting in Prague ended up being a long discussion between GAC members on the need of such a meeting.

The EC representative called the proposed topics and agenda items too technical and detailed for the highest political level and he added that the current proposal was not enough to have Commissioner Kroes coming. The US representative, a strong supporter of the meeting, already confirmed the attendance of Assistant Secretary Strickling.

To be continued...