



GNSO Council Public Meeting

17 October 2012



Presentations by SG / C Leaders

- Registries Stakeholder Group - David Maher
- Registrars Stakeholder Group - Matt Serlin
- Non Commercial Users Constituency (NCUC) - Robin Gross
- Not-for-Profit Operational Concerns Constituency - Alain Berranger
- Commercial and Business Users Constituency (BC) - Marilyn Cade
- Intellectual Property Constituency (IPC) - Steve Metalitz
- Internet Service Providers and Connectivity Providers (ISPCP) - Tony Holmes

BREAK



Item 1: Administrative Manners

- 1.1 Roll Call
- 1.2 Statement of interest updates
- 1.3 Review/amend agenda
- 1.4. Note the status of minutes for the previous Council meeting per the GNSO Operating Procedures
- 1.5. GNSO Pending Projects List:
 - Review main changes.
 - Comments and/or questions.



Item 2: Consent Agenda

No consent agenda items



Item 3: Consumer Trust

- 3.1 Reading of the motion (John Berard)
- 3.2 Discussion & open microphone
- 3.3 Next steps (Standard threshold: simple majority of each house)



Item 4: RAP recommendation on Uniformity of Contracts to Address Registration Abuse

- 4.1 Reading of the motion (Zahid Jamil).
- 4.2 Discussion & open microphone
- 4.3 Vote (PDP threshold: 1/3rd of each house, or 2/3 of one house)



Item 5: RAP Recommendation on Uniformity of Reporting

- 5.1 Reading of the motion (John Berard)
- 5.2 Discussion & open microphone
- 5.3 Vote (Issue report threshold: 25% of each house, or majority of one house).



Item 6: Protection of IOC/RC names at the second level

- 6.1 Update from DT Chair (Jeff Neuman)
- 6.2 Discussion & open microphone



Item 7: Policy Development Process (PDP) on International Governmental Organizations (IGO)

7.1 Update from Staff (Brian Peck)



Final Issue Report on Protection of Int' l Organization Names in new gTLDs

Brian Peck



Final Issue Report

Scope: Evaluate whether to provide additional protections for IGO and NGO names at top and 2nd levels in gTLDs

Objective:

- Define type of organizations that qualify for any top and 2nd level protections
- Structuring of PDP to effectively determine any appropriate protections at top and 2nd levels for IGOs and NGOs
 - Review scope of existing legal protections
 - Evaluate proposed sets of objective criteria



Staff Recommendations

- GNSO Council should initiate a PDP
- Consider expanding any new gTLD protections to *existing gTLDs*
- Suggest adopting an expedited work plan and dedicating necessary resources to facilitate timely implementation before delegation of new gTLD strings



Additional Background Info

Final Issue Report

<http://gnso.icann.org/en/issues/protection-igo-names-final-issue-report-01oct12-en.pdf>

Public Comment Forum on IOC/RC Drafting Team Recommendations

<https://www.icann.org/en/news/public-comment/ioc-rcrc-recommendations-28sep12-en.htm>



Thank You



Item 7: Policy Development Process (PDP) on International Governmental Organizations (IGO)

- 7.2 Reading of the motion (Jeff Neuman)
- 7.3 Discussion & open microphone
- 7.4 Vote (PDP threshold: 1/3rd of each house, or 2/3 of one house).



Item 8: 'Thick' Whois PDP WG Charter

- 8.1 Reading of the motion (Jeff Neuman)
- 8.2 Discussion & open microphone
- 8.3 Vote (PDP threshold: 1/3rd of each house, or 2/3 of one house).
- 8.4 If motion carries, selection of Council Liaison to WG.



'Thick' Whois Policy Development Process



Why is it important?

- ICANN specifies Whois requirements through the registry and registrar agreements
- Registries use different services to satisfy their obligations:
 - ‘thin’ Whois: A thin registry only stores and manages the information associated with the domain name
 - ‘thick’ Whois: Thick registries maintain and provide both sets of data (domain name and registrant) via Whois.
- ‘Thick’ Whois has certain advantages e.g. IRTP, but there may be negative consequences that should be explored in order to determine whether ‘thick’ Whois should be required



Recent Developments & Next Steps



- GNSO Council initiated a PDP on this topic in March 2012
- A drafting team was formed to develop a charter for a WG which will define the scope of the PDP
- DT submitted proposed charter for GNSO Council consideration on 8 October 2012



Proposed Charter

- PDP Working Group is tasked to provide the GNSO Council with a policy recommendation regarding the use of 'thick' Whois by all gTLD Registries, both existing and future
- At a minimum consider the following elements: response consistency; stability; accessibility; impact on data and privacy protection; cost implications; synchronization/migration; authoritativeness; competition in registry services; existing Whois applications; data escrow, and; Registrar Port 43 Whois requirements



Proposed Charter (continued)

- Should the PDP WG reach consensus on a recommendation that 'thick' Whois should be required, then also consider: cost implications; guidelines as to how to conduct such a transition; need for special provisions / exemptions
- WG should take into account: Registry/Registrar separation and related developments; output from any/all of the four Whois Studies; the 2004 transition of .ORG from thin to thick; the work on the internationalization of Whois and the successor to the Whois protocol and data model; results of the RAA negotiations, and; recommendations of the Whois Review Team



Next Steps



- GNSO Council to consider proposed Charter for adoption
- If/when adopted - call for Volunteers to form PDP Working Group



Further Information



- Proposed Charter -
- ‘Thick’ Whois Final Issue Report - <http://gnso.icann.org/issues/whois/final-report-thick-whois-02feb12-en.pdf>
- DT Workspace - <https://community.icann.org/display/PDP/Home>



Item 9: Inter-Registrar Transfer Policy Part C (IRTP Part C) Working Group (WG)

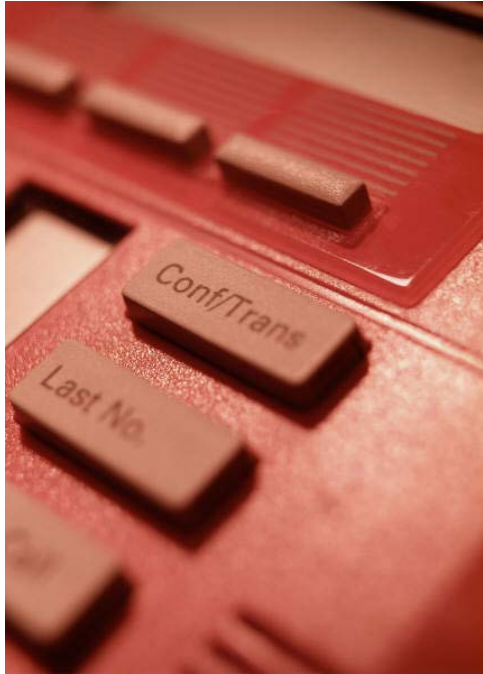
- 9.1 Reading of the motion (Stéphane van Gelder)
- 9.2 Discussion & open microphone
- 9.3 Vote (Approval of consensus policy PDP threshold:
Supermajority (2/3 of each house, or $\frac{3}{4}$ of one house
and a majority of the other)).



Inter-Registrar Transfer Policy Part C Policy Development Process



Why is it important?



- Inter-Registrar Transfer Policy (IRTP)
- Straightforward process for registrants to transfer domain names between registrars
- Currently under review to ensure improvements and clarification - nr 1. area of consumer complaints according to data from ICANN Compliance



IRTP Part C PDP Working Group

- IRTP Part C to address three issues:
 - a) Change of Control / Change of Registrant function
 - b) Should Form Of Authorization (FOA)s be time-limited
 - c) Should registries be required to use IANA IDs for registrars rather than proprietary IDs.
- Initial Report was published on 4 June, in conjunction with public comment forum
- WG reviewed comments received, continued deliberations on open items and finalized report
- Final Report submitted to the GNSO Council on 9 October 2012



Recommendations – Charter Question A

- Creation of change of registrant consensus policy, which outlines the rules and requirements for a change of registrant of a domain name registration
- Convert the IRTP in overarching transfer policy, with one part dedicated to change of registrar and other to change of registrant
- Requirements of new policy detailed in the report, including:
 - Requirement for both prior and new registrant to authorize change
 - Possibility to allow pre-approval
 - Not possible to have a change of registrant at the same time as change of registrar
 - Following a change of registrant, domain name locked for 60 days for security reasons, with option to opt-out of lock



Recommendations – Charter Question B

- FOAs should be valid for no longer than 60 days. Following expiration of the FOA, the registrar must reauthorize (via new FOA) the transfer request. Possibility for automatic renewal.
- In addition to the 60-day maximum validity restriction, FOAs should expire if there is a change of registrant, or if the domain name expires, or if the transfer is executed, or if there is a dispute filed for the domain name.
- The next IRTP PDP should examine whether the universal adoption and implementation of EPP AuthInfo codes has eliminated the need for FOAs



Next Steps

- GNSO Council to consider recommendations for adoption



Background Information



- IRTP Part C Initial Report - <http://gns0.icann.org/issues/transfers/irtp-c-initial-report-04jun12-en.pdf>
- IRTP Part C Final Report - <http://gns0.icann.org/en/issues/irtp-c-final-report-09oct12-en.pdf>
- Inter-Registrar Transfer Policy - <http://www.icann.org/en/transfers/>



Questions?

One World

One Internet



Thank You



Item 10: Internationalized Registration Data WG

- 10.1 Reading of the motion (Ching Chiao)
- 10.2 Discussion & open microphone
- 10.3 Vote (Issue report threshold: 25% of each house, or majority of one house).



Item 11: WHOIS Proxy/Privacy Reveal & Relay Feasibility Survey Report

11.1 Update from Staff (Lyman Chapin)



WHOIS Survey Results GNSO Council Meeting

17 October 2012



Feasibility Survey

- Authorised by the GNSO Council in April 2011
 - ◆ <http://gnsso.icann.org/resolutions/#201104>
- Determine the feasibility of conducting a Full Study
 - ◆ assess the willingness and ability of Relay/Reveal request originators, Privacy/Proxy providers, and Registrars to participate in the Full Study
 - ◆ assess the availability of data and conditions for sharing it
 - ◆ sample regional limitations on participation, including business sensitivities and national data privacy laws
- Inform the design of the Full Study (should one be undertaken) so as to maximize its value
- Offer potential participants an opportunity to identify themselves

Findings and Analysis

- Expectation of “tangible results” may not align with study goals to collect data
- Participation would drop if study were perceived as intended to identify or blame “bad actors”
- Key participants would be unable to disclose individual identifiable relay or reveal requests
 - ◆ most participants would be able to provide only aggregated or anonymized data
 - ◆ historical and/or public–domain data may be available
- Participation might improve with adequate privacy and confidentiality guarantees

Conclusions

1

A full study of WHOIS privacy and proxy reveal and relay could, if defined in such a way as to resolve identified barriers, provide some—but not all—of the data anticipated by the GNSO Council.

Conclusions

2

Such a study (specifically by ICANN) would be well received by people on all sides of the WHOIS information access debate.

Conclusions

3

Attention to issues including confidentiality and convenience in the design of the study would improve the quantity and quality of the data that it would deliver, but would not entirely overcome the asymmetric reluctance of potential participants from different constituencies to contribute.

Conclusions

4

The results of a full study thus encumbered might not satisfy the expectations of the GNSO Council or the ICANN community with respect to statistical validity or independent verifiability.

Next Steps:

- In light of
 - WHOIS RT Rec. No. 10 that ICANN implement processes to regulate and oversee privacy and proxy service providers, and
 - RAA amendments that propose an accreditation process for privacy/proxy providers
- New study as suggested by Interisle could inform a PDP or other policy process on
 - Handling Relay and Reveal requests
 - Identifying current processes used by providers
 - Motion needed to approve the study at a future Council meeting



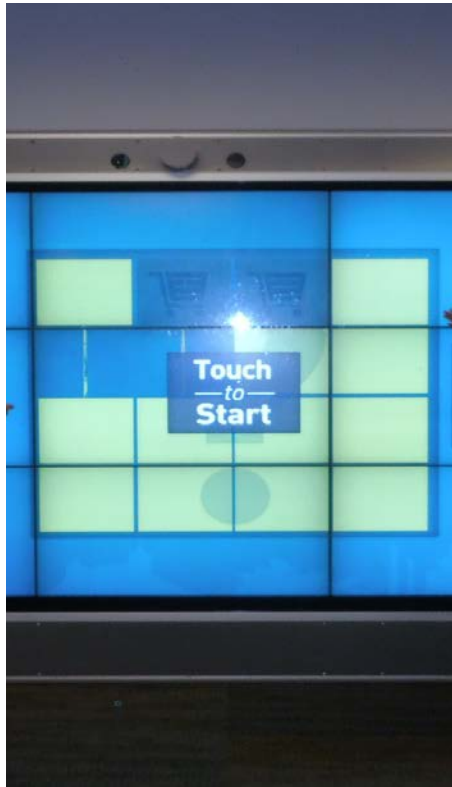
Recommendations for new Study

A successful study could provide the following information to inform GNSO policy making:

- Current practices of Proxy/Privacy service providers in handling of Reveal & Relay requests;
- Numbers of Reveal and/or Relay requests and aggregate data on their management;
- Some non-specific characterization of the origination of Reveal and/or Relay requests;
- The relationships among those making, receiving, and processing Reveal & Relay requests.



For more information:



Webinar Link: [transcript-whois-survey-webinar-1300-15aug12-en.pdf](#)

Draft Report: [whois-pp-survey-draft-report-31may12-en.pdf](#)

Final Report to be posted shortly.



Thank You



Questions

One World

One Internet



Item 11: WHOIS Proxy/Privacy Reveal & Relay Feasibility Survey Report

- 11.2 Discussion & open microphone
- 11.3 Next step



Item 12: Uniform Rapid Suspension (URS)

- 12.1 Update from Staff (Kurt Pritz)
- 12.2 Discussion & open microphone



Item 13: Whois Review Team Final Report

- 13.1 Update from the group (Brian Winterfeldt)
- 13.2 Discussion & open microphone
- 13.3 Next steps



Item 14: Thanks to Outgoing Councilors

- Stéphane van Gelder
- Mary Wong
- Rafik Dammak
- Bill Drake
- Carlos Aguirre
- David Taylor



Item 15: Any other business



BREAK

18:00 - 18:30
New Council convenes



Item 1: Seating of the new Council

- 1.1 Roll call
- 1.2 Statements of interest



Item 2: Vote for the GNSO Council Chair

Two nominations were received for this position, Jonathan Robinson and Thomas Rickert. The GNSO Council held a question & answer session over the weekend with Dr. Robinson and Mr Rickert.

Vote by secret Ballot.

2.2 Officer Elections: Chair and Vice-Chairs

