ICANN Policy Update - Singapore

**Sunday, 19 June 2011
14:30 - 15:30
Olivia Room**

Goals for this session

- Update you on current Policy work and encourage you to participate

- Review policy issues to be discussed at the ICANN Singapore Meeting

- Inform you of upcoming initiatives and opportunities to provide input

- Answer any questions you might have

ICANN Meeting in Singapore

- Highlights include:
  - Newcomers Track Day (Sunday)
  - New gTLDs
  - Abuse of the DNS Forum
- Further information http://singapore41.icann.org/ and http://singapore41.icann.org/singapore41/schedule/all/simple to see different tracks, incl. security

Policy Developed at ICANN by:

ICANN Supporting Organizations

- GNSO – Generic Names Supporting Organization
- ccNSO – Country-code Names Supporting Organization
- ASO – Address Supporting Organization

Advice provided by Advisory Committee

– ALAC – At-Large Advisory Committee
– SSAC – Security & Stability Advisory Committee
– RSSAC – Root Server System Advisory Committee
– GAC – Governmental Advisory Committee

Topics covered in this session

Country Code Supporting Organization (ccNSO)

- Framework of Interpretation WG
- Other major activities
- Joint Working Groups (JIG, DSSA, Study Group on use of Country Names)

Generic Names Supporting Organization (GNSO)

- GNSO Improvements
- Geographic Regions
- Inter-Registrar Transfer Policy

Topics covered in this session

Generic Names Supporting Organization (GNSO)

- Post-Expiration Domain Name Recovery
- Discussion Paper on Best Practices
- UDRP Preliminary Issue Report
- WHOIS Update

Address Supporting Organization (ASO)

- Recovered IPv4 Post Exhaustion

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ccNSO Policy Issues

ccNSO Update

- Framework of Interpretation (FOI) WG
- Other ccNSO activities
- Panel discussion ccNSO meeting
- Joint WG's

Framework of Interpretation WG

Objective:

- Develop and propose a framework for the delegation and re-delegation of ccTLDs (including interpretations of RFC 1591, ICP-1 and GAC Principles in a consistent and coherent manner.

FoI WG: Why is it important?

- Create an environment for consistent and predictable decisions regarding delegations and re-delegations

FoI WG

- Who Is Participating?

ccTLD representatives, GAC members, ALAC, GNSO liaison and experts (IANA staff)

- First activity: Work plan to be finalized in Singapore

- Goal to Show some progress by next Public Meeting in Senegal

Other major activities
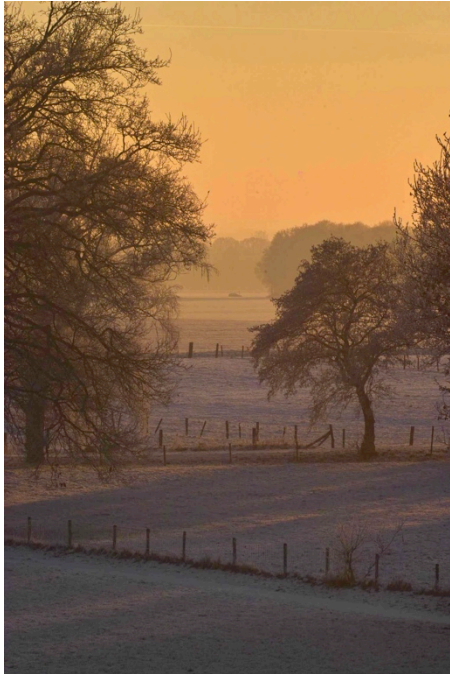
- Implementation ccNSO Improvements
- Finance and Strategic and Operational Planning activities
- IDN ccTLD related work

Panel Discussion: Impact of new gTLDs on ccTLDs and vice versa

- Explore impact and relations of TLD's servicing same geographical area
- Topic area's: Competition/marketing, regulatory and policies
- When: Wednesday 22 June from 14.00 – 15.30 (local time)

Joint Working Groups - Current status

- DSSA WG: Discussion of work plan and introductions

- JIG WG: Single Character IDN TLD recommendations awaiting implementation by ICANN

- Study Group on Use of Country Names as TLD's: Overview of policies, typology of country and territory names

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GNSO Policy Issues

Some Current issues being discussed in GNSO:

- GNSO Improvements
- Geographic Regions
- Registration Abuse Policies (RAP)
- Inter-Registrar Transfer Policy (IRTP)
- Post-Expiration Domain Name Recovery
- Registrar Accreditation Agreement (RAA)
- WHOIS
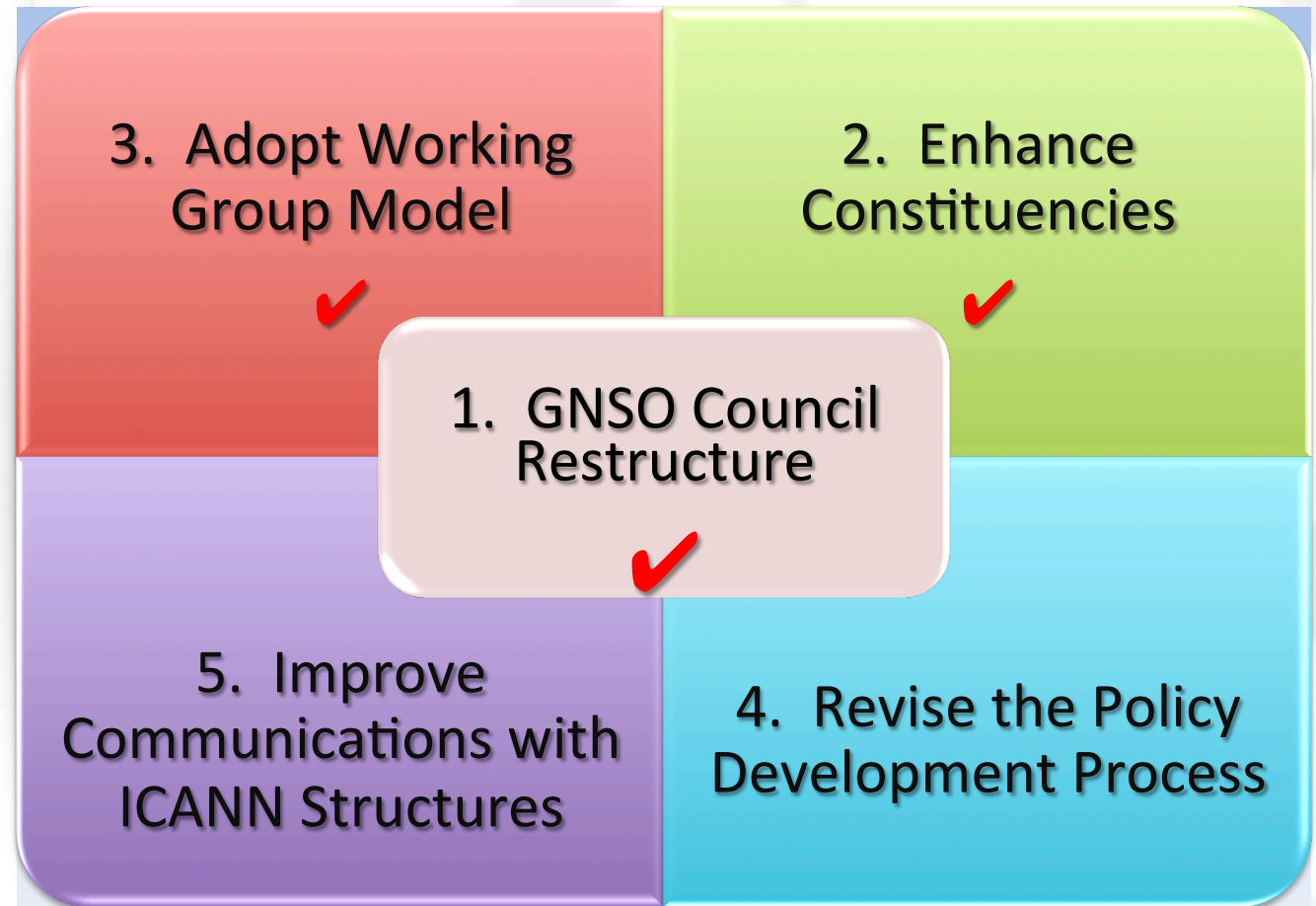- Others – currently there are over 20 projects underway

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GNSO Structure and Process Improvements

GNSO: Five Main Areas for Improvement

Based on input from the independent reviews, a Working Group of the ICANN Board Governance Committee (BGC-WG) identified these areas for improvement

3. Adopt Working Group Model ✔

2. Enhance Constituencies ✔

1. GNSO Council Restructure ✔

5. Improve Communications with ICANN Structures

4. Revise the Policy Development Process

Latest News – Process Developments

- Working Group Guidelines Approved by Council
- Recommended PDP Improvements submitted to the GNSO Council and to be posted for Public Comment
- Community Outreach Recommendations (WT) Posted For Comment
- GNSO Council Standing Committee (SCI) Chartered
- Improved GNSO Web Site -content transfer in progress

GNSO.ICANN.ORG

Latest News – Structural Developments

- New process for Constituency recognition proposed; public comment concluded

- CSG Permanent Charter Developed; public comment concluded

- NCSG Permanent Charter Proposal; public comment concluded

- Pending New Constituency Proposals – Consumers, NPOC

- Toolkit of Admin and Support Services Implementation

Next Steps – Singapore

- Revised New Constituency Process Public Comment Forum
- PDP Improvements Sessions (GNSO Working Sessions and Public Workshop)
- Permanent CSG and NCSG Charters
- New Constituency Proposals

How can I get involved?

- Participate in Public Comment Forums http://www.icann.org/en/public-comment/

- Get familiar with WG Guidelines http://gnso.icann.org/council/summary-gnso-wg-guidelines-06apr11-en.pdf

- Join an existing Stakeholder Group or Constituency

- More information at http://gnso.icann.org/en/improvements/

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Review of ICANN Geographic Regions

Review of ICANN Geographic Regions

- Board Chartered Cross-Community Working Group (ALAC, ASO, ccNSO, GAC, GNSO
- Three-Step Inquiry – Initial Report (July 2009), Interim Report (November 2010), Final Report (September 2011-TBD)
- Community Survey, Public Comments and Community Workshops
- Recommendations Phase Underway

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Inter-Registrar Transfer Policy (IRTP) Part B PDP Working Group

ICANN

Singapore 41
19-24 June
2011

Background

- Inter-Registrar Transfer Policy (IRTP)
- Straightforward process for registrants to transfer domain names between registrars
- Currently under review to ensure improvements and clarification. #1 Area of Complaints –a cording to ICANN data
- IRTP Part B PDP Working Group – second in a series of five PDPs

Charter Questions

- Should there be a process or special provisions for urgent return of hijacked registration, inappropriate transfers or change of registrant?

- Registrar Lock Status (standards / best practices & clarification of denial reason #7)

Recent Developments

- **PDP was initiated in June 2009**
- Publication of Initial Report on 29 May 2010
- **Publication of Proposed Final Report for public comment on 21 February 2011**
- Final Report circulated 30 May 2011, containing 9 recommendations (4 direct) for GNSO Council consideration

Recommendations

- Requiring registrars to provide a Transfer Emergency Action Contact (TEAC) for urgent communications relating to transfers. The goal of the TEAC is to quickly establish a real-time conversation between registrars in case of an emergency such as hijacking. Responses are required within 4 hours of the initial request, although final resolution of the incident may take longer. (#1)

- Promoting proactive measures to prevent hijacking such as outlined in the recent report of the Security and Stability Advisory Committee on 'A Registrant's Guide to Protecting Domain Name Registration Accounts (SAC 044). (#2)

Recommendations (continued)

- Requesting an Issue Report on the requirement of 'thick' WHOIS for all incumbent gTLDs. (#3)

- Requesting an Issue Report to examine the 'change of control' function as well as a review of locking procedures as described in IRTP Reasons for Denial #8 and #9. (#4)

- Modifying section 3 of the IRTP to require that the Losing Registrar notifies the Registrant of the transfer out. (#5)

- Clarifying IRTP Reason for Denial #6 to make it clear that the registrant must give some sort of informed opt-in express consent of having registrar-specific locks applied, and the registrant must be able to have the lock removed upon reasonable notice and authentication. (#6)

Recommendation (continued)

- If a review of the UDRP is conducted in the near future, the issue of requiring the locking of a domain name subject to UDRP proceedings is taking into consideration. (#7)

- Standardizing and clarifying WHOIS status messages regarding Registrar Lock status. (#8)

- Deleting IRTP Reason for Denial #7 and instead replace it by adding a new provision in a different section of the IRTP on when and how domains may be locked or unlocked. (#9)

Next Steps
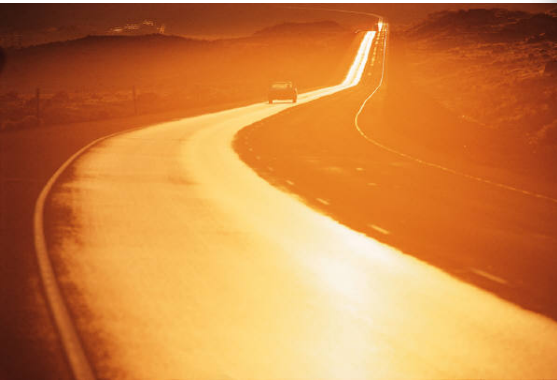
- GNSO Council to consider report and recommendations
- If/once approved by the GNSO Council, changes to the IRTP will need to be approved by the ICANN Board
- IRTP C gets started …

Further Information

- IRTP Part B PDP Final Report - http://gnso.icann.org/issues/transfers/irtp-b-final-report-30may11-en.pdf
- IRTP Part B Public Comment Review Tool https://community.icann.org/download/attachments/12746774/Public+comment+review+tool+-+Proposed+Final+Report+-+5+May+2011+-+FINAL.pdf?version=1&modificationDate=1305793631000
- Inter-Registrar Transfer Policy - http://www.icann.org/en/transfers/

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Post-Expiration Domain Name Recovery WG

Why is it important?

- To what extent should registrants be able to reclaim their domain names after they expire?
- Issue brought to the GNSO by ALAC
- PDP initiated in June 2009
- PEDNR WG examines five questions relating to expiration and renewal practices and policies
- WG is expected to make recommendations for best practices and / or consensus policies

Recent Developments

- Initial Report Published in May 2010 – did not include any recommendations

- WG reviewed public comments and continued deliberations

- Published proposed Final Report on 21 Feb containing 14 recommendations, in combination with opening of public comment forum

- WG presented FR to Council on 14 June – briefing on June 18

IRTP B Recommendations:

The WG believes that the recommendations:

- will provide additional guarantees to registrants;

- will improve registrant education and comprehension;

- are in line with current registrar practices and will have minimal impact on most registrars and other affected stakeholders.

Recommendations (as in latest draft)

Total of 18 recommendations, including amongst others:

- Provide a minimum of 8 days after expiration for renewal by registrant

- All gTLDs and registrars must offer Redemption Grace Period (RGP), with the exception of sponsored gTLDs

- Fees charged for renewal must be posted

- At least two notices prior to expiration at set times, one after expiration

Recommendations (as in latest draft) - continued

- Website must explicitly say that registration has expired and instructions on how to redeem

- Development of education materials about how to prevent unintentional loss

- Best practices recommendations

- Regular updates on the effectiveness and status of implementation of the recommendations

Next Steps

- GNSO Council to consider report and recommendations

- If/once approved by the GNSO Council, consensus policy recommendations will need to be approved by the ICANN Board

Further Information

- Post-Expiration Domain Name Final Report - https://community.icann.org/display/gnsopednr/2.+WG+Documents+%28Drafts+-+Published%29

- PEDNR WG Workspace - https://community.icann.org/display/gnsopednr/PEDNR+WG+-+Home

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Discussion Paper on the creation of non-binding best practices to address the abusive registrations of domain names

Background
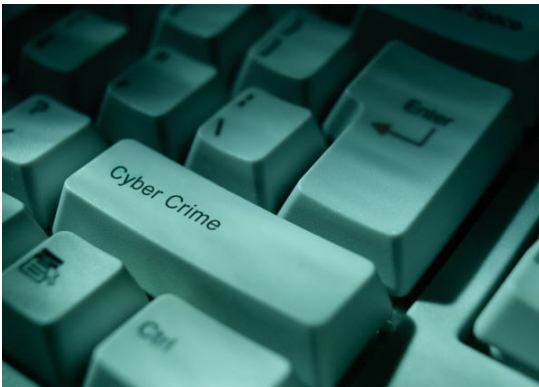
- In its Final Report, the Registration Abuse Policies (RAP) Working Group recommended 'the creation of non-binding best practices to help registrars and registries address the illicit use of domain names'.

- At its meeting on 3 February 2011, the GNSO Council requested ICANN Staff to prepare a discussion paper on this topic

Status

- Staff working on discussion paper that will raises a number of questions and identifies existing best practices

- Workshop in Singapore (23 June) to get community input on this topic (see http://singapore41.icann.org/node/24623)

- Taking into account community input, staff to prepare discussion paper for submission to the GNSO Council following Singapore meeting

Additional Information

- RAP Final Report- http://gnso.icann.org/issues/rap/rap-wg-final-report-29may10-en.pdf

- GNSO Council Resolution - http://gnso.icann.org/resolutions/#201102 (motion 20110203)

- Best Practices Workshop on Thursday 23 June from 11.00 – 12.30 (see http://singapore41.icann.org/node/24623)

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Preliminary Issue Report
on the
Current State of the UDRP

Issue Report Request

- 3 Feb 2011- GNSO Council request for Issue Report on the current state of the UDRP

- The Issue Report to cover:
  - How the UDRP has addressed the problem of cybersquatting to date, and any insufficiencies/inequalities associated with the process
  - Whether the definition of cybersquatting inherent within the existing UDRP language needs to be reviewed or updated
  - Suggestions for how a possible PDP on this issue might be managed

Current Approach & Next Steps

- Webinar 10 May heard from experts on the current state of the UDRP
- Questionnaire to UDRP providers submitted facts for Issue Report
- Preliminary Issue Report published for public comment
- UDRP Session to be held in Singapore:
- http://singapore41.icann.org/node/24551
- Final Issue Report to be released after Singapore
- GNSO Council to vote on whether to initiate a PDP on the UDRP

Current State of the UDRP

Widely Recognized as a Success

- Over 30,000 complaints filed over last decade
- Four service providers approved by ICANN providing choice and competition
- Viable alternative to costly litigation involving parties from differing jurisdictions
- Served as a model for ccTLDs
- Significant service provider resources in education and publishing decisions

Community Opinion of the UDRP

- The UDRP is **cost effective**, as compared to traditional litigation
- The UDRP is **flexible and fair to respondents**-rarely challenged in court
- The UDRP is **predictable and transparent**
- The UDRP is **unfair to brand holders**, who spend million$ on cybersquatting
- Although not perfect, more harm than good can result from a PDP
- If the UDRP is to be reviewed at all, focus on process improvements
- *Consensus - a PDP could undermine the effectiveness of the UDRP*

Staff Recommendation

- Given the Community view that the UDRP should not be tampered with, *Staff recommends against initiating a PDP*

- If the GNSO Council believes that the UDRP should be reviewed:
  - Staff suggests convening a team of experts
  - Experts to focus on process recommendations only
  - PDP could be initiated later if there is a continued desire to review the policy

Additional Information

- The UDRP-
  http://www.icann.org/en/udrp/#udrp

- Review archive of the Webinar on the Current State of the UDRP:
  http://icann.adobeconnect.com/p22471828/

- Participate in the public comment forum on the Preliminary Issue Report- until 15 July 2011
  http://icann.org/en/announcements/announcement-2-27may11-en.htm

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WHOIS Update

Agenda

- WHOIS Studies – 4 studies:
  - "Misuse" of public data
  - Registrant Identification
  - Proxy/Privacy "Abuse"
  - Proxy/Privacy Relay and Reveal

- WHOIS Service Requirements Report – upcoming survey

Goals of gTLD WHOIS studies

- WHOIS policy debated for many years
- Many interests with valid viewpoints
- GNSO Council decided in October 2007 that study data was needed to provide objective, factual basis for future policy making
- Identified several WHOIS study areas that reflect key policy concerns
- Asked staff to determine costs and feasibility of conducting those studies
- Staff used an RFP approach to do so
- Research is done, Council is now deciding which studies to do

Misuse Study

- Study will assess whether public WHOIS significantly increases harmful acts and the impact of anti-harvesting measures. Two approaches :
  1. Experimental: register test domains and measure harmful messages resulting from misuse
  2. Descriptive: study misuse incidents reported by registrants, researchers/ law enforcement
- **Cost:** $150,000 (USD)
- Awarded to Carnegie Mellon U., Pittsburgh, PA, USA
- **Status:** approved by GNSO Council last Sept, initiated in April 2011
- **Time estimate:** 1 + year

Registrant Identification Study

- Study will examine info about how domain name registrants are identified and classify the various types of entities that register domains, including natural persons, various types of legal persons and Privacy and Proxy service providers

- **Cost:** approx. $150,000 (USD) (subject to change as study terms are revised)

- **Time estimate:** 1 year

- **Status:** Council approved 9 June. Study has been recast as an "exploratory" data-gathering effort that is not hypothesis-driven. This will also provide more consistency with related GAC proposals offered in 2008.

WHOIS Privacy and Proxy "Abuse" Study

- This study will compare a broad sample of Privacy & Proxy-registered domains associated with alleged harmful acts to assess:
  1. How often bad actors try to obscure identity in WHOIS
  2. How this rate of abuse compares to overall P/P use
  3. How this rate compares to alternatives like falsified WHOIS data, compromised machines, and free web hosting
- **Cost:** $150,000 (USD)
- **Time estimate:** 1 year
- **Status:** GNSO Council approved on 28 April, contract being finalized

WHOIS P/P Relay & Reveal Study

- The original Study would analyze communication relay and identity reveal requests sent for Privacy & Proxy-registered domains:

  1. To explore and document how they are processed, and
  2. To identify factors that may promote or impede timely communication and resolution.

- Potential bidders were unsure of the feasibility of this study, especially obtaining a sufficient data sample, so we proposed a pre-study to survey potential participants to determine if launching a full study is feasible to do.

- **Cost:** $80,000 (USD) for Pre-study Survey

- **Time estimate:** four months

- **Status:** GNSO Council approved the pre-study on 28 April, contract being finalized

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Inventory of WHOIS Service Requirements Report

Background
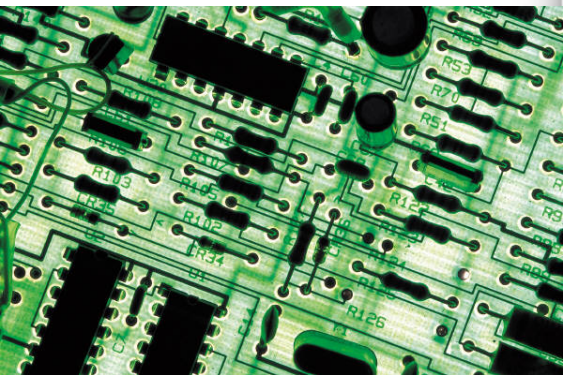
- May 2009 -- The GNSO Council asked Policy Staff to compile a comprehensive set of *technical* requirements for the WHOIS service policy tools to reflect not only the known deficiencies in the current service but also include technical requirements that may be needed to support various *policy* initiatives that have been suggested in the past.

- Released draft report in March 2010 to ALAC, SSAC, ASO, GNSO, CCNSO for input

- Incorporated comments and released Final Report on 29 July 2010

Goals & Non-goals

Collect and organize a set of **technical requirements for community consideration:**

- Current features identified as needing improvement
- Features to support various past policy proposals
- Features recommended by ICANN SOs, ACs, community

NOT gathering policy requirements

NOT recommending policy

Compilation includes:

- Mechanism to find authoritative Whois servers
- Structured queries
- Standardized set of query capabilities
- Well-defined schema for replies
- Standardized errors
- Quality of domain registration data
- Internationalization
- Security
- Thick vs. Thin WHOIS
- Registrar abuse point of contact

Status of the report
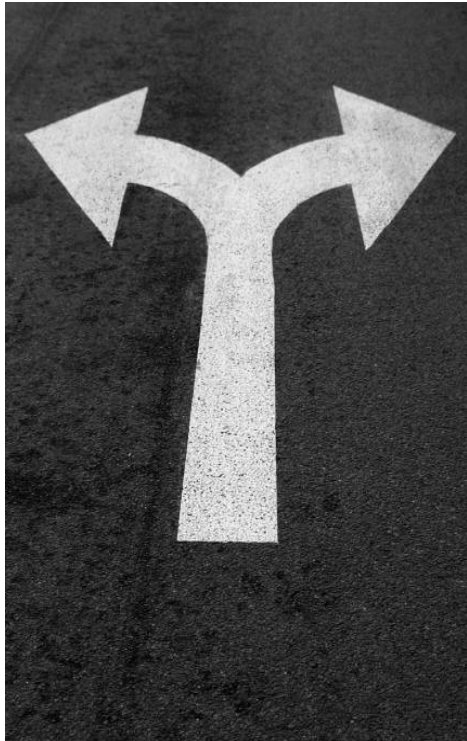
- Council decided on 19 May to convene a drafting team to develop a survey to try to estimate the level of agreement with various "requirements" among the GNSO community.
- Survey results might help determine whether there is benefit to initiating a working group to develop a plan for considering the technical requirement recommendations in the report.

For more information

- On WHOIS studies:
  http://gnso.icann.org/issues/whois/

- On the Inventory of Service Requirements Report:

  http://gnso.icann.org/issues/whois/whois-service-requirements-final-report-29jul10-en.pdf

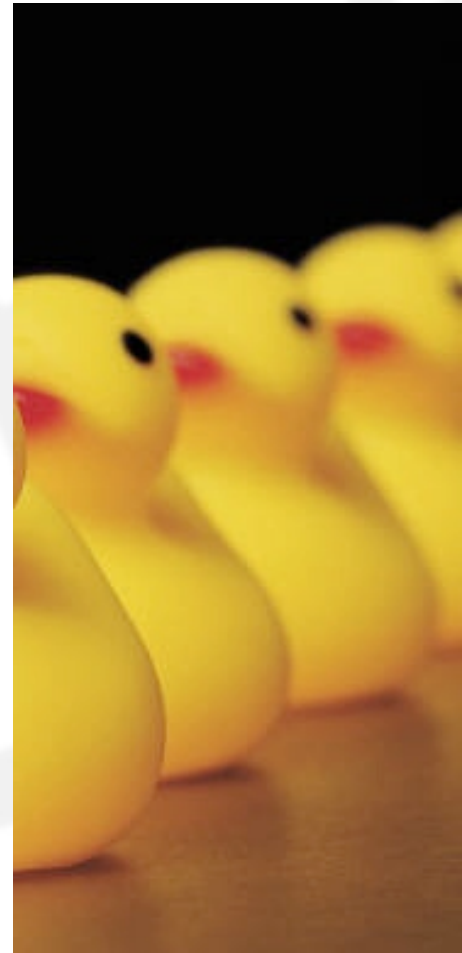 On an informal Technical Evolution Discussion that is also underway:

  https://community.icann.org/display/TEwhoisService/Technical+Evolution+of+WHOIS+service+wiki+page

Other Issues

- Internationalized Registration Data Working Group (IRD-WG): Update on Activities 23 June Thursday

http://singapore41.icann.org/node/24613

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ASO Policy Issues

Background: RIRs, NRO and the ASO

- What is an RIR?
  - Regional Internet Registry. There are five RIRs; AfriNIC, APNIC, ARIN, LACNIC and RIPE and they cooperate thru the NRO, the Number Resource Organization.
- What is the ASO?
  - The Address Supporting Organization, set up through an MoU between ICANN and the NRO.
  - One major task of the ASO is to handle Global Policy Proposals.

Background: Global Policies

- What is a "Global Policy"?
  - The RIRs develop many regional addressing policies.
  - Only very few policies affect IANA and only those are called "Global Policies".
- Global Policy Proposal in "pipeline":
  - Recovered IPv4 Address Space, "Post Exhaustion"

Recovered IPv4
"Post Exhaustion"

Global Policy Proposal:
Recovered IPv4 "Post Exhaustion"

- Why is it important?
  - The proposal enables IANA to handle recovered IPv4 address space and allocate smaller blocks than before

  Current status:
  - The third proposal on this theme! It has been introduced in all RIRs, adopted in APNIC and is in discussion in the other RIRs.
  - Replaces two previous proposals for Recovered IPv4 that didn't reach global consensus.

How do I get involved?

- For all addressing policies: participate in the bottom-up policy development in an RIR of your choice.

- All RIRs conduct open meetings where policy proposals are discussed and all have open mailing lists for such matters.

- Don't miss the **ASO session on Wednesday in Singapore!** All RIRs will be there and present their current policy work!

How to
Stay Updated

Policy Update Monthly

- Published mid-month

- Read online at:
  http://www.icann.org/en/topics/policy/

- Subscribe at:
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- Available in Arabic, Chinese, English, French, Russian, and Spanish
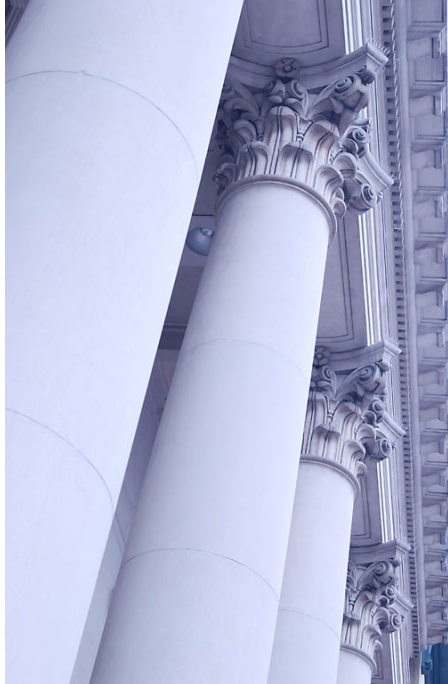
Improved ICANN Web-Sites

- New improved site launched for ccNSO
- New improved site to be launched for GNSO

- New Community Collaboration Wiki – Training sessions in Singapore

- Re-design of icann.org

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ICANN Policy Staff

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Thank you
Questions?

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