



ICANN 45 REPORT

Toronto 14-19 Oct. 2012

Introduction

The report is centered in the ccNSO meeting (16-17 October), as well as some highlights from the opening session from Fadi Chehadé, the ICANN Africa Strategy Meeting, the Latin American and Caribbean stakeholder meeting session and panel on ICANN and Internet Governance.^{1 2}

Opening session. 15 October

The new CEO's speech, who took office a month ahead of his initial plan (early September) emphasized the main points he had already developed in Prague and in subsequent communications which include: a wider outreach of ICANN outside the U.S., more engagement with the stakeholders and an improved organization in terms of strategic management design and practices. His message and attitude convey a very different kind of leadership and vision of ICANN with an increased global presence.

Management delivery: objectives and goals

1. Affirmation of purpose: deliver core internet functions; act as a steward of public interest; engage in the Internet Governance ecosystem; deepen partnership with Internet organizations.
2. Operations excellence: institutionalize management disciplines; mature organization support functions, optimize Registry-Registrar Services; Plan For Scale, Security Continuity.

¹ The Centr report (only in English) also GAC and GNSO.
<http://www.centr.org/CENTR-Report-ICANN45>

² The following LACTLD ccTLD members attended the meeting, .br; .cl; .co; .cr; .de; .es; .ky; .mx; .pt; .pr; .us; .sx with a slight drop of assistance from LAC ccTLDs when compared to the meeting in Prague. The difficulties to obtain a Canadian visa was an important barrier which should not be underestimated.

3. Internationalization: engage stakeholders globally; communicate clearly and locally; integrate global/regional responsibility; evolve government relationships.
4. Model evolution. Matrix global model. Optimize policy development process; increase/improve participation; promote ethics and transparency.

Fadi Chehadé set out a map of how ICANN's actions encompass global responsibilities with local implications and actions:

- Public and stakeholder engagement (listening, engaging in building relationships, advocating together).
- Technical functions: IANA, DNS, Security, stability resiliency.
- Registry and Registrar Services: account/contract management; policy implementation; services/support, growth.
- Communication Services: media, press, international meetings, translation.
- Organizational functions: finance, HR, IT, Internal Security. Procurement, Meeting Operations.
- Stakeholder Support: policy development: legal, board support, strategic planning.
- Priority: how to get closer and faster to stakeholders and start talking to them.

Highlights of the new organizational structure:

- There's not yet a definition of regional offices but they will open more and Latin America will probably have one in the near future.
- Chehadé's organizational strategy implies moving from a silo organization as ICANN is structured nowadays to a matrix-form, where programs run across it.
- A specific area devoted entirely to government within the stakeholder engagement group is under way in order to have more time and resources to devote to the other stakeholders.
- There is a new area comprising Registry /Registrar Services and new gTLDs.
- The executive team was tripled and there are now 36 people involved.
- The board is getting more involved in working together with staff in specific projects.
- Myicann.org. New website (beta) with improved functionality to search documents.

Fadi Chehadé's topics in the agenda include:

- ATRT in DNA
- New GTLD

- WHOIS: Move on!
- RAA
- WCIT/WTPF/WSIS+10

The presentation is available at: <http://www.icann.org/en/news/press/kits/toronto45/video-chehade-15oct12-en.htm>

Africa Strategy

Main points for development:

- DNS stability and security
- Competition, consumer trust and consumer choice
- Core operations, including IANA
- Healthy governance Ecosystem
- Development issues

There is still work to be done in terms of the division of roles between ICANN and African stakeholders, bearing in mind that ICANN is not a development agency.

More information: <http://toronto45.icann.org/meetings/toronto2012/presentation-aswg-icann-africa-strategy-v1.1-16oct12-en.pdf>

ccNSO workshop (16-17 October)

1. CANN Board meeting with the ccNSO

WCIT

WCIT follow-up: ICANN will send a delegation to Dubai.

Tarek Hamel: there's no reason to panic but also to pay attention. There are peering, routing issues which might affect the multistakeholder model as we know it. There are many misconceptions about the way the Internet is being governed and operational. We have to make sure we educate people.

Nigel Hickson and Baher Esmat will be on site. Not attacking but defending the multistakeholder model.

An ICANN paper has been developed which does not necessarily reflect ICANN's position but which will help improve knowledge on the issue.

Gonzalo Navarro (ICANN Board) mentioned the particularly important role ccTLDs have in liaising/relating with national governments to discuss these issues.

ICANN's role in developing regions

ICANN's role in developing regions was also raised and how to improve its positioning. The role of ccTLDs was also raised. Fadi made a particular statement about developing activities with ccTLDs and we have to provide comments and engagement proposals. He also asked about "What are we doing outreach about?" (in ICANN terms).

Financial working group

Progress on ccTLD Financial Contribution Discussion: what is the value of the country code community towards ICANN and viceversa? The model will be rethought in order to quantify. IANA's work is more easily quantifiable but there are other contributions to be monetized.

In terms of ICANN's operational plan, with the new leadership it is redefining its actions in strategic terms first in order to operationalize them later on. Both finance and strategy will be combined to analyze ICANN's feasibility.

Fadi also stressed that hearing needs to be followed up, it is a very small part of overall engagement.

2. Update Framework of Interpretation Working Group

Applicable policies and guidelines: RFC 1591 and GAC principles 2005.

Latest finished report available on consent for delegations and redelegations available at: www.ccnso.icann.org/workinggroups/foiwg.htm

Status of other reports:

- Significantly Interested Parties (SIP) (Final report being prepared)
- Revocation or un-consented re-delegation (in progress)
- Comprehensive glossary (in progress)
- Recommendations for IANA reports on delegation and re-delegation (FOIWG will begin work on this topic after other topics have been completed).

3. ccnNSO / GAC

ccNSO – GAC session

SIDN (.nl) and the Dutch government showcased joint initiatives and projects to promote DNSSEC, leading up to more than 1 million signed domains.

4. WCIT Panel (Centr textual from Peter van Roste)³

Bill Drake – Non-commercial users- gNSO:

- There is no gNSO view on WCIT.
- This hasn't come up at gNSO council discussions.
- Organising workshop with ISOC on ITRs.
- Although governments can put forward reservations, bad proposals can still have a significant impact.
- Potential issues:
 - Who is covered by ITRs? Some proposals say that any operating agency is involved in global communications would fall under the regime.
 - How? By including “and information processing” or including “and ICT”.
 - Other issues: SPAM, online fraud, number abuse, security, supervise all entities under jurisdiction, ITU becoming dispute resolution body,
 - Whole range of issue dealing with finances. Reinvigorate old accounting system.
 - ETNO proposals, trying to seek regulatory relief through a treaty. Quality of service, sender pays principle.

Byron Holland asked to be more specific on the impact on ccTLDs.

None of the panelists could point out anything that would impact ccTLDs specifically, but all warned that because of changing governance models, the ecosystem could be affected.

Byron Holland: Quality of Service obligations could impact those that run their own DNS infrastructure. Some security discussions could impact cc's as they hold lots of data that governments could be interested in.

Bill: lots of governments are struggling with the distinction between telecommunications and Internet applications.

What if all proposals would be approved? If ITRs are implemented by some countries but not by others, the internet would probably break up as the different models could not work together.

It would also move the fora in which standards and processes are discussed to one in which it would be difficult for smaller organisations to participate and have influence.

Eight things to remember of WCIT (Allan Macgillivray – CIRA)

1. It is about telecommunications
2. It is a government meeting
3. The ITU temp document (TD 64) is not a formal treaty proposal

³ This panel and the Latin American and Caribbean Strategy Proposal were scheduled at the same time.

4. 'Internet governance' is not the subject of any specific proposal – but changes in the current government model would result from some proposals.
5. The implications of the proposals made are huge
6. AA revised treaty in two weeks is unrealistic
7. It will not be over in December
8. If this is of concern, talk to your government.

Nick Thornton – new proposals will emerge during WCIT - unless ccTLDs are present in the room, the delegates might fail to understand the impact of them.

5. ccTLD update session

TLD statistics: Gaining maximum information about your domains – Andrei Kolesnikov, .ru; Katrina Sataki, .lv

.lv showcased its current use of the tool developed by .ru <http://statdom.ru/> to help registries have a greater insight of their job, as well as providing evidence for policy and strategic decisions.

<http://toronto45.icann.org/meetings/toronto2012/presentation-tld-statistics-kolesnikov-sataki-17oct12-en.pdf>

.nz: Registrations at the second level proposal - Debbie Monahan

The .nz Domain Name Commission is proposing to extend the .nz domain name space by allowing registrations at the second level. Currently .nz domain names can only be registered at the third level, under 15 different second level domains.

<http://toronto45.icann.org/meetings/toronto2012/presentation-nz-second-level-registrations-monahan-17oct12-en.pdf>

Afnic re-appointed as .fr registry – Mathieu Weill, .fr

On July 1st, Afnic was re-appointed as .fr registry manager. One of the main issues facing .fr now is complying with the extensive and demanding regulation proposed by the government. Interestingly enough, the government now demands the registry to implement ISO 271001 as a Trust to develop Internet research.

<http://toronto45.icann.org/meetings/toronto2012/presentation-afnic-reappointed-weill-17oct12-en.pdf>

.fi: Changes in Domain Name Act and New Organisational Structure – Juhani Juselius

The government of Finland has passed a Domain Name Act which will change the registry's structure as well as create a new regulatory environment for domain names under .fi.

6. Registry Principles Panel

Panelists: Demi Getschko (.br); Lise Fuhr (.dk); Manthieu Weill (.fr); Debbie Monahan (.nz); Annebeth Lange (.no); Roelof Meyer (.nl). Moderator: Byron Holland (.ca).

- .br agrees with the idea that some of the principles should be for all.
- .fr: extensive regulation, domain name act with embedded principles: first come-first served. Registration rules: open, transparent, non-discriminatory; registry-registrars separated; neither of 2 can cancel or block a domain names unless certain legal acts are brought in.
- .dk: Heavily regulated about principles. Framework regulation. They have to represent the Danish Internet community. Provide all users. Be transparent. Non-profit.
- .no: Less regulated than .dk. Follows RFC 1591
- .nl principles come from RFC 1591 and from what they consider best practices by many “First come, first served”, Governance principles (independent supervisory board). Some are technical principles, are other economic. They don’t have a whole list.
- .nz: 2 subsidiaries and a registry.

How and why did .nz do this?

Information sharing, common language, it was more important for us to work with others similar to us. We wanted to codify the way we work so that we could share it with others with the hope that we could then work with ICANN. There are not very many principles, nor clear ones, that guide ICANN. One of the ideas behind all this is to influence ICANN.

.br: Policy principles as well as registry principles. Policy principles are aligned with ISOC issues. TLD principles are more along a policy development process.

.br ISC: body comprising 21 members

The Internet Steering Committee delegates to nic.br the process of registration of domain names and is funded by them.

Principles for the Governance and Use of the Internet, two-way collaboration with the Brazilian Internet Steering Committee:

1. Freedom, privacy and human rights. The network is not guilty of what happens in the real world.
2. Democratic and collaborative governance.
3. Universality

4. Diversity
5. Innovation
6. Network neutrality
7. Network unaccountability
8. Functionality, security and stability
9. Standardization and interoperability
10. Legal and regulatory environments

Principles for nic.br:

- General principles
 - First come, first served.
 - Registrant data should be public.
 - Policy defined inside the territory, by a multi-stakeholder process
 - Fairness on the process, transparency of the rules
 - Secure and stable operations
 - Collaboration
- Specific principles
 - Open only for Brazilians
 - Thick and open registry (any provider could act as Registrar, even the Registrar itself, EPP).
 - Different levels and characteristics of 2nd level domains
 - (natural persons, professionals, blogs, NGOs, business, sponsored restricted second level domains: gov.br, .jus.br, leg.br. b.br)
 - Very constrained process of liberations and transfer of domains
 - Local UDRP, actually with 3 chambers for conflict resolution

.no: what happens with the first comes first served

Some of the principles are in the mission, some in the objectives but they are not easy to find.

.dk: sole registrant since 1999. But they have full control of the owner of domain names

.fr: With principles. Watchout with compliance, otherwise if the principles are not respected you can go to court.

Seven .nz principles

1. Domain name markets should be competitive
2. Choice for registrants should be maintained and expanded.
3. Domain registrations should be first come first served.
4. Parties to domain registrations should be on a level playing field.
5. Registrant data should be public.
6. Registry/Registrar operations within a TLD should be split.
7. TLD policy should be determined by open-multistakeholder processes.

.no: Registrant: who is the legal entity that is the registrant? Registrant data is a much more down to earth principle than first come first serve. As cc's are bound by the laws of the land.

.nl: How do strategies, values and principles interact? Values and principles help you realize your strategy. It starts with the principles and values, when they are embedded then they move on to strategy.

.dk: Interactions with the values and the principles. They're going to be there a long time.

.fr: It's not impossible although it's a challenge to be commercial and also to serve the public benefit. The fact that we're not for profit is a benefit to society.

Latin America and the Caribbean Stakeholders Engagement and Outreach (17 October)

Following Prague's first informal meeting, this session was organized by Rodrigo de la Parra (who could not attend it personally due to the visa issues, but coordinated the session remotely).

Fadi Chehadé and Tarek Kamel were present in the introduction and stated the importance of developing a regional strategy.

Interventions from speakers:

Eduardo Santoyo, proposed LACTLD's interest in becoming an institutional platform for IG in the region.

Raúl Echeberría (remote): to move forward beyond domain names: SSAC, work more with RO; IANA, technical and security functions; enhancing GAC.

The Caribbean (through Samuel Carlton): stressed the importance of access & infrastructure. Since this is not ICANN's agenda the Caribbean sees ICANN as not very relevant for the region.

A summary of ICANN's objectives for the region:

1. Deployment of DNS critical infrastructure in the region.
2. Greater participation of all stakeholders.
3. Regional agenda for Security and Stability

4. Influence ICANN's agenda with relevant matters for the region
5. Promote capacity building on organizations related to the Internet in the region⁴

Alejandro Pisanty chaired the first panel on contributions for the LAC plan; Hartmut Glaser chaired a panel on current initiatives and proposals and Oscar Robles on developing a strategic framework at the end of the session.

This encounter marked the beginning of a joint regional strategy framework, from a multi-stakeholder, bottom-up perspective.

More information: <http://blog.icann.org/2012/10/latin-america-and-the-caribbean-a-regional-strategy/>

<http://www.icann.org/en/news/press/kits/toronto45/video-lac-strategy-17oct12-en.htm>

ICANN and the Internet Governance Landscape (18 October)

Markus Kummer (ISOC): Discussion of enhanced cooperation. No need for a new body or process. The IGF was created as a discussion for all stakeholders involved in the process, following the WSIS mandate. Much has happened in the Internet landscape since 2005.

Adam Peake (GloCOM): IANA contract does not look like an example of enhanced cooperation.

Franklin Silva Netto (Brazilian Min. Foreign Affairs): Tunis Agenda is explicit about the process that it should lead to global public policies.

Nigel Hickson (ICANN): Different partnership organizations and MOU. There's collaboration between the different e-issues.

Alejandro Pisanty (ISOC; UNAM). We need to look at the gaps between our policies in order to move forward. Re-affirmation of commitments. IG: has to be problem-comprehensive. Anti-phishing working group; anti-abuse working group. Access to the Internet as national policies. Regional issues of access. Understand that the WSIS review is an ongoing process and this it is related to enhanced cooperation.

Nigel Hickson (ICANN): ETNO is supported by Arab countries and Africa, not by Europe.

Byron Holland (.ca). ccTLDs as members of country delegations or as sector members. ccTLDs have advised many governments on what is the actual impact of this treaty, but particularly on the small words. We operate the DNS and we are aware of the policies' impact. Interested on what is Quality of Service; point connection. QoS get very complex for DNS operations. Security many of those measures are not even achievable. CIRA is part of the country delegation.

⁴ For a more detailed view, please refer to slide 7 of ICANN's LAC strategy for the region sent by Rodrigo de la Parra in September.

Education and information on the impacts and what might happen if those small words begin to be used.

Claim for more funding for the IGF secretariat.