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HELSINKI – IGO/INGO Names and Acronyms Protections  
Thursday, June 30, 2016 – 09:30 to 10:00 EEST  
ICANN56 | Helsinki, Finland

CHAIR SCHNEIDER: Good morning, everybody. So please take your seats, those that are not yet there sitting, and we'll start.

So welcome to this last day of this new meeting format, public-policy forum -- policy forum, which I think in the feedback that I'm getting is very positive, so we'll talk about this later today.

We have -- On our schedule, there is -- used to be a slot for presentation of the website, but you have seen the mail by Tracey that she sent out that not all the details are ready, so she will just give you a brief update on where this is and what is going to happen until now and Hyderabad.

The leadership team had a quick presentation of -- with ICANN staff and those working on the website yesterday at lunch, and this looks really good, so we're looking forward to what's going to come.

So, Tracey, let me give you a few minutes to present the actual state of where we are with the website.

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*Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.*

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TRACEY HIND:

Okay. Good morning. We're going to spend most of this morning's session on the IGO acronyms, but we'll just give a quick verbal update on the status of the GAC website.

We have a pretty robust team from the GAC who are leading this work. Tracy Hackshaw is the lead for the work, the GAC lead for the work. We also have GAC members involved from Singapore, the Cook Islands, Cambodia, Japan, the United States and the United Kingdom. I hope I haven't forgotten anybody. And other people who have participated with bits and pieces along the way.

We are building a website. It's not ready yet to demonstrate to you. We were hoping to have a front end to demonstrate to you here, but it's not really ready yet. We've been mostly working on the back-end, and by the back-end I mean the behind-the-scenes, building the logic, building how all the pages relate together and work together, and that's not very pretty to show you, so I've decided that we won't show you that because it's not very exciting for you to look at. But be assured there is a lot of work going on.

It is coming together. The logic is all working. The sorts of features that you will be getting in the new website include member pages that will include the photographs. Reminder -- That's an opportune reminder the photographer will be here

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12:30 to 1:30 in the piazza today for anyone who hasn't had their photograph taken yet. But that member page will ultimately take you through to working groups that you are a participant of, the longer term vision, once other ACs and SOs are on the same platform, is it will take you through to working groups for cross-community purposes that you're members of. There will be news pages that will show things like announcements for new public comment periods for PDPs and for other ICANN processes that have public comment periods documents. So those are some of the new features and so forth that are being built.

The timeline is that we should have a working prototype -- We'll definitely have a working prototype, because we're not that far off now, to show you by Hyderabad. And thereafter, it is likely that the new website, a version 1 website for the GAC, will roll out early in the calendar new year.

It won't have all the interactive features to the other communities yet simply because we will be the first community on it. So it will be very hard for us to link to GNSO PDP on the website when the GNSO won't be on the platform yet.

So we'll be slightly ahead of the rest of the community. But they will come on board over time, probably over another 18 months or so.

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The other feature it will have that is different to what's there currently now is when the communicate is developed, the communicate will be able to be automatically developed online, live in the meetings, and then after it's published the pieces of advice will go back via the back-end to a new tool called the board -- ICANN board advisory registry tool, which the leadership and the members of the BGRI saw yesterday. So that will all happen invisibly behind the scenes. That's the other feature that's being developed at the moment. I'm not sure whether that will be ready for version one, simply because we're not sure if the board tool end of it will be ready for version one, but it -- it will all come together over the next 18 months to 2 years and there is a lot of work being done.

That's about all I wanted to say on it. Remember to have your photograph taken 12:30 to 1:30 today if you want to be among the first set of photographs up on the version one prototype. Are there any questions before I hand over to the chair for the IGO names and acronym session?

CHAIR SCHNEIDER:

There seem to be no questions, so thank you very much, Tracey. We're really looking forward to having the website and also this big inclusive registry of advice where the GAC advice should be part of -- or will be part of.

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With this I would actually like -- and switch to the IGO acronyms and protection issue. For your information we had another meeting of the so-called small group that was convened and held yesterday afternoon at 4:00 and this time there were also people from the GNSO included which proved to be very fruitful because in the end they need to also be involved in this. And while it had been difficult in the months before to make progress because, I'd say the written exchanges took quite a long time because everybody was distracted, we actually managed to come much closer in some of the still outstanding items and we hope that we will be able to come up with a practical proposal out of this group by Hyderabad, by the next meeting. And that's basically the key element of progress so far.

Another thing is that what we've discussed earlier in other -- in another meeting this week is that the GNSO has sent a letter to the board -- we discussed this in the session with the GNSO -- that they are waiting for the board to take a decision on Red Cross and Red Crescent protection as well as on the IGOs and we had an exchange with the -- with the GNSO on this. I see that John from the OECD would like to say something on this one. Thank you. Go ahead, please.

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JONATHAN PASSARO: Thank you, Thomas. I just wanted to take the opportunity to give everyone a brief recap of kind of what's happened so far and where we stand because there are a lot of new faces in the GAC and also within ICANN. I know there are some people from outside of the GAC within this room so I thought this would be a good opportunity to remind everyone where we stand.

Because it was over four years ago that all of this started when the OECD and about 40 other intergovernmental organizations joined together in an attempt to secure protections for our identifiers in the Domain Name System. IGOs face serious financial, security, and reputational risks in an expanding DNS, ranging from individuals who pose as GNOs -- as IGOs to spread dangerous disinformation about global pandemics, to individuals who pass off as IGOs in order to try to get fraudulent donations. And just as an example, last week I received two emails from individuals who were posing as the International Monetary Fund who were actually trying to get my banking information.

The types of risks that we face, as well as our unique characteristics, put us in a particularly tough position. We do not have access to the trademark clearinghouse, nor are we able to use the UDRP because in doing so we would have to waive our immunities. These immunities, for a number of reasons, are

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essential to carrying out our functions without undue pressure from any government in whose territory we operate.

The GAC found that IGO's unique status warranted us unique protections and, therefore, advised the board that our names and acronyms should be granted protections because IGOs are unique rights holders, given public service missions, and the fact that we are creations of government under international law and funded by the public. Money spent on buying domain names that fraudsters might potentially abuse and our names is money diverted from fulfilling our missions whose scope is established by our member governments.

Based on this advice, ICANN -- based on this GAC advice, ICANN granted us temporary protections by putting our identifiers on a reserve list so that websites could not be registered using our names or our acronyms at the top and second levels.

Years later, in a 2014 decision, the board made protections for our full names permanent. However, this is of little real impact for most organizations. For example, the Organization for Economic Cooperation and Development, whose name adds up to a nearly 50 character string, is almost exclusively referred to as the OECD. In recognition of this fact, the IGOs had hoped that the board would grant the same protections to our acronyms by putting them on a reserved list as well. After all, we're talking

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about less than 200 IGOs, a statistical blip in the DNS. A reserve list also seemed to us the easiest and most cost effective solution for everyone involved to implement. Nonetheless we were willing to discuss alternatives.

A small group, composed of the GAC chair -- thanks, Thomas -- and representatives of the United Nations, the Universal Postal Union, the World Intellectual Property Organization, the World Bank, the World Health Organization, the OECD, and the United States was formed later that year to try to bridge the gap between the GAC's advice and the GNSO's advice on this topic. As Thomas said, this small group met several times and exchanged several proposals in writing. We also met at a meeting that I personally organized at the OECD's headquarters in Paris last summer. Unfortunately we made little progress on the issue and were at a standstill nearly two years.

In parallel, as hopefully many of you are aware, the GNSO started a PDP on curative rights protection measures for IGOs which threatened, and still threatens, a conflict with all of the work of the small group. In short, that PDP attempts to determine whether or not the UDRP is accessible to IGOs, although the IGOs have already taken pains to explain why it is not. Once again, it's an issue of our immunities. Nevertheless, we remain guardedly optimistic that the PDP will not stand in



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the way of the implementation of a compromise, if we are able to find common ground between the GAC and GNSO positions.

I, like Thomas, was very happy when yesterday we met and had one of the more productive meetings that I have attended on this issue, and thanks in no small part to Thomas' help. This was no doubt due also to the presence of several individuals from the GNSO. We were extremely grateful to have an opportunity to exchange with GNSO members face-to-face, openly and frankly. And look forward to having the opportunity to do so again very soon.

I will take the proposals tabled at the meeting back to the coalition of IGOs so that we can further the discussion between now and Hyderabad. We are guardedly optimistic that with encouragement from the GAC and the board we may be able to finally find a way out of this impasse with the GNSO. We've been at a virtual dead like for years and this presents a great opportunity for ICANN to show that the multistakeholder model can work. The GAC has issued consistent advice and the IGO's are hopeful we can help the board implement this advice while also taking in the concerns of the GNSO. This is why we proposed the language for the GAC communique with the help of New Zealand. Thanks again to the New Zealand representative which we hope will give a clear steer to a reasonable way for conducting discussions in the future and

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hopefully quickly bringing a close to this issue. Thank you so much.

CHAIR SCHNEIDER:

Thank you, Jonathan. Actually, given the fact that since this story has started there has been a lot of new people, not just in the GAC but also in the GNSO as we realized yesterday, it was actually very helpful, I think, for many of us to get a very short and precise recap of this -- of this story. So yeah, thank you. We have some time for questions or comments. The OECD has also proposed text for the communique. So I guess you've seen that and you will receive a paper copy of the communique very soon. So questions, comments on the IGO. And for your information, as it is in the letter of the GNSO, and we discussed it very briefly also with the -- with the GNSO, it is not exactly the same but let's say the fundamental situation with the Red Cross is the same. We are not yet at the stage where we have a permanent system for protection. We are still under a temporary regime that should sooner or later be turned into something permanent. So that just -- but these are two similar but separate processes. Questions, comments on this? Switzerland.

SWITZERLAND:

Thank you, Chair. Well, first of all, I want to thank Jonathan for the information he has given to us. I think it's a very good sign

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that cooperation is progressing. Also, after the conversation we had with the GNSO during this week, so I see this as a very positive sign. And I also think that there are steps being taken with the other issue on the Red Cross protections. So I think we should, later on, reflect this in our output of this meeting. Thank you.

CHAIR SCHNEIDER:

Thank you, Switzerland. Other questions or comments on this. So I take the silence as a careful positive support or hope that this will be continuing to go in the right direction. I see the U.K. is nodding and some others as well. So in case that you don't have any further questions, as I said, please have a look at the -- like all the other pieces of text but at the text in the communique. And so as we have a few minutes left, I would actually use this for two things. One is to inform you that those of you who were there at the last or second last meeting, we had a discussion with the ALAC where we decided to actually also increase our communication with the ALAC and the ALAC would establish a liaison to the GAC in order to help us exchanging information more regularly, also intersessionally to be informed and inform each other mutually about what is going on in our silos. And since then the ALAC has been working on this and they have actually designated the first liaison, and he has been here actually already this morning. For those who have been in

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the GAC for a long time, they may still remember the time when he was the Finnish GAC representative. It is Yrjo Lansipuro. So please, Yrjo, stand up and wave, yes, perfect, so that everybody knows that you are now taking on this role as GAC liaison to the ALAC or the other way around, ALAC liaison to the GAC or both around -- both ways around. So he will be helping us communicating more directly and regularly, which is something that we've welcomed and we still welcome. So we're looking very much forward. And as he has been on the GAC himself, this is, of course, also useful because he knows how we work and that is, of course, always helpful. So welcome, Yrjo. Looking forward to have this tool in the form of you.

[ Laughter ]

And then there's another small thing, all small, I don't know whether it's small but there's another thing. As you may have seen, I think it has been circulated to you, that there has been some discussion in the past months about the cost of the CCWG accountability work that have been considerable, particular legal advice is normally not for free because they don't have salaries of government officials. And there is now an attempt to look into this more closely to plan ahead with the budget and cost for Work Stream 2. And so they ask all chartering organizations to validate the budget for Work Stream 2 for the next year, and so we need to validate this too. I'm not sure to

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what extent the GAC -- we all have the resources to look into this resource question, so the proposal is that we will look at this. In particular take -- try to take a close look in the leadership team and then in the next -- in the coming days or weeks, we'll come to you with a proposal. But we think we should do it with the budget, but, of course, everybody's invited to look into this as well because in the end we have to validate this as a chartering organization and not just the leadership team. I just wanted to flag this to you because it's -- it's an issue also of accountability and transparency. And -- but we don't have the time to discuss this here, and we can -- whoever has comments or questions, just put them on the GAC mailing list and we'll take them up or try to work with these questions in case you have any.

With this, I think we have a few minutes time to see whether -- our colleagues from the SSAC are already in the room. Okay. So please come up. For once we are not late. We're actually a few minutes ahead, which is I don't know how we make -- we make this happen. But we haven't met with the SSAC for quite a long time as we have been concentrating on rather political and symbolical issues than on security and stability issues. So we're very happy to have you here.

UNKNOWN SPEAKER: Thank you.

**[END OF TRANSCRIPTION]**