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Protection of IGO-INGO Identifiers in All gTLDs PDP

Resolution of the ICANN Board

Topic:

Protection of IGO-INGO Identifiers

Summary:

Board acknowledges receipt of the GNSO Council's unanimous recommendations on the Protection of IGO-INGO Identifiers in All gTLDs and requests additional time to consider the recommendations so that it may take into account advice from the GAC addressing the same topic.

Category:

gTLDs

Meeting Date:

Fri, 7 Feb 2014

Resolution Number:

2014.02.07.05 - 2014.02.07.06

URL for Resolution:

http://www.icann.org/en/groups/board/documents/resolutions-07feb14-en.htm#2.a (http://www.icann.org/en/groups/board/documents/resolutions-07feb14-en.htm#2.a)

Resolution Text:

Whereas, on 17 October 2012, the GNSO Council launched a Policy Development Process (PDP) on the Protection of IGO-INGO Identifiers in All gTLDs addressing the questions set forth in the PDP Working Group Charter at http://gnso.icann.org/en/issues/igo-ingo-charter-15nov12-en.pdf [PDF, 189 KB].

Whereas, the PDP followed the prescribed PDP steps as stated in the ICANN Bylaws and the GNSO PDP Manual, and resulted in a Final Report delivered to the GNSO Council on 10 November 2013.

Whereas, the Protection of IGO-INGO Identifiers in All gTLDs Working Group (IGO-INGO WG) reached consensus on twenty-five recommendations in relation to the issues outlined in its Charter.

Whereas, the GNSO Council reviewed, and discussed the recommendations of the IGO-INGO WG, and adopted the WG's consensus recommendations by a unanimous vote at its meeting on 20 November 2013 (see http://gnso.icann.org/en/council/resolutions#20131120-2).

Whereas after the GNSO Council vote, a public comment period was held on the approved recommendations, and the comments received have been summarized and published (http://www.icann.org/en/news/public-comment/igo-ingo-recommendations-27n... (http://www.icann.org/en/news/public-comment/igo-ingo-recommendations-27nov13-en.htm)).

Whereas, the GAC advised the ICANN Board in the Buenos Aires Communiqué that it remained committed to continuing the dialogue with the NGPC on finalizing the modalities for permanent protection of IGO acronyms at the second level, and the NGPC is actively working on the issue.

Resolved (2014.02.07.05), the Board acknowledges receipt of the GNSO Council's unanimous recommendations on the Protection of IGO-INGO Identifiers in All gTLDs as set forth in the IGO-INGO WG's Final Report (see http://gnso.icann.org/en/issues/igo-ingo-final-10nov13-en.pdf [PDF, 644 KB]), and requests additional time to consider the recommendations so that it may take into account advice from the GAC addressing the same topic.

Resolved (2014.02.07.06), the Board directs the ICANN Board New gTLD Program Committee to: (1) consider the policy recommendations from the GNSO as it continues to actively develop an approach to respond to the GAC advice on protections for IGOs; and (2) develop a comprehensive proposal to address the GAC advice and the GNSO policy recommendations for consideration by the Board at a subsequent meeting.

Rationale for Resolution:

In response to the GAC advice on protecting the identifiers of the RCRC, IOC and IGOs in the New gTLD Program, the Board tasked the GNSO with developing policy in response to the GAC advice. In its deliberations, the GNSO Council determined that a Policy Development Process (PDP) was required to resolve the issue as to special protections of strings at the top and second levels for international organizations. In October 2012, the GNSO Council approved the initiation of a PDP on this issue. The PDP Working Group published its Initial Report for public comment on 14 June 2013, followed by its Final Report on 10 November 2013. The Final Report included over twenty consensus recommendations from the WG and Minority Statements from the RCRC, IGO and INGO representatives who participated in the WG, the GNSO's Non-Commercial Stakeholder Group and ICANN's At Large Advisory Committee. All the WG's consensus recommendations were approved unanimously by the GNSO Council.

Following the closing of the public comment period on these recommendations and adoption by the GNSO Council of a Recommendations Report to the ICANN Board, the next step as outlined in Annex A of the ICANN Bylaws is consideration by the ICANN Board of the GNSO recommendations. The Bylaws require the Board to "meet to discuss" the GNSO policy recommendations "as soon as feasible, but preferably not later than the second meeting after receipt of the Board Report from the Staff Manager.

In addition, Article XI, Section 2.1 of the ICANN Bylaws permits the GAC to "put issues to the Board directly, either by way of comment or prior advice, or by way of specifically recommending action or new policy development or revision to existing policies." The GAC issued advice to the Board on the New gTLD Program through its Beijing Communiqué dated 11 April 2013, its Durban Communiqué dated 18 July 2013, and its Buenos Aires Communiqué dated 20 November 2013. The ICANN Bylaws require the Board to take into account the GAC's advice on public policy matters in the formulation and adoption of the polices. If the Board decides to take an action that is not consistent with the GAC advice, it must inform the GAC and state the reasons why it decided not to follow the advice. The Board and the GAC will then try in good faith to find a mutually acceptable solution. If no solution can be found, the Board will state in its final decision why the GAC advice was not followed.