Governmental Advisory Committee

GAC Communiqué – Sydney

I. INTRODUCTION

The Governmental Advisory Committee (GAC) of the Internet Corporation for Assigned Names and Numbers (ICANN) met in Sydney, during 20 – 24 June, 2009.

40 members, 2 observers and one invited country, Russia, participated in the meeting.

The Governmental Advisory Committee expresses warm thanks to Business Events, Sydney; ausRegistry and auDA and the Government of Australia for hosting the meeting in Sydney and ICANN for supporting the GAC meeting.

II. IDN ccTLDs

The GAC welcomes the release of the revised version of the Draft Implementation Plan for the IDN ccTLDs Fast Track Process and the supporting documents, *Proposed Documentation of Responsibility*; *Financial Contributions to Support the Development and Deployment of IDN ccTLDs; Cost Analysis of IDN ccTLDs Focus on Program Development and Processing Costs* and *Proposed Development and use of IDN Tables*.

The GAC comments on rev 3.0 of the Draft Implementation Plan IDN ccTLDs Fast Track process are attached.

III. New gTLDs

The GAC supports the proposed introduction of new gTLDs in view of their potential for increasing competition, promoting innovation and diversity, and increasing access to the Internet.

The GAC discussed the Draft Applicant Guidebook version 2 and feels that it does not yet respond to all the concerns that governments have. The GAC notes that considerable work is underway seeking to address several critical yet outstanding issues but the GAC remains concerned about a number of important issues:

- Root scalability and stability;
- The need to ensure respect for national and public policy interests, in particular the need for adequate protection of geographic names (on the top and the second levels) and delegation/re-delegation procedures;
- The need for more effective protection for intellectual property rights;
- The lack of comprehensive analysis of economic and competition impacts;
- The lack of business awareness;
- The lack of analysis of the risk of end user confusion and/or harm;
- The one TLD category and single fee structure;
- The complexity and cost of the objection procedure and the implications of the proposed procedure for governments to submit objections, for example, on public order and morality grounds.

During the Sydney meeting, the GAC benefited from a briefing by the IRT and the SSAC/RSSAC on their respective areas of work. The GAC believes that these are important issues that deserve focused attention and need to be resolved prior to the posting of the third version of the Draft Applicant Guidebook.

The GAC urges the Board to give consideration to the specific need for non-commercial categories of TLDs including social, linguistic and cultural TLDs, and public authority sponsored TLDs, especially with respect to appropriate application procedures and financial arrangements.

The GAC expresses concern about the three-character requirement for the new IDN gTLDs, for example in Chinese, Japanese, Indian and Korean scripts, where many one or two characters have meaning. It should be taken into account developing the next version of DAG.

The GAC appreciates the engagement inter-sessionally with ICANN staff on issues associated with the introduction of new gTLDs.

The GAC intends to provide more comprehensive comments by the end of July.

IV. Role of the GAC

The GAC has held productive discussions during the Sydney meeting on its role, and looks forward to an early opportunity to initiate a joint process with the Board on this important topic in accordance with the Board's commitment in the Affirmation of Responsibilities in the Joint Project Agreement. The GAC proposes a joint working group for this purpose.

V. Briefings from SSAC and RSSAC

The GAC welcomes the detailed briefings from the SSAC and RSSAC on DNSSEC and the signing of the root, the Root Zone Scaling Study and SSAC advisory on the problems associated with the use of wildcards.

The GAC is particularly mindful that the introduction of new gTLDs and IDN ccTLDs has to be seen in the wider context of other major

changes being implemented in the Domain Name System, including, for example, the introduction of IPv6 and DNSSEC.

For this reason, the GAC is concerned about the cumulative impact of such major changes on the stability and security of the DNS and the Internet in general, and looks forward to the conclusions of the report of the Root Scaling Study.

VI. Acknowledgments

The GAC would like to formally acknowledge and recognize the significant contribution made by Dr Paul Twomey to ICANN during his tenure as ICANN CEO and President, and also in his role as the inaugural GAC Chair. The GAC wishes Dr Twomey well in his future endeavors.

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The GAC warmly thanks all those inside and outside the ICANN community who have also contributed to the dialogue with GAC in Sydney, including Patrik Fältström, ISOC, ALAC, EABC.

The next GAC meeting will be during the period of the ICANN meeting in Seoul, South Korea.

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Sydney, 24 June 2009

GAC Comments on Rev3.0[1] of the Draft Implementation Plan IDN ccTLD Fast Track Process

The GAC welcomes ICANN's efforts in issuing Rev3.0 of the "Draft Implementation Plan for the IDN ccTLD Fast Track Process" along with all supporting documents which would help advancing individual country positions.

The GAC believes that Documentation of Responsibilities and Financial contributions should be dealt with separately and not in relation to each other, i.e. An IDN ccTLD manager may go through a formalized relationship without being able to provide financial contributions and vice versa.

The GAC reiterates its firm conviction that the same treatment should be given to IDN and ASCII ccTLDs, particularly on documented relationships and fees.

Relationship between ICANN and IDN ccTLD Managers

- The GAC welcomes ICANN's posting of the 'Revised Proposed Implementation Details Regarding Documentation of Responsibility' which provides further updates on proposed formalization of relationship between ICANN and prospective IDN ccTLD managers.
- The GAC supports splitting the discussion into three issues: content of obligations, form by which those obligations are documented and if those obligations can be enforced. The GAC believes this approach would facilitate the discussion and help better understanding and better solving of special cases.
- The GAC emphasizes that the over-riding priority for the deployment of IDNs is the need to ensure the continued stability, security and interoperability of the DNS.
- In this respect, an indication of the intention to respect and implement appropriate IETF standards including IDNA protocol should be part of the application process.
- The GAC welcomes ICANN's flexibility regarding the form of the relationship between ICANN and IDN ccTLD managers and believes that this should not be limited only to the 2 mentioned forms but may also extend to include other options that may exist and may be more suitable to some ccTLD managers.
- The GAC believes that discussing the mandating of the Documentation of Responsibilities and finalizing mutual relationship agreements in a form that better suit each IDN ccTLD should not delay the whole process of the Fast Track.

Financial Contributions

- The GAC welcomes ICANN's posting of both documents, 'Proposed Implementation Details Regarding Financial Contributions to Support the Development and Deployment of IDN ccTLDs', and 'Cost Analysis of IDN ccTLDs: Focus on Program Development and Processing Costs', providing further information on proposed financial contribution for the introduction of IDN ccTLDs.

[1] Comments submitted by GAC on Draft Implementation Plan revision1 also apply.

- The GAC believes that the cost estimated for the processing of each new IDN ccTLD request is prohibitively high and would introduce a financial barrier for IDN ccTLD managers especially from developing countries.
- The GAC believes that the proposed revenue percentages still need further discussion between ICANN and the IDN ccTLD operator.
- The GAC notes that significant work on IDN preparations has taken place outside ICANN remit, including in countries and territories and that those expenditures haven't been reflected in the cost analysis documents.
- The GAC reiterates that all fees intended to recover costs associated with introduction of IDN ccTLDs should be kept voluntary.

IDN Table Procedure

- The GAC welcomes ICANN's posting of the 'Revised Proposed Implementation Details Regarding IDN Tables Development and Usage' which further describes, how an IDN table can be developed, and a methodology for how ICANN will use IDN Tables and how variants will be handled at the top level.
- The GAC members had a technical brief in which the GAC noted the following:
    1. The importance of collaboration among communities, sharing same languages or same scripts, to develop IDN tables, identify variants and agree on registration policies in order to reduce any potential confusion that could result from typographic similarities. Hence, the GAC believes that such community efforts are necessary and should feed into the fast track process.
    2. The GAC noted benefits of having clearer and fewer language tables within the IANA repository.
    3. The GAC noted the merit behind starting with a more conservative set of characters and extending this set later, if needed, rather than the contrary.