

GNSO Activity Update for ccNSO (October 2015)

Below is a selection of topics related to work within the GNSO. Details on IANA stewardship transition and ICANN Accountability can be found within the CENTR report on ICANN51

IGO/INGO protection Issues

On the protection of IGO/INGO acronyms, discussions continue both within the GNSO, the GAC as well as from Board Level where advice and support has been provided. There is a potential that the GNSO will refer back to its working group via section 16 of its operating procedures should discussions lead to that which would allow them to go back and amend its recommendations. During the week a resolution from the NGPC was that temporary protections would be granted for the names of the International Committee of the Red Cross and International Federation of the Red Cross and Red Crescent Societies, and the 189 National Red Cross and Red Crescent Societies, as identified in the GAC Register of Advice. This will be in place while the GAC, GNSO, Board, and ICANN community continue to work on resolving the differences in the advice from the GAC and the GNSO policy recommendations on the scope of protections for the RCRC names. A clarification request letter has been sent from GNSO to NGPC.

A linked topic is curative right protection measures (such as the UDRP and URS). IGO/INGOs may have trouble with these mechanisms given the nature of the organization's and their ability to have the trademarks the UDRP/URS allows for. There is a PDP to evaluate whether the UDRP and URS should be amended to enable access by the IGO/INGOs or to possibly develop a separate (and narrow) dispute resolution procedure specific to IGOs and INGOS modeled on the URDP/URS.

An update from the WG noted they have a lack of IGO and government participation despite the work of the group having direct importance. The group recommends council reach out to GAC to encourage input (via GAC/GNSO consultation group). It was also noted that the many thousands of IGO/INGOs have mechanisms to trademarking their name already and the current UDRP may be sufficient to handle their claims.

[Presentation slides](#)

IRTP Part D recommendations adopted

This working group is chartered to answer questions related to reporting requirements for registries and dispute providers, handling disputes in cases of multiple transfers, dispute options for registrants, EPP authinfo codes and other issues. James Bladel gave an update to the Council over the GNSO weekend sessions noting the [final report](#) which was submitted as a motion for approval to the GNSO council during ICANN51 – it contains 18 consensus recommendations. Recommendations overview:

- Introduce reporting requirements for TDRP rulings
- Multiple-hop scenarios are addressed
- TDRP modified to discontinue registries as first level dispute providers
- Extension of TDRP statute of limitations
- No dispute option for inter-registrant transfers
- Improved display of dispute resolution information for registrants on ICANN website
- Maintaining the FOA (authorisation via email that transfer is legitimate)
- Call to gather data for future review of IRTP

The GNSO Council adopted the recommends (#1 to #18) as detailed in IRTP Part D [Final Report](#). Public comment will be opened on the final report after ICANN51 and to Board for consideration early 2015.

Subsequent rounds of new gTLDs

A discussion group have been reviewing the first round of new gTLDs related to experiences. The group is expected to draft a report of its findings which might include some subjects for future GNSO issue reports and suggested changes to subsequent new gTLD applications. The group noted they have seen strong participation and have begun receiving topics of interest from the community which they are now organising (a [mind map](#) of current topics/submissions is available). It was noted that they are not 'solving' issues, but rather *identifying* them. [Presentation slides](#) In other sessions over the week on this topic, ICANN staff noted that they were 'not in a rush to open for new rounds' and that action here would depend on community pressure. Community sentiment does not suggest moving forward is appropriate on this before issues of the first round are dealt with. Some further comments made by various members of the community:

- The community need to complete first round review before any policy development
- Applicants from developing countries was low in first round and good for people with deep pockets. This is not good for public interest critiques of ICANN who could use this against ICANN. Next round should focus on community and developing countries.
- Universal acceptance (new gTLDs & IDNs) is still a major issue and does not have enough focus.
- Reviews are very important. We need to know the lessons learnt.
- On timing how early is too early or too late? We don't want a situation where we talk about an early round then delay it as happened in the first round.
- GAC concerns around safeguards as well as how GAC advice taken implemented from Board. For future rounds the high interest topic is geographic names and developing economy applications.

Expert Working Group (EWG) on gTLD directory services

There is currently a Board/GNSO group (non-decision making) discussing this issue particularly in relation to the possible next steps and whether policy should be developed. With regard to privacy some note that it is important to involve external individuals/organization's (such as data protection agencies) – they state that ICANN does not have the sufficient level of expertise required from within it's community. This view was not held by all. A report from the meeting will be made available from the meeting of the group held during ICANN51. The current issue report in place may need to be re-done include aspects from the EWG report.

Data & Metrics for Policy Making Working Group

This effort is to investigate more formal process for requests of data, metrics and other reporting needs from the GNSO that could help in GNSO policy development. Areas to be explored are; baseline for current practice and capabilities to problem reporting, evaluation PDP efforts and how metrics could have enhanced the process, GNSO work product templates (charters, issue reports etc) and external data sources that might benefit the policy process (eg abuse stats and DNS industry data).

The WG has completed review of previous efforts as use-cases to detect gaps in use of data and metrics for its deliberations are now preparing for collaboration with contracted parties for metrics and data requests for policy making.

[Presentation slides](#)

Privacy & Proxy Services Accreditation Issues

As the topic of privacy and proxy registrations was not addressed in the 2013 RAA negotiations, there is a group discussing the related policy issues with a view to developing an accreditation program for the services. Privacy and Proxy registrations in broad terms relates to the masking of certain aspects of contact data of a domain name holder in the Whois database. The WG charter includes questions over 7 categories: general issues, maintenance and registrations of P/P services, contact points for P/P services, relay and reveal procedures and termination and accreditation.

Preliminary conclusions indicate that 'relay' (forwarding communications) should be mandatory if required by ICANN consensus policies or RAA. For all other electronic communications providers can elect to either forward all subject to reasonable safeguards against spam/abuse. With regard to 'reveal' preliminary work suggests there should be a distinction made between publication in Whois and disclosure to a third party. The group aims to produce an initial report by early 2015.

The GNSO and GAC relationship

The GNSO met with the GAC to discuss among other things current work of mutual interest, the GNSO-GAC consultation group (set up in late 2013) as well as the recently appointed GNSO Liaison (Mason Cole) to the GAC – a pilot program starting at ICANN51 for a period of 1 year. The purpose of the liaison role is to help with the flow of information between GNSO to the GAC to ensure the GAC can determine when 'public policy' implications, help in prioritising the large set of information from GNSO as well as help the GAC understand how to get involved in the PDP. The GAC are positive in their reception to the liaison role and Heather Dryden (GAC Chair) highlighted the potential high importance to the role and for the GAC not to place too much expectation on the role. Subjects of mutual interest are the CWG on IANA transition, the GNSO review and the IGO/INGO topic (see section in this report)

[Presentation slides](#)

Potential GNSO work on Name Collisions

The NGPC has already adopted a new gTLD collision occurrence management plan and framework. There is potential for policy work regarding a long term plan to manage name collisions and it was mentioned that input from the ccTLD community would help for best practices.

For this policy work it was noted that current work has been only for 2012 round of new gTLDs and most measures cease two years after delegation.

The questions for GNSO is what measures if any should be taken to manage the name collision risks for future rounds of new gTLDs, 2012 round gTLD beyond 2 year anniversary of delegation and if measures are required for gTLDs delegated before 2012 (legacy gTLDs). Another question is if there should be safeguards regarding practice of domain drop catching and similar services in gTLDs. They are also asking if policy development is best approach of some other method.

The concept of drop catching was linked to name collisions however in the Council meeting this and other topics such as trademarks were stated to be separate to the technical side of name collision. Name Collision will be discussed further at the next Council meeting if any policy development work is needed.

Translation and Transliteration of Contact Information PDP

Questions in the charter for this group were whether it is desirable to translate contact information to a single common language or transliterate contact information to a single common script, and, who should decide who should bear the burden translating contact information to a single common language or transliterating contact information to a single common script.

Recently, the WG Chair drafted a straw man recommendation for no mandatory translation/transliteration of contact information. A draft initial report is to be published by ICANN52 (February 2015).

[Presentation slides](#)

Policy and Implementation WG

While developing a bright-line rule as to what is policy or implementation may not be possible, the hope is that by developing clear processes and identifying clear roles and responsibilities for the different stakeholders, it will become easier to deal with these issues going forward. The group began discussions in August 2013. The WG has developed a set of working definitions and posted working principles expected to underpin the WG deliberations.

The WG previously aimed to deliver an Initial Report by the ICANN Los Angeles however it is now expected in early 2015.

GNSO Review – 360 Assessment

As a requirement in the ICANN bylaws, there is a GNSO review process which began earlier this year. A GNSO review working party was formed to act as liaison between the GNSO, the independent examiner and the Structural Improvements Committee (SIC). The external company (WestLake Governance) updated on a [360 assessment survey](#) open for input with deadline of 17 October. Other parts of the data collection are in form of one to one interviews and a document analysis of GNSO processes. A couple of remarks from Councilors suggested the quantitative style of the survey and Board driven approach may be a lost opportunity in the review. Draft review of results from the GNSO review working party will be early December 2014 with comment period to follow. A second draft report will be in February and Final in April.

Structural Improvements Committee

The Structural Improvements Committee (SCI) is responsible for reviewing and assessing the effectiveness of the GNSO's operating procedures. Current topics in SCI are; Consensus levels for decisions making, waivers for 10 day motion rule and potential voting outside of a meeting. A discussion came up over the weekend regarding article 16 of GNSO procedures which has come to light recently via the IGO/INGO topic where Board asked Council to consider invoke the section in relation to potential changes to the working groups recommendations. Some councilors are uncomfortable with the potential use of this section stating it's a mechanism for GNSO initiation rather than external (such as Board). Others suggested it is the Council to decide if its used or not and it's not that they are being thrust on them.