

GNSO Liaison Report 2009

GNSO Liaison Report November 2009

A significant part of GNSO focus leading up to Seoul was associated with the new GNSO structure which officially took effect on Wednesday, October 28, 2009 at the one formal GNSO meeting in Seoul. New Bylaws and operating procedures have been put in place. In both cases, the changes were those necessary for the GNSO Council to function, and the process of completing these procedures (and potentially the Bylaws) continues. Minimal changes were made to the PDP procedures, to factor in the new Council voting structure. The major work of overhauling the entire PDP process is ongoing. The current target of the team developing the PDP procedures is to have a report ready for the end of April - a very aggressive schedule.

During the Seoul meeting, the GNSO Council elected its new Chair, Chuck Gomes, and two Vice Chairs (one from each House), Olga Cavalli and Stephane Van Gelder.

Pointers to the agenda, transcript, MP3s and reports can be found at <http://gns0.icann.org/calendar/index.html#oct> as 28 October. Of particular interest may be the report on WHOIS studies and a report on the WHOIS technical improvements study.

A major output of the Seoul meeting was the creation of the GNSO Special Trademark Issues (STI) Review Team to address a request from the Board for a GNSO consensus on how to implement a Trademark Clearinghouse and Uniform Rapid Suspension service for new gTLDs. The Board requested a formal reply from the GNSO by December 14, 2009. At-Large is represented on the STI-RT by Alan Greenberg with Olivier Crepin-Leblond as Alternate. The STI-RT held one meeting on Thursday in Seoul and has held six teleconferences in the three weeks since Seoul (three for the Clearinghouse and three for the URS). Our target is to report back to the GNSO Council by December 7 (or possibly 2 days later) allowing the GNSO to approve or reject the RT report at its December 17 meeting. We have been told that this slippage of three days in meeting the Board deadline will be acceptable. The RT is not convinced that it will have complete consensus by that time, and it is possible that if good progress is being made, we will request a month extension and have a face-to-face meeting in early January to come to complete closure.

The positions of At-Large that have been presented have been agreed to by the At-large Name-Issues working group.

To date, we have made far more progress than as originally expected. I am expecting that at the conclusion of this week's meetings, we will have draft proposals for both the Clearinghouse and the URS, with relatively clear statements of what has been agreed to by all parties at the table, and where the differences are. Assuming this comes to pass, I will distribute those documents to give a head-start to the approval (or not) that will be needed in time for the December 17 meeting.

The most recent GNSO Council meeting was held on November 23. The agenda and MP3 (and eventually the minutes) can be found at <http://gns0.icann.org/calendar/index.html#nov>. There was little policy work at this meeting, with much of the focus being on process associated with the new Council (revision of operating procedures, determining coming teleconference dates and times and reports on various policy and administrative issues (including the STI-RT)).

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- Ajouté par [Alac Temp](#), modifié par [Cheryl Landon-Orr](#) le mai 24, 2011 ([afficher les modifications](#))

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The latest GNSO meeting was held on Thursday, January 8. The full agenda can be found at <http://gns0.icann.org/meetings/agenda-08jan09.shtml> and the MP3 recording is at <http://audio.icann.org/gns0/gns0-council-20090108.mp3>.

There were a number of issues discussed of particular interest to the ALAC and At-Large.

GNSO Chair Change Test - CLO

The GNSO Chair is elected annually. Since the process by which a chair is elected will change with the new GNSO structure scheduled to take effect in June, the current election is for a period of January until the restructuring takes effect (but in no case longer than one year). Avri Doria was re-elected to the position.

RAA Amendments

There were two motions on the table. The first to approve the existing package of proposed amendments. To be treated as a consensus policy as defined in the current RAA, the Council needed a super-majority (66%) vote for the motion. The second, assuming the first passed, was to set in motion a process by which further amendments could be considered, and would explicitly consider the full set of proposals into this round (including those made by the ALAC).

The discussion was started with a briefing by ICANN staff on the process under which the RAA amendments would be implemented, assuming approval by the GNSO. The process was described as including the following steps.

- Public comment period
- Board approval
- New RAA would go into force for registrars as they renew their contracts (thus stretched out over a 5 year period).
- There is a provision that registrars could volunteer to adopt the new RAA prior to contract expiry.

The five-year implementation caught me completely by surprise (having attentively sat through 3 previous briefings). It was explained that this revision was under section 5.4 of the RAA which allows new versions to be implemented at contract expiry time. It was confirmed that the RAA does allow for immediate amendment, but only for limited topics explicitly stated in the RAA.

I must admit that the rationale presented is reasonable. But I cannot understand why the previous briefings, including the ALAC one, not only didn't make this clear, but seemed, on a cursory level, to say something quite opposite.

Irregardless of this, the motion failed to attain the 66% needed. The final (weighted) vote was 14 for, 9 against and 4 abstentions. It is not at all clear what the next steps are for wither ICANN as a whole, or for the GNSO.

New gTLDs Implementation

A motion was on the table to allow the 4-month communications period to overlap with the review of the final draft, effectively decreasing the total time before applications can be received. This was driven by the belief that the 4-month period was excessive, coupled with the delays that have occurred over the last months. The motion passed.

The discussion, however, did include at least some feelings that (in light of comments including those from the NTIA) the process is going too fast.

Despite the formal deadline, the GNSO has not taken any formal action regarding commenting on the gTLD implementation plans.

There was a discussion on how certain aspects of the implementation plans could be differing from the policy recommended by the GNSO and approved by the Board. The short answer is that the current plan is just a draft and is not yet finalized, so it doesn't really count. But a real issue is under what circumstances can things change, either as a matter of policy, or due to inability to implement.

One example of the differences is whether 1 and 2 character IDN names should be allowed. Geographic names is another one.

A meeting is being scheduled for Thursday, Jan. 15 at 16:00 UTC to discuss how the GNSO will address differences between the approved policy and the implementation plan. Staff has also been requested to identify places where they know such changes have been made. The meeting is open to observers.

ccTLD Fast Track

A motion was passed (18 for, 5 against) stating:

- The GNSO Council strongly believes that neither the New gTLD or ccTLD fast track process should result in IDN TLDs in the root before the other unless both the GNSO and ccNSO so agree
- fast track IDN ccTLDs should not be entered into the root if they do not have an enforceable commitment to do the following:
 1. follow security and stability requirements such as those contained in gTLD Registry contracts, IDN Guidelines and IDN standards;
 2. pay ICANN fees sufficient to ensure that IDN ccTLDs are fully self-funding and are not cross-subsidized by other ICANN activities.

Travel Policy

The GNSO has been given deadlines for identifying who will be receiving travel funding for Mexico City (Jan 22) and all details finalized (Jan 28). Earlier dates were mentioned in an unofficial memo, but these are the "official" ones. These dates are problematic because of the ways that travel funds are distributed among the GNSO constituencies. One change from Cairo is that ICANN will allow travel support for a person to be divide over 2 people (air and hotel/per diem).

A follow-on e-mail from Kevin Wilson says that "If the hotel provides ... in room Internet without additional charges, the per diem will be adjusted down for those items." This implies that the intent is that ICANN is funding in-room Internet. Presumably the same rule will be used for ALAC.

A very strong statement was made that ICANN should stop wasting Councilors volunteer time, and just allocate a flat amount of money per constituency and stop these difficult to implement rules. It was widely supported. A reply from Doug Brent was that fiscal guidelines do not allow allocating money to entities (GNSO and Constituencies) that ICANN has no fiduciary control over).

Board input on GNSO changes and Users

Board request for input from the GNSO and ALAC on "registrants" and "users" on the GNSO by Jan. 24. The chair indicated that nothing had been done as yet, and that perhaps an extension would be requested.

Report of the GNSO meeting of Dec 18 is still pending and will be posted here shortly.