

DRAFT EXECUTIVE MINUTES: GAC MEETING SEOUL OCTOBER 2009

ATTENDANCE

Members Countries: Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Burkina Faso, China, Colombia, Canada, Comoros, Denmark, European Commission, Finland, France, Gabon, Georgia, Germany, Holy See – Vatican City State, Italy, India, Indonesia, Japan, Kenya, Latvia, Macedonia, Malta, Malaysia, Micronesia, Morocco, Netherlands, Nigeria, New Zealand, Norway, Oman, Palau, Philippines, Portugal, Poland, Senegal, Serbia, Singapore, South Korea, Spain, Sri Lanka, Switzerland, Sweden, Chinese Taipei, Tanzania, Trinidad and Tobago, Turkey, UAE, United Kingdom, USA, Vanuatu, Vietnam.

Remote participation: Czech Republic, Egypt

Invited Country: Russia

Observers: OIF, UNESCO, WIPO

NEW gTLDs

Points of convergence among GAC members

- **Geographic Names:** Concern that GAC (and ccNSO) position on geographic domain names at the top level has not been agreed by ICANN.
- **Law enforcement:** Distinction between existing and new gTLDs is not necessarily relevant to law enforcement policy considerations. Consumer protection is one element of law enforcement policy for TLDs.
- **Trademark Protection:** Appropriate protection measures are needed and ICANN should provide a clear explanation for its proposed modification of the original IRT recommendations.
- **Security and stability:** This should be the highest priority and the implications of the root scaling study must be considered thoroughly by all parties. ICANN should have mechanisms for controlling the rate at which new gTLDs are added to the root.
- **Categories:** Additional categories should at least be considered to enable a more manageable phase-in of new gTLDs.

Points of divergence among GAC members

- **Comments on DAG 3:** Whether GAC should provide comments on DAG 3 within the public comment timeframe.
- **Geographic Names:** The extent to which ISO 3166-1 should be used as the authoritative guide to country/territory names.

Points of convergence with ICANN Board

- **Security and stability:** This is taken very seriously. The root scaling study reports are still being worked through with the technical community. There is an emerging view that the rate at which changes are made to the root should be conservative. The issue is not the number of applications but the rate at which TLDs are placed in the root: the Board has options to control the latter.

- **Law enforcement:** Input of law enforcement agencies to new gTLD process is very important and welcome eg LEA comment on DAG 3 could help shape new contractual arrangements.

Points of divergence with ICANN Board

- **Security and stability:** Whether the issues have emerged relatively late in the new gTLD process (GAC) or have been understood for some time with regard to basic root scalability but are now benefitting from consideration of other aspects eg business processes.
- **Law enforcement:** Whether law enforcement considerations should be dealt with for policy purposes across all categories of TLDs (GAC) or limited for the time being to new TLDs due to existing contractual arrangements (ICANN).
- **Timeframes:** The need for business certainty on timeframes for introduction of new gTLDs (GAC) vs extended consultation processes required the ICANN multi-stakeholder framework (ICANN).

AFFIRMATION OF COMMITMENTS (AOC)

Points of convergence among GAC members

- The AOC is a significant step forward and generally is to be welcomed.
- AOC reviews are not an end in themselves but a means for improving confidence in ICANN as an organisation and moving towards a truly internationalised body. Implementation (eg through bylaws) will be as important as the reviews themselves.
- AOC increases significantly the role of the GAC, particularly in the external accountability of ICANN, and this needs to be conveyed to governments (both GAC and non-GAC members).

Points of divergence among GAC members

- How to support the GAC Chair.
- Methodologies for the review teams.

Points of convergence with ICANN Board

- GAC should be kept informed of developments to enable briefing of Ministers and other key stakeholders.
- Internationalisation of ICANN, as per the Improving Institutional Confidence process, must not be lost sight of.

INTERNATIONALISED DOMAIN NAMES

IDN ccTLD Fast Track

Points of convergence among GAC members

- While not formally endorsing the implementation plan, GAC firmly welcomes the pending introduction of IDN ccTLDs via the fast track procedure.

Points of convergence with ICANN Board

- Introduction of IDN ccTLDs is welcome and all involved are to be congratulated.

IDNccTLD Principles

Points of convergence among GAC members

- Use of the ISO 3166-1 list is a starting point to develop a reference table
- Agreed text: “All countries and distinct economies with existing country code top-level domains have equal rights to create IDN ccTLDs that reflect their languages and scripts.”
- Retrospective application of the IDN ccTLD Policy Development Process Fast Tracked IDNs should be considered carefully
- Possible amendments to the way in which information on non-Latin script is presented in ISO 3166-1 could possibly be the subject of briefing in Nairobi.

MEETING WITH GNSO

Points of agreement between GAC and GNSO

- Appropriate trademark protection measures are an important part of the new gTLD process.
- Clarification is required from ICANN as to why the uniform rapid suspension service is now proposed to be optional rather than mandatory.

There was an exchange of views between GAC and GNSO members (but no agreed or disagreed positions) on:

- gTLD Categories
- Affirmation of Commitments

MEETING WITH ALAC

Points of agreement between GAC and ALAC:

- The “morality and public order” grounds for objection for new gTLDs is likely to be difficult to administer in practice.

There was an exchange of views between GAC and ALAC members (but no agreed or disagreed positions) on:

- Registry/Registrar separation and the interests of registrants.
- Avoiding end-user confusion for new gTLDs
- Geographic names and new categories for new gTLDs
- Affirmation of Commitments.

IPv4/IPv6: MEETING WITH NUMBERING RESOURCE ORGANISATION

Points of agreement among GAC members

- A current ITU proposal for the ITU to manage a block of IPv6 addresses appears to duplicate the work of the Regional Internet Registries and further dialogue with the ITU is required to ensure a workable outcome.

Points of disagreement among GAC members

- The extent to which governments need to be pro-active in encouraging IPv6 take-up rather than leaving the issue to market forces.

GAC WORKING METHODS

Points of convergence among GAC members

- Some elements of GAC meetings should remain closed.

Points of divergence among GAC members

- Whether resourcing of GAC support by ICANN should occur. Noted that the issue could be considered by the Joint Working Group.

Points of convergence with ICANN Board

- Simultaneous interpretation for GAC meetings should be seriously considered, beginning with the Nairobi meeting.
- Board is prepared to look at a possible cutoff date for changes to the meeting schedule.

Points of divergence with ICANN Board

- The degree to which ICANN staff have communicated with and responded to GAC on meeting scheduling issues.

PROPOSED CHANGES TO BYLAWS: ELECTION OF GAC CHAIR AND VICE CHAIRS

Points of convergence among GAC members

- Need for some clarification of the quorum necessary for GAC elections.

Points of divergence among GAC members

- Whether voting for election of a Chair should be by secret ballot or a show of hands.

GAC WORK PROGRAM 2010

Points of convergence among GAC members

- Need to develop a detailed work program specifying how the GAC will address the identified priorities over its three meetings in 2010.
- Implementation of the work priorities is linked as a matter of practicality to the issue of GAC working methods.

ICANN STRATEGIC PLANNING PROCESS

There was a presentation from ICANN staff on strategic planning and comments from several GAC members were taken on board.

SEOUL COMMUNIQUÉ: FINAL VERSION

At http://gac.icann.org/system/files/Seoul_communique_2.pdf