

# GNSO Liaison Report - 09.09.08

The latest GNSO meeting was held on Thursday, Sept.4. The full agenda can be found at <http://gns0.icann.org/meetings/agenda-04sep08.shtml> and the MP3 recording is at <http://audio.icann.org/gns0/gns0-council-20080904.mp3>.

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

## Review of Board actions

In addition to approving the majority of the GNSO restructuring as recommended by the working group in July (to be discussed later), the Board approved the appointment of Tricia Drakes as the Chair of the 2009 Nominating Committee and also approved for community comment changes to the By-Laws related to the regional diversity of Board members. In particular, the requirement to take citizenship where residency might be more appropriate, and issues related to candidates who held citizenship in more than one country.

## Fast-Flux PDP WG

The work has somewhat gotten off track, but a report may still be ready in time for Cairo. In particular, the WG charter required the WG to answer a number of specific questions (see <http://gns0.icann.org/announcements/announcement-30may08.htm>) some of which the WG has been struggling with.

## Inter-Registrar Transfer Policy (IRTP)

The overall IRTP was broken up into a series of PDPs to keep the work manageable and allow some level of overlapped work (see <http://gns0.icann.org/issues/transfers/transfer-issues-report-set-a-23may08.pdf>). The IRTP-Part-A WG looking at a number of previously unconsidered issues (section 1.3 of the issues report). The WG has started is almost ready to request Constituency Statements. **The ALAC can contribute if it wishes.** The specific topics are:

1. Whether there could be a way for registrars to make Registrant Email Address data available to one another. Currently there is no way of automating approval from the Registrant, as the Registrant Email Address is not a required field in the Whois. This slows down and/or complicates the process for registrants, especially since the Registrant can overrule the Admin Contact.
2. Whether there is need for other options for electronic authentication (e.g., security token in FOA) due to security concerns on use of email addresses (potential for hacking or spoofing).
3. Whether the policy should incorporate provisions for handling "partial bulk transfers" between registrars – that is, transfers involving a number of names but not the entire group of names held by the losing registrar.

## New gTLDs

Work is progressing on the implementation of the new gTLD approval process. Among the issues mentioned were:

- The draft RFP is due out in the last quarter of the year.
- The use of auctions to decide on who gets a specific gTLD is there are more than one submissions requesting it and the parties cannot come to an agreement among themselves. There has been some At-large discussion about this and some comments were made. **If the auction process is approved, ALAC should seriously consider making a case for how the resultant funds should be used.**
- An algorithm has been developed as the first stage at determining whether a proposed gTLD is "confusingly similar" with an existing gTLD or with another proposed gTLD. The second stage will always be appropriately selected humans. The algorithm will be available to prospective applicants to check their name against the current gTLDs.
- It was intended that ICANN would certify registry back-end operators to allow applicants to pick one and not be bound to the large registry operators or to developing their own capability. This will not be done for the first round based on lack of clarity of the benefits and risks, and ICANN staff availability.

## IDN Fast-track

A Request for Information will be issued to get a more concrete measure of which and how many countries will likely be applying.

## US DOC Letter to ICANN regarding the RAA

The rather blunt letter from the DOC was raised (<http://forum.icann.org/lists/raa-consultation/pdfJeV1779p8r.pdf>). No substantive comments were made by ICANN staff.

## Add Grace Period (AGP)

Work continues of the draft Consensus Policy. The definition of "extraordinary circumstances" and "occurring regularly" are being discussed. A draft is expected to be posted soon, and well in advance of the Cairo meeting. Neustar has given ICANN the authority to release data in advance of their normal reporting requirement) that the first month's experience is holding with the number of AGP deletes miniscule compared to before the change. Afilias has still not put the change into production. ICANN has received the reports from registries on the impact of the budget change (20 cents per domain), but it cannot be released until November 1 (and so should be available by Cairo).

## GNSO Voting

The Board recently approved a By-Law change which allows the GNSO to use electronic voting to poll Council members who are not at a meeting on policy-related or other substantive votes. The By-Law allows a number of electronic methods. Council decided to go with a simple e-mail based method, at least for the moment.

## Whois Hypothesis Study Group

As a next step, some parties (including the GAC) have requested additional studies prior to further addressing Whois issues. IT was decided that in the interest of clarity, each study should have a testable hypothesis associated with it. A study group was convened and has now delivered its product - <http://gnso.icann.org/issues/whois/whois-study-hypothesis-group-report-to-council-26aug08.pdf>. Council. **Comments are solicited from all bodies including (explicitly) the ALAC for preliminary comments in time for discussion at the September 25 Council meeting and initial decision on how to proceed at the October 16 Council meeting.**

## **Discussion on GNSO Response concerning ICANN Geographic Regions**

The GNSO Council was asked **(as was the ALAC - target was a staff report summarizing statements by early September)** to submit comments on the ccNOS proposal recommending that the ICANN Board appoint a community-wide working group to review the structure of ICANN's present Geographic Regions and related issues. A reply strongly endorsing the initiative and providing principles to be followed was created and had now been approved by the GNSO Council - <http://gnso.icann.org/drafts/icann-geographic-regions-26aug08.pdf>.

## **GNSO Restructuring**

The Board endorsed the general structure proposed by the WG. The Board decided that the Commercial and Non-commercial Stakeholders Groups would each have six councilors plus a NomCom appointee. The intent is that the new structure be in effect by January 1, 2009. The Board explicitly solicits proposals for new Constituencies during this transition period.

I noted that the Board motion explicitly says that constituencies "demonstrate compliance with the principles of representativeness, openness, transparency and fairness set forth in the ICANN Bylaws", but NO mention of these same principles with respect to Stakeholders groups. **I believe that the ALAC should strongly point this out to the Board that a similar requirement is essential with regard to the new By-Laws relating to Stakeholder Groups in time for its September 30 Board meeting.**

## **Travel Policy**

The GNSO approved a list of Councilors to be funded for Cairo. It was a close vote (8 yes, 6 no, 1 abstention). The ICANN travel funds were augmented by an old DNSO contributed budget. The issue of "need" and potentially privacy resulted in a lively discussion, as did the question of whether councilors receiving funds should vote.

## **ALAC Review (with Tricia Drakes)**

The focus of the discussion was the Report's Recommendation 12 on the how to distinguish between a group that should be an ALS and one that should join NCUC. I commented that it is not clear that their needs to be an either/or based on the specific interests of the group (ie focus on gTLD policies or advice on ICANN-wide issues). Tricia agreed that this may well be the case. There was another comment that the question was perhaps no longer directly applicable due to GNSO Council restructuring. I was asked to reiterate the ALAC position on its own involvement in the new GNSO. It was pointed out that if users have an AC and could participate in the GNSO, perhaps other constituencies would want an AC of their own.

A comment was also made that just as Constituencies will need to verify their openness and representativeness, so should the ALAC.