**Policy Update** 

### **Internet Corporation for Assigned Names and Numbers**

http://www.icann.org/topics/policy/

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The ICANN Policy Update contains brief summaries of issues being addressed by the ICANN community's bottom-up policy development structure, as well as information on related policy development activities. ICANN's Policy Staff publishes these monthly updates to maximize transparency and encourage broad community participation in ICANN's policy development activities.

Links to additional information are included and readers are encouraged to go beyond these brief summaries to learn more about the ICANN community's work. As always, the Policy Staff welcomes comments and suggestions on how to improve its policy communications efforts. Please send these comments to policy-staff@icann.org.

### ICANN Policy Update Available in Russian, Chinese, Arabic, French, Spanish, English

The ICANN Policy Update is available in all six official languages of the United Nations: English (EN), Spanish (ES), French (FR), Arabic (AR), Chinese (Simplified -- siZH), and Russian (RU). The Policy Update is posted on ICANN's website and available via online subscription. If you would like us to send these updates directly to your inbox each month, simply go to the ICANN subscriptions page, enter your e-mail address, and select "Policy Update" to subscribe. This service is free of charge to subscribers. More information is available at:

- ICANN Policy Updates: <a href="http://www.icann.org/en/topics/policy/">http://www.icann.org/en/topics/policy/</a>
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• ICANN Policy Area: <a href="http://www.icann.org/en/policy/">http://www.icann.org/en/policy/</a>

### What's on the Calendar for today?

Keep up-to-date on what's happening in ICANN policy development by visiting the online calendars of ICANN's policy development bodies. Three of the most active calendars include:

- At-Large Calendar at <a href="http://www.atlarge.icann.org/">http://www.atlarge.icann.org/</a>
- Country Code Names Supporting Organization (ccNSO) Master Calendar, including links to agendas and MP3 recordings of meetings at <a href="http://ccnso.icann.org/calendar/">http://ccnso.icann.org/calendar/</a>
- Generic Names Supporting Organization (GNSO) Master Calendar, including links to agendas and MP3 recordings of meetings, at http://gnso.icann.org/calendar/index.html

### 1. YOUR INPUT NEEDED ON POLICY-RELATED ISSUES

As of this writing, public comment periods are open on two issues of interest to the ICANN community. Act now for the opportunity to share your views on:

- IRTP Part A PDP Initial Report The Inter-Registrar Transfer Policy (IRTP)
  Part A PDP Working Group seeks public comments on its Initial Report. The
  report addresses three 'new' IRTP issues: (1) the potential need for exchange
  of registrant email information between registrars, (2) the potential need for
  including new forms of electronic authentication to verify transfer requests
  and avoid 'spoofing', and (3) to consider whether the IRTP should include
  provisions for 'partial bulk transfers' between registrars. Comment period
  closes 30 January 2009.
- Proposed .AERO <u>Sponsorship Agreement</u> ICANN seeks comment on a TLD sponsorship agreement, shifting the agreement from Societe Internationale de Telecommunications Aeronautiques (SITA SC) to its wholly owned subsidiary, SITA Information Networking Computing USA. Under the terms of the agreement, SITA USA would operate the .AERO TLD for a tenyear period. <u>Comment period closes 19 January 2009</u>.

# 2. DISTANCE LEARNING...AUDIO POLICY BRIEFINGS ON MANY TOPICS NOW AVAILABLE

### At a Glance

ICANN's Policy Department offers a series of <u>multilingual webcasts</u> specifically designed as a fast, efficient introduction for stakeholders across the ICANN community to a range of important policy issues.

### **Recent Developments**

ICANN Staff regularly organizes audio briefings on topical policy issues. These briefings focus on issues of interest to both the individual Internet user as well as the ICANN stakeholder communities. Each webcast features a briefing on the issue conducted via telephone and can be accessed on ICANN's website by anyone interested in learning about the topic. Briefings generally feature simultaneous interpretation so users may participate in English, Spanish or French, and recordings are available in all three languages, along with any presentation materials from the briefings.

### **More Information**

- Available briefings:
  - Fast Flux Hosting
  - o The New gTLD Program
  - o Draft Amendments to the Registrar Accreditation Agreement (RAA)
  - o Registrar Impersonation in Phishing Attacks
  - o DNS Response Modification
  - o IANA Introduction

### **Staff Contact**

Matthias Langenegger, At-Large Secretariat.

### 3. E-Crime Workshop Planned for Mexico City

#### At a Glance

An E-crimes Workshop is being organized for ICANN's March Mexico City meeting.

### **Recent Developments**

ICANN Staff is working with community members to organize a public E-crime Workshop at the ICANN Meeting in Mexico City in March.

This workshop will build upon the short "E-crimes Briefing and Q&A" held at the ICANN Cairo meeting in October. The Workshop will feature briefings by experts on Internet-based crime, case studies on global criminal attacks, information on abuse response, and discussions of the Internet communities' concerns and priorities.

### **More Information**

Check the Mexico City meeting schedule in the near future for more information.

### **Staff Contact**

Denise Michel, Vice President, Policy Development

# 4. GNSO IMPROVEMENTS IMPLEMENTATION EFFORTS KICKING IN TO GEAR

### At a Glance

The GNSO community is working to implement a series of organizational and structural changes designed to improve the efficiency, effectiveness and accessibility of the organization. Interested community members are encouraged to offer their expertise and brainpower by volunteering to participate in the effort.

### **Recent Developments**

Progress is being made in overall implementation coordination, and planning for transition to the newly structured GNSO Council, and discussions are continuing on constituency and stakeholder group formation efforts. The GNSO Council is using a new Operations Steering Committee (OSC) and a new Policy Process Steering Committee (PPSC) to manage these efforts. The Council recently called for volunteers to participate in five Work Teams to tackle specific work items.

### **Next Steps**

As directed by the ICANN Board, implementation of and the transition to a newly structured GNSO Council will follow its own specific timetable. The Board expects a new Council to be seated at the June 2009 ICANN Asia Meeting. The current GNSO Council is discussing the transition and prepared a report outlining the issues, timetables and possible approaches to an efficient transition to the newly structured GNSO Council and this work is ongoing.

There are five primary ways that interested individuals can participate in the GNSO Improvements effort:

- 1. Participate in starting/building/launching a new GNSO Constituency;
- 2. If you're involved in a current GNSO Constituency, each constituency will be reconfirming its charter with the ICANN Board;
- 3. Help to establish new Stakeholder Groups;
- Participate in one of five new GNSO Improvements Work Teams being formed; and
- 5. Provide input as various GNSO Improvement-related proposals are posted for public comment.

### Starting/Building/Launching New GNSO Constituency

A two-step process, including templates, for establishing a new constituency has been developed by Staff and is available on the GNSO Improvements webpage. Staff has received several inquiries recently from individuals and groups interested in forming new GNSO constituencies. Below are just two of the community activities that are still in the early stages of formation:

- Members of the At-Large community are engaged in discussions on how to
  potentially create additional non-commercial oriented constituencies that
  would enable the voice of individual Internet users to be represented in a way
  that is not duplicative of the At-Large Advisory Committee (ALAC). Email AtLarge Staff for more information and contacts.
- A group tentatively named the Cybersafety Constituency submitted a "Notice of Intent To Form A New GNSO Constituency" (NOIF) to ICANN. To date the group has not yet filed a formal petition/charter for Board recognition.

All "Notice of Intent" forms received will be posted and linked on the <u>GNSO</u> <u>Improvements web page</u>.

### **Reconfirming Current Constituencies**

The ICANN Board has requested that all of the existing GNSO constituencies submit their charters for re-confirmation in time for its 3 February meeting. Staff has published guidelines that constituencies can follow in completing this task. Contact your Constituency's Chair or Secretariat for more information on your Constituency's efforts.

### Creating New Stakeholder Groups

Some members of existing GNSO constituencies and prospective new constituencies have been discussing the formation of the four over-arching Stakeholder Groups and how to fulfill the Board's expectation that they submit new petitions/charters in late February for consideration during its March 2009 meeting. Staff has developed a Stakeholder Group template and additional information to assist in this effort. If you are unfamiliar with the GNSO's new structure and organization, including the role of Stakeholder Groups, please see the discussion and diagrams on the GNSO Improvements webpage.

One of the central issues in forming the NonCommercial Stakeholders Group, in particular, has been the appropriate role of individual Internet Users within the GNSO. At the direction of the ICANN Board, the Staff opened a 30-day public consultation forum in late October, asking interested community members to provide comments on this topic. Commenters were asked to consider addressing the inclusion of registrants and individual users in the GNSO in a manner that complements the ALAC and its supporting structures and ensures that the gTLD interests of registrants and individual Internet users are effectively represented within the GNSO. ICANN Staff published a report summarizing and analyzing the various comments submitted in the forum. In its latest 11 December 2008 resolution, the Board requested a specific community recommendation on this matter that is due no later than 24 January 2009 for Board consideration. Among the involved parties in the formation of this recommendation will be the ALAC, prospective new constituencies, the NCUC, and the Policy Staff.

### Joining GNSO Work Teams

The GNSO is creating five special Work Teams to develop specific proposals, processes and mechanisms for implementing the ICANN Board's GNSO Improvement Recommendations in the following five areas:

- \* A new and improved Policy Development Process (PDP)
- \* A standardized Working Group model for GNSO policy development
- \* GNSO Council operations
- \* Stakeholder group and constituency processes and operations; and
- \* Efforts to improve the various communications functions in the GNSO community that will lead to broader and more effective participation in all policy development activities.

These Teams are open to all ICANN stakeholders, providing an opportunity for broad sharing of insights and expertise. Volunteers should send a message to gnso.secretariat@icann.org indicating which Work Team you want to join. Please include in the message your name, affiliation (constituency or individual), company/organization, position/title, email address, time zone, telephone numbers, and describe your specific interest (professional and/or personal) in joining the team. All personal information will be kept confidential.

ICANN Policy Staff, in cooperation with the GNSO Council, recently concluded its community survey effort. The survey sought constituency member feedback on a number of GNSO Improvement recommendations: developing a standardized "toolkit" of services; creating a centralized membership registry or database; providing knowledge/skill training for GNSO leaders and members; and generating recruitment/outreach programs associated with growth and expansion. Survey results are being provided to constituencies and GNSO improvements working teams

### Comment on GNSO Improvement Efforts

As the efforts noted above move forward, public comments will be strongly encouraged and notices will be posted on ICANN's <u>public comment page</u>.

### Background

Click here for more details.

### **More Information:**

- GNSO Improvements Information Web Page: <a href="http://gnso.icann.org/en/improvements/">http://gnso.icann.org/en/improvements/</a>
- Request for Community Input on Individual Internet Users' in the GNSO (25 October 2008): <a href="http://www.icann.org/en/reviews/gnso/individual-users-role-25oct08-en.htm">http://www.icann.org/en/reviews/gnso/individual-users-role-25oct08-en.htm</a>.
- BGC WG GNSO Improvements Report (3 February 2008): <a href="http://www.icann.org/topics/gnso-improvements/gnso-improvements-report-03feb08.pdf">http://www.icann.org/topics/gnso-improvements/gnso-improvements-report-03feb08.pdf</a>
- Report To ICANN Board From Working Group on GNSO Council Restructuring (WG-GCR Report), 25 July 2008: <a href="http://www.icann.org/en/topics/gnso-improvements/gnso-council-restructuring-report-25jul08.pdf">http://www.icann.org/en/topics/gnso-improvements/gnso-council-restructuring-report-25jul08.pdf</a>
- Minutes of the Special Meeting of the ICANN Board of Directors, 28 August 2008: http://www.icann.org/en/minutes/minutes-28aug08.htm
- Preliminary Report, Resolutions of Special Board Meeting, 1 October 2008: <a href="http://www.icann.org/en/minutes/prelim-report-01oct08.htm">http://www.icann.org/en/minutes/prelim-report-01oct08.htm</a>
- Preliminary Report, Resolutions of Special Board Meeting, 11 December 2008: <a href="http://www.icann.org/en/minutes/prelim-report-11dec08.htm">http://www.icann.org/en/minutes/prelim-report-11dec08.htm</a>
- ICANN Web Page Announcement, GNSO IMPROVEMENTS
   IMPLEMENTATION How You Can Become Involved, 8 January 2009:
   <a href="http://www.icann.org/en/announcements/announcement-08jan09-en.htm">http://www.icann.org/en/announcements/announcement-08jan09-en.htm</a>

- ICANN Web Page Announcement, Help Build the New GNSO http://icann.org/en/announcements/announcement-09jan09-en.htm
- Independent Reviews: <a href="http://www.icann.org/en/reviews/">http://www.icann.org/en/reviews/</a>

### Staff Contact

Robert Hoggarth, Senior Policy Director

### 5. WORKING GROUP TACKLES GEOGRAPHIC REGIONS FRAMEWORK

#### At a Glance

The ICANN Board has authorized the formation of a community-wide working group to review the organization's system of geographic regions to help ensure effective international diversity in ICANN's structures. Interested ICANN Structures have named their participants for this effort.

### **Recent Developments**

The GNSO and ccNSO have appointed representatives to the Community-Wide WG on Geographical Regions: for the GNSO -- Olga Cavalli, Nominating Committee Appointee, GNSO Council, and Zahid Jamil, Commercial and Business Users Constituency (CBUC) Representative, GNSO Council; and for the ccNSO -- David Archbold, .ky, and Fahd Batayneh, .jo. The ALAC representatives are – Cheryl Langdon-Orr (ALAC Chair) and Carlton Samuels (LACRALO Secretariat). The group is expected to hold its first meeting soon.

### **Next Steps**

The Board expects the working group, as its first order of business, to draft and seek community input on a proposed charter, and to submit the draft document for community review. The Board would like to consider and approve the group's charter at the March 2009 Board meeting in Mexico City. In drafting the charter, the Board expects the working group to focus, but not limit, its work on the criteria for assigning countries, dependencies and recognized geopolitical entities to a Geographic Region.

### **Background**

Click here for more details.

#### More Information

- ccNSO Working Group Report and Recommendations: <a href="http://ccnso.icann.org/workinggroups/ccnso-final-report-regions-wg-240907.pdf">http://ccnso.icann.org/workinggroups/ccnso-final-report-regions-wg-240907.pdf</a>
- 2 November 2007 ICANN Board Resolution: http://www.icann.org/en/minutes/resolutions-02nov07.htm
- November 2008 Adopted Board Resolutions Cairo http://www.icann.org/en/minutes/resolutions-07nov08.htm

### **Staff Contact:**

Robert Hoggarth, Senior Policy Director

### 6. DORIA CONFIRMED AS GNSO COUNCIL CHAIR FOR SIX MORE MONTHS

### At a Glance

Avri Doria wins confirmation as GNSO Chair.

### **Recent Developments**

On 8 January 2009, the GNSO Council confirmed the election of Avri Doria. Doria received 24 votes in favor, one vote against, and one abstention. Doria will serve as GNSO Council chair from 1 February 2009 until the newly structured GNSO Council is seated and a new chair is elected.

### **Next Steps**

Call for nominations for GNSO Council vice-chair started on 9 January and close on 23 January 2009. The Council will vote during its meeting on 29 January 2009.

#### More Information:

Click here for more details.

### **Staff Contact:**

Glen de Saint Gery, GNSO Secretariat

### 7. REGISTRATION ABUSE POLICIES EXAMINED BY GNSO

#### At a Glance

The GNSO Council will take a closer look at registration abuse provisions in registry and registrar agreements. Scheduling a public discussion at ICANN's Mexico City meeting in March on this topic is being explored.

### **Recent Developments**

The GNSO Council voted at its meeting on 18 December to form a drafting team to create a proposed charter for a working group to investigate the open issues documented in the issues report on Registrations Abuse Policies. The drafting team was formed and met for the first time on 9 January 2009. They are discussing a charter focused on the various provisions in existing and previous gTLD registry and registry-registrar agreements that relate to contracting parties' ability to take action in response to abuse, and gTLD registration agreements that relate to contracting parties' and/or registrants rights and obligations with respect to abuse. A public discussion on this topic is expected to be scheduled at ICANN's Mexico City meeting in March.

### **Next Steps**

The drafting team is expected to present the proposed charter for a working group to the GNSO Council in time for its meeting on 19 February.

### **Background**

On 25 September 2008, the GNSO Council adopted a motion requesting an issues report on registration abuse provisions in registry-registrar agreements. The objective of the issues report is to identify existing provisions in registry-registrar agreements relating to abuse as well as to identify and describe potential options for further Council consideration. At its meeting on 20

November, the GNSO Council reviewed and discussed the registration abuse policies issues report and decided to vote on whether to initiate a policy development process (PDP) at the following meeting.

### **More Information**

Registration Abuse Policies Issues Report, 29 October 2008: <a href="http://gnso.icann.org/issues/registration-abuse/gnso-issues-report-registration-abuse-policies-29oct08.pdf">http://gnso.icann.org/issues/registration-abuse/gnso-issues-report-registration-abuse-policies-29oct08.pdf</a>

Translations of the Executive Summary of the Issues report: <a href="http://gnso.icann.org/policies/">http://gnso.icann.org/policies/</a>

### **Staff Contacts**

Liz Gasster, Senior Policy Counselor, and Marika Konings, Policy Director

### 8. MAKING IT EASIER TO TRANSFER DOMAINS BETWEEN REGISTRARS

### At a Glance

The Inter-Registrar Transfer Policy (IRTP) aims to provide a straightforward procedure for domain name holders to transfer their names from one ICANN-accredited registrar to another. The GNSO is reviewing and considering revisions to this policy.

### **Recent Developments**

As part of a broader review of this policy, the first in a set of five PDPs is currently ongoing. This first PDP addresses so called 'new IRTP issues' dealing with questions relating to the exchange of registrant e-mail information, the potential for including new forms of electronic authentication and potential provisions for "partial bulk transfers."

New IRTP Issues -- Set A

The Working Group has published its Initial Report and a public comment period has opened that will run until 30 January 2009.

### **Next Steps**

New IRTP Issues -- Set A

Following the review of the public comments and final Constituency statements received, the Working Group will continue its deliberations with the aim of finalizing its report.

### Background

Click here for more details.

#### More Information

- Public comment period: http://www.icann.org/en/announcements/announcement-2-09jan09-en.htm
- Draft Advisory: <a href="http://gnso.icann.org/issues/transfers/gnso-draft-transfer-advisory-14nov07.pdf">http://gnso.icann.org/issues/transfers/gnso-draft-transfer-advisory-14nov07.pdf</a>
- PDP Recommendations: <a href="http://gnso.icann.org/drafts/transfer-wg-recommendations-pdp-groupings-19mar08.pdf">http://gnso.icann.org/drafts/transfer-wg-recommendations-pdp-groupings-19mar08.pdf</a>
- Issues Report, Set A: <a href="http://gnso.icann.org/issues/transfers/transfer-issues-report-set-a-23may08.pdf">http://gnso.icann.org/issues/transfers/transfer-issues-report-set-a-23may08.pdf</a>
- Charter Inter Registrar Transfer Policy -- Part A PDP Working Group: https://st.icann.org/gnso-council/index.cgi?irtp\_pdp\_a\_wg\_charter

### Staff Contact

Marika Konings, Policy Director

# 9. CONSTITUENCIES SHARE VIEWS ON NEED FOR WHOIS STUDIES

#### At a Glance

WHOIS is the data repository containing registered domain names, registrant contacts and other critical information. Questions persist concerning the use and misuse of this important resource. The GNSO Council must decide whether studies of this matter are warranted and, if so, which topics need to be addressed.

### **Recent Developments**

Since Cairo, the GNSO Council has been conducting a series of special meetings to allow constituencies to share points of view on the need for WHOIS studies. A fourth meeting is scheduled for 21 January 2009. Constituencies are in the process of submitting their views, and the Council adopted a method for continuing to move this process forward. Major elements of the Council process include:

- Categorizing, combining and assessing proposals in terms of whether they can be pursued with existing data or whether professional help is required;
- Examining whether certain hypotheses can be tested with a single study;
- Determining whether there is sufficient evidence to substantiate or refute (and thereby eliminate) certain hypotheses;
- Assessing each study's value in affecting future policy;
- Adjusting all for balance; and
- Requesting that the ICANN Staff obtain cost estimates as needed.

On a recent call Council members recognized the need to work quickly and to expedite decision-making, hopefully within another call or two. The Council is also eager to receive further input from the ALAC and GAC on study priorities and the feasibility of various proposals.

### **Next Steps**

At the conclusion of this process, the Council will decide which studies should be conducted. The Council is hoping to vote on specific options for further costing/feasibility at its upcoming 29 January meeting.

### Background

Click here for more details.

### **More Information**

- GNSO WHOIS policy development page http://gnso.icann.org/issues/whois/
- The suggestions for further studies of WHOIS offered by the Government Advisory Committee on 16 April 2008 can be found at: <a href="http://www.icann.org/correspondence/karlins-to-thrush-16apr08.pdf">http://www.icann.org/correspondence/karlins-to-thrush-16apr08.pdf</a>
- WHOIS Study Hypothesis Report, 26 August 2008
   <a href="http://gnso.icann.org/issues/whois/whois-study-hypothesis-group-report-to-council-26aug08.pdf">http://gnso.icann.org/issues/whois/whois-study-hypothesis-group-report-to-council-26aug08.pdf</a>

### Staff Contact

<u>Liz Gasster</u>, Senior Policy Counselor

### 10. HOW DO WE DEAL WITH FAST FLUXING CYBERCRIMINALS?

#### At a Glance

Fast flux hosting refers to techniques used by cybercriminals to evade detection by rapidly modifying IP addresses and/or name servers. The GNSO is exploring appropriate action.

### **Recent Developments**

The GNSO's Fast Flux Working Group has been discussing a draft Initial Report prepared by Staff and will be finalizing it over the next few weeks.

### **Next Steps**

Following publication of the Initial Report, public comments and a second round of constituency statements will be solicited. These comments will be considered in the development of a Final Report.

The Working Group's Final Report will discuss a series of questions about fast fluxing (see background information) and the range of possible answers developed by its members. The Report also will outline potential next steps for Council deliberation. These next steps may include further work items for the Working Group or policy recommendation for constituency and community review and comment, and for Council deliberation.

### Background

Click here for more details.

### **More Information**

- SSAC Report 025 on Fast Flux Hosting, January 2008:
  - English: http://www.icann.org/committees/security/sac025.pdf
  - French: http://www.icann.org/committees/security/sac025-fr.pdf
  - Spanish: http://www.icann.org/committees/security/sac025-es.pdf
- Issues Report on Fast Flux Hosting, corrected 31 March 2008: <a href="http://gnso.icann.org/issues/fast-flux-hosting/gnso-issues-report-fast-flux-25mar08.pdf">http://gnso.icann.org/issues/fast-flux-hosting/gnso-issues-report-fast-flux-25mar08.pdf</a>
- Limited translations of the Issues Report on Fast Flux Hosting available at: <a href="http://gnso.icann.org/issues/">http://gnso.icann.org/issues/</a> (under "Fast Flux")
- 25 June GNSO Council resolution on Fast Flux Hosting http://gnso.icann.org/resolutions/

### **Staff Contacts**

Marika Konings, Policy Director

## 11. ALAC REQUESTS ISSUES REPORT ON EXPIRED DOMAIN NAME RECOVERY

### At a Glance

To what extent should registrants be able to reclaim their domain names after they expire? An Issues report requested by the At-Large Advisory Committee (ALAC) on this topic was submitted to the GNSO Council on 5 December 2008.

### **Recent Developments**

An Issues report requested by the At Large Advisory Committee (ALAC) on this topic was submitted to the GNSO Council on 5 December 2008.

During the ICANN meeting in Cairo, the ALAC voted to request an Issues Report on the subject of registrants being able to recover domain names after their formal expiration date. The ALAC request was submitted to the GNSO Council on 20 November 2008. ICANN Staff prepared the Issues Report on post-expiration domain name recovery and submitted it to the GNSO Council.

### **Next Steps**

ICANN Staff has been tasked to provide the GNSO Council with clarification by 15 January 2009 on the items outlined in the motion, and that information has been provided. The GNSO Council is expected to make a decision on whether or not to initiate a Policy Development Process (PDP) at its meeting on 29 January.

### **More Information**

- ALAC motion: https://st.icann.org/alac/index.cgi?recovery\_of\_expired\_domain\_names\_.
- ALAC request: <u>http://www.atlarge.icann.org/en/correspondence/correspondence-20nov08-en.htm</u>
- GNSO Issues Report on Post-Expiration Domain Name Recovery http://gnso.icann.org/issues/post-expiration-recovery/report-05dec08.pdf
- Translations of the GNSO Issues Report on Post-Expiration Domain Name Recovery: <a href="http://gnso.icann.org/policies/">http://gnso.icann.org/policies/</a>

### **Staff Contact**

Marika Konings, Policy Director

# 12. ALAC & GNSO VOTE ON REGISTRAR ACCREDITATION AGREEMENT (RAA) AMENDMENTS

### At a Glance

The At-Large Advisory Committee and the GNSO Council voted in favor of proposed RAA amendments; the amendments did not receive supermajority support in the GNSO.

### **Recent Developments:**

On 8 January the At-Large Advisory Committee (ALAC), by a vote of 12 in favor and two abstentions, called for adoption of the proposed amendments to the RAA. On 8 January 2009, the GNSO Council held a vote on whether to support the package of proposed amendments. By a vote of 14 votes in favor, nine votes against and four abstentions, the Council recommended to the Board that the proposed amendments be adopted. The proposed amendments did not garner the two-thirds majority vote Staff indicated was required in order for RAA changes to apply to all registrars upon renewal.

### **Background**

The RAA includes a provision for the adoption of changes that can be incorporated in a new contract that can be made mandatory for all registrars upon renewal. Specifically, RAA Subsection 5.4 details the process for RAA renewal and substitution of revised forms of the RAA, and sets forth a path that includes undertaking a consensus process as set forth in RAA Subsection 4.3 (note that the RAA predates the GNSO and its policy development process). This process is similar in several respects to the current GNSO policy development process encompassing community outreach and public comment, a written report and supporting materials documenting areas of agreement and disagreement and a recommendation adopted by at least a two-thirds vote of the Council. It is expected that such a consensus process would consider the set of proposed amendments as a whole. Consideration of changes to the set might require use of the formal GNSO PDP process.

An alternative approach would leave the determination for approving the new form of the RAA with the Board. However, since the consensus process described above would not be followed under this approach, the new form RAA might not be imposed mandatorily on registrars due to the RAA requirement. In order to gain acceptance under this approach, there might be incentives to encourage voluntary adoption of the new contract. One advantage to this

approach would be that adoption could proceed without waiting for a renewal cycle to pass. There might be several potential incentives for registrars to adopt the new form of RAA immediately upon approval by the Board:

- a. Recognition of those registrars agreeing to the new terms with a "higher standards" status by ICANN and the community (a "gold star" approach);
- b. Fee incentives:
- c. Heightened accreditation and renewal standards going forward;
- d. Community and peer support for adopting the new form RAA.

### **Next Steps**

ICANN Staff and the community are considering how to best move forward to implement the RAA amendments.

### **More Information**

- Staff RAA Amendments briefing paper provided to community on 12 Dec. 2008: http://gnso.icann.org/mailing-lists/archives/council/msg05907.html
- Staff RAA Amendments briefing paper provided to community on 29 Oct. 2008: http://gnso.icann.org/mailing-lists/archives/council/msg05617.html
- Consultation on RAA Amendments: <a href="http://www.icann.org/en/topics/raa/raa-public-comments-23oct07.pdf">http://www.icann.org/en/topics/raa/raa-public-comments-23oct07.pdf</a>
- RAA Consultation; Summary of Public Comments: http://forum.icann.org/lists/raa-consultation/msg00072.html
- ICANN Board Resolution, RAA Amendments Consultation, San Juan, Puerto Rico, June 2007: http://www.icann.org/en/minutes/resolutions-29jun07.htm#k

### Staff Contact

<u>Liz Gasster</u>, Senior Policy Counselor, and Tim Cole, Chief Registrar Liaison

### 13. AT-LARGE ADVISORY COMMITTEE FINALIZING ADVISORIES

### At a Glance

The ALAC is finalizing policy statements on several subjects which will be transmitted to the Board in January.

### **Recent Developments**

Noted below are some of the key issues for which the At-Large community is developing advisory statements:

- The draft Implementation plan for IDN ccTLDs is currently under <u>public</u> <u>consultation</u> until 9 January;
- ALAC endorsed the updated ALAC response to the ALAC Review Mid-Point Consultation Report.
- Following discussions within the At-Large Community (assisted by briefings from ICANN Staff) on 8 January the ALAC voted to recommend to the GNSO to accept the RAA package of amendments, with the possibility of amendments.
- A proposed ALAC statement on the New gTLD Draft Applicant Guidebook and related materials is under discussion.
- ALAC is discussing its response to the GNSO's request for input on WHOIS study priorities and the feasibility of various proposals.

### **Next Steps**

Finalized and approved Advisories will be publicly posted and transmitted to the relevant ICANN organizations.

#### More Information

- Draft Statement on the Implementation Plan for IDN ccTLDs:
   https://st.icann.org/idn-policy/index.cgi?draft\_comments\_on\_idn\_cctld\_fast\_track\_draft\_implementation plan v 0 2 4 november 2008
- Updated ALAC response to the ALAC Review Mid-Point Consultation Report:
   <a href="https://st.icann.org/data/workspaces/alac/attachments/at\_large\_advisory\_committee:20081222094406-0-22746/files/ALAC%20Response%20to%20BGC%20WG%20Mid-Point%20Consultation%20Report%20on%20the%20ALAC%20Review%20v2.pdf">https://st.icann.org/data/workspaces/alac/attachments/at\_large\_advisory\_committee:20081222094406-0-22746/files/ALAC%20Response%20to%20BGC%20WG%20Mid-Point%20Consultation%20Report%20on%20the%20ALAC%20Review%20v2.pdf</a>
- Draft Statement on the New GTLD Draft Applicant Guidebook:
   <u>https://st.icann.org/gnso-liaison/index.cgi?resource\_page\_for\_alac\_statement\_on\_new\_gtld\_guidebok</u>

#### Staff Contact

ICANN At-Large Staff

# 14. PREPARATIONS FOR AT-LARGE SUMMIT IN MEXICO CITY CONTINUE

### At a Glance

An At-Large Summit will be held at ICANN's Mexico City meeting to enable representatives of 100+ At-Large Structures (individual Internet user groups) to advance their work with ICANN.

### **Recent Developments:**

Since the ICANN Board approved an At-Large Summit proposal the At-Large Community and Staff have been working to organize the event. The At-Large Summit provides a chance for a representative of each of the more than 100 At-Large Structures participating in ICANN's At-Large Community to meet and develop the community's capacity for engagement with ICANN, to highlight the successes of the community in recent years, and to build upon their efforts to ensure that the interests of the world's more than 1 billion individual Internet users are well represented in the development of Internet name and number policy.

Features of the Summit, which will run from 28 February to 5 March, include:

- Two General Sessions at the beginning and the end of the Summit;
- Five policy working groups will produce statements for ratification by the whole Summit at the closing General Session;
- Each Regional At-Large Organization will hold its annual General Assembly during the Summit;
- An exhibition of materials printed, and audiovisual is being planned which will allow the entire ICANN community to learn more about the diverse groups representing individual Internet users throughout the world.

### **Next Steps**

At-Large Community representatives are completing a survey of subjects for the five working groups. Each Community representative will be asked to participate in the working group on the topic they rated most highly. The working groups will develop draft statements that will be discussed and agreed to during the Summit. Additionally, each of the five regional At-Large organizations is working with its members to organize General Assembly meetings.

### **More Information**

The At-Large Summit Working Group working wiki: <a href="https://st.icann.org/summit-wg/index.cgi?at\_large\_summit\_working\_group">https://st.icann.org/summit-wg/index.cgi?at\_large\_summit\_working\_group</a>

### **Staff Contact**

**ICANN At-Large Staff** 

### 15. GLOBAL IPV4 POLICY SOON TO REACH ICANN BOARD

#### At a Glance

Regional Internet Registries have adopted a policy to allocate the remaining IPv4 address blocks.

### **Recent Developments**

A proposal for allocating the remaining IPv4 address blocks is on its way to the ICANN Board. All five Regional Internet Registries (RIRs) have approved the proposed policy. ARIN, LACNIC, AfriNIC and RIPE had all previously adopted the measure; final adoption in APNIC took place on 20 November 2008. The Number Resource Organization Executive Committee and the Address Supporting Organization Address Council reviewed the proposal and, on 8 January 2009, approved forwarding it to the ICANN Board.

### **Next Steps**

The ASO AC will soon forward the proposal to the ICANN Board. Once received by ICANN, it will be posted for public comments prior to ICANN Board ratification.

### Background

Click here for more details.

### **More Information**

 Background Report IPV4, updated 8 September 2008 http://www.icann.org/announcements/proposal-ipv4-report-29nov07.htm

#### Staff Contact

Olof Nordling, Director Services Relations

### 16. SSAC KEEPS SHARP FOCUS ON DOMAIN ABUSE AND PHISHING PREVENTION MEASURES

#### At a Glance

SSAC pursues a range of studies and activities aimed at assuring domain name registration security, and a new anti-phishing report is due for release later this month.

### **Recent Developments**

SSAC continues to pursue a full set of initiatives aimed at preserving the security and stability of the Internet. These include:

- Studying the utility of having registrars provide an abuse contact and to make abuse contact information publicly available;
- Exploring measures registrar can take to help registrants protect high value domain name accounts and portfolios from unauthorized use or theft. SSAC intends to work in cooperation with the registrar constituency for this project;
- Studying the DNSSEC software, hardware, standards, application adoption and operational practices and compiling a status report for the community.

The SSAC also is tracking the GNSO's progress on its Fast Flux Working Group activities.

SSAC Staff, Dave Piscitello, co-authored an anti-phishing report as part of SSAC's ongoing collaboration with the Anti-Phishing Workig Group (APWG). The report, "What to do if your web site is hacked by phishers," is to be published mid-January. Piscitello is also working with the APWG to identify the top web vulnerabilities exploited by phishers. The results of this study will form the basis of a future APWG report.

### More Information:

- Global Phishing Survey: Domain Name Use and Trends in 1H2008: http://www.antiphishing.org/reports/APWG\_GlobalPhishingSurvey1H2008. pdf
- Making Waves in the Phisher' Safest Harbors: Exposing the Dark Side of Subdomain Registries (Piscitello & Rasmussen): http://www.antiphishing.org/reports/APWG\_Advisory\_on\_Subdomain\_Registries.pdf

### Staff Contact

Dave Piscitello

### 17. IDN FAST TRACK IMPLEMENTATION PROPOSAL UNDER DEVELOPMENT

#### At a Glance

Comment period on IDN ccTLD Fast Track implementation plan closes.

### **Recent Developments**

The comment period on the first draft of the IDN ccTLD Fast Track implementation plan closed 9 January 2009. ICANN Staff will publish a consolidated overview of the comments received.

The IDN Fast Track process is a mechanism recommended by ICANN's broad-based IDNC Working Group focused on the introduction of a limited number of non contentious IDN ccTLDs, associated with the ISO 3166-1 two-letter codes, to meet near term demand, while an overall IDN ccTLD policy is being developed.

At the ICANN meeting in Paris (June 2008) the IDNC Working Group submitted its Final Report to the ICANN Board, including statements of the GAC and ccNSO on the proposed methodology for introduction of a limited number of IDN ccTLDs. The Board directed Staff to: (1) post the IDNC WG final report for public comments; (2) commence work on implementation issues in consultation with relevant stakeholders; and (3) submit a detailed implementation report including a list of any outstanding issues to the Board in advance of the ICANN Cairo meeting in November 2008.

Subsequently, ICANN Staff posted the IDNC WG Final Report for public comments, and commenced the implementation work as directed. Staff posted a Draft IDN ccTLD Fast Track Implementation Plan for public comment and a summary and analysis of comments received will be posted prior to ICANN's Mexico City meeting.

As part of the implementation process, ICANN sent letters to all countries and territories requesting information about their interest in participating in the Fast Track process. The request for information included a brief questionnaire intended to ascertain interest in the Fast Track Process. A summary of the results has been posted and a public report will be provided on the responses.

The Draft Implementation Plan provides the roadmap and many implementation details for the Fast Track process. The plan is presented in modules that later will be further detailed and finalized for the IDN ccTLD Fast Track process. The modules include: Fast Track eligibility requirements; TLD string criteria and requirements; technical committee considerations; Fast Track request and evaluation process; and TLD Delegation Process. The plan includes some open issues that will be reworked through additional community consultation and that need to be resolved, to complete the implementation.

### **Next steps**

A report on the "Request for Information" responses will be posted, along with consolidated comments on the draft Draft Implementation Plan.

### **More Information**

- IDN Information Webpage: http://www.icann.org/en/topics/idn/
- Public Forum: http://www.icann.org/en/public-comment/#plan-idn-cctlds
- IDN ccTLD Fast Track Announcement: http://www.icann.org/en/announcements/announcement-26nov08-en.htm

### **Staff Contact**

Bart Boswinkel, ccNSO Policy Advisor