

# 2013-04-11-NoticeBDMtg .docx

**Directors and Liaisons,**

**Attached below please find the Notice of date and time for a Regular Meeting of the ICANN Board of Directors:**

**11 April 2013 – Regular Meeting of the ICANN Board of Directors - at 10:00 UTC – This Board meeting is estimated to last 1 hour.**

**Some other time zones:**

**11 April 2013 - 3:00 AM PM PDT Los Angeles**

**11 April 2013 – 12:00 PM CEST Brussels**

**11 April 2013 – 6:00 AM EDT Washington, D.C.**

<http://www.timeanddate.com/worldclock/fixedtime.html?msg=ICANN+Board+Meeting&iso=20130411T10&p1=1440&ah=1>

**Agenda: TBA**

**MATERIALS - SPECIAL NOTE – MATERIALS - SPECIAL NOTE** – Changes have recently been made to the materials being provided to the Board based on input from a number of sources. Materials will be provided in three different ways. You do not need to read all materials – the ones you find most useful will depend on how much information you need about the specific topic. This will hopefully make it easier to manage the materials coming to you. The materials have been collated in 3 parts on BoardVantage.

**PART 1:** you will find the Board papers and a one-page overview sheet for each paper. The format of the paper has been tightened up to make them shorter and more concise. Where appropriate, they will contain proposed resolutions and rationales. The overview sheet is a one page summary in which four specific questions are answered – what is the issue, why is it important, who is the decision maker and the shepherd, and next steps.

**PART 2:** you will find all proposed resolutions assembled in one document and any minutes which are being presented for approval. There is a new

set of minutes for your approval from the meeting on Jan 10 2013.

**PART 3** will include reference materials such as summaries of public comments, redlined versions of documents, check-lists regarding PDPs and any additional analysis required. This is being provided for board members who would like to explore additional information on many of the topics.

**MATERIALS -- All Materials are available on**

**, if  
you have trouble with access, please let us know and we will work with  
you to assure that you can use the BoardVantage Portal for this  
meeting.**

**If you have any questions, or we can be of assistance to you, please let  
us know.**

**If call information is required, it will be distributed separately**

**If you have any questions, or we can be of assistance to you, please let  
us know.**

**John Jeffrey**

**General Counsel & Secretary, ICANN**

**[John.Jeffrey@icann.org](mailto:John.Jeffrey@icann.org) <[John.Jeffrey@icann.org](mailto:John.Jeffrey@icann.org)>**

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# 2013-04-11-AgendaTable.docx

## AGENDA – 11 April 2013 BOARD Meeting – 1.0 hours

| Time, etc.  | Agenda Item  | Shepherd      | Expected Action | Potential Conflict of Interest |
|---|--|---------------|-----------------|--------------------------------|
| <ul style="list-style-type: none"> <li>• <b>Assembly, Roll Call &amp; Consent Agenda Vote</b></li> <li style="margin-left: 20px;">• 20 min</li> </ul> | <b>1. Consent Agenda</b>   |               |                 |                                |
|   | 1.a. <a href="#">Minutes: 28 February Special Meeting of the ICANN Board</a> | John Jeffrey  | Approval        |                                |
|   | 1.b. <a href="#">RSSAC Bylaws Amendments</a>                                 | Ray Plzak     | Approval        |                                |
|   | 1.c. <a href="#">Hub office in Istanbul, Turkey</a>                          | Akram Atallah | Approval        |                                |
|   | 1.d. <a href="#">NCSG Decision to Reject PIA-CC Application</a>              | Ray Plzak     | Ratification    |                                |
|   | 1.e. <a href="#">.CAT Cross-Ownership Removal Request</a>                    | Cyrus Namazi  | Approval        |                                |
|   | 1.f. <a href="#">Redelegation of the .GA domain representing Gabon</a>       | Kuo-Wei Wu    | Approval        |                                |

## AGENDA – 11 April 2013 BOARD Meeting – 1.0 hours

|  |   |           |          |  |
|--|---|-----------|----------|--|
| <ul style="list-style-type: none"> <li>• <b>Discussion &amp; Decision</b></li> <li>• 40 min</li> </ul> | <b>2. Main Agenda</b>   |           |          |  |
|  | 2.a. <a href="#">IDN Variant TLD Root LGR Procedure and User Experience Study Recommendations</a> | Ram Mohan | Approval |  |
|  | 2.b. Placeholder for TBD  |           |          |  |
|  | 2.c. Any Other Business   |           |          |  |

# 2013-04-11-TOC-BOARD PAPERS.docx

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# 2013-04-11-01b-Board Overview-RSSAC Bylaws.docx

|   |   |
|---|---|
| <p><b>What is the Issue?</b></p> <p>As part of the recommendations arising out of the Organizational Review of the RSSAC, changes were deemed necessary to the Bylaws related to the RSSAC in order to achieve the recommendations. The proposed Bylaws changes were drafted in coordination with the RSSAC, and were posted for public comment in January 2013. No comments were received. The Structural Improvements Committee now recommends that the Board adopt these Bylaws amendments as part of the RSSAC improvements effort.</p> | <p><b>Why Is It Important?</b></p> <p>This is a non-controversial item. The import of these changes is that they are expected to enhance the work of the RSSAC and are part of the implementation of recommendations arising out of ICANN's Organizational Review Cycle. The Bylaws provide more specificity on the charter of the RSSAC's work and now set terms for RSSAC members, to be approved by the Board upon the RSSAC's recommendation.</p> |
| <p><b>Who is the Decision-maker? Who is the Shepherd?</b></p> <p>The Structural Improvements Committee has recommended that the Board approved the Bylaws. Ray Plzak, as Chair of the Structural Improvements Committee is the shepherd.</p>  | <p><b>Next Steps?</b></p> <p>If approved by the Board, the Bylaws will be updated. The RSSAC will then undertake the necessary work to determine the recommended terms for RSSAC members, and will provide those recommendations to the Board in advance of 1 July 2013. The RSSAC will also operate in line with the revised Bylaws.</p>   |

**2013-04-11-01b-Board Paper-RSSAC Review  
Implementation.docx**

**ICANN BOARD SUBMISSION NO. 2013.04.11.1b**

**TITLE:** **Root Server System Advisory Committee (RSSAC)  
Bylaws Amendments**

**PROPOSED ACTION:** **For decision**

**EXECUTIVE SUMMARY:**

A working group formed to discuss the implementation of recommendations arising out of the organizational review of the Root Server System Advisory Committee (RSSAC) has recommended modification to the Bylaws addressing the RSSAC. The proposed Bylaws revisions were posted for public comment, and no comments were received. The Structural Improvements Committee (SIC) recommends that the Board adopt the proposed amendments to Article XI, Section 2.3 of the ICANN Bylaws to meet the recommendations from the review of the RSSAC. The Bylaws include a sufficient time period for the RSSAC to coordinate and recommend RSSAC member terms to be approved by the ICANN Board.

**BACKGROUND:**

The Board received the final recommendations arising out of the organizational review of the RSSAC on 5 August 2010, and approved the RSSAC Review Final Report Implementation Steps on 25 January 2011. To complete the implementation steps, a joint RSSAC and SIC Working Group convened and met in July and August 2012 to discuss the RSSAC review implementation. The working group agreed that the RSSAC's charter, which is set forth at Article XI, Section 2.3 of the ICANN Bylaws, be revised to address the recommendations arising out of the RSSAC review. In November 2012, the working group agreed upon Bylaws revisions and submitted those to the SIC for consideration. On 4 December 2012, the SIC reviewed the proposed amendments and agreed to recommend that the Board approve the posting of the proposed amendments to Article XI, Section 2.3 of the ICANN Bylaws for public comment, which the Board did. No comments were received.

**SIC RECOMMENDATION:**

The Structural Improvements Committee (SIC) recommends that the Board adopt the proposed amendments to Article XI , Section 2.3 of the ICANN Bylaws to meet the recommendations from the review of the RSSAC. The Bylaws include a sufficient time period for the RSSAC to coordinate and recommend RSSAC member terms to be approved by the ICANN Board.

**PROPOSED RESOLUTION:**

Whereas, in Resolution [2011.01.25.10](#), the Board approved the RSSAC review final report implementation steps and instructed the Structural Improvements Committee (SIC), in coordination with staff, to provide the Board with a final implementation plan to address the RSSAC review final recommendations and conclusions.

Whereas, in July and August 2012, a working group of RSSAC and SIC members was formed to draft a revised RSSAC charter in order to meet the requirements of the final RSSAC review recommendations. The RSSAC Charter is set forth within the ICANN Bylaws at [Article XI, Section 2.3](#).

Whereas, on 4 December 2012, the SIC reviewed the proposed Bylaws revisions and recommended that the suggested changes to Article XI, Section 2.3 be posted for public comment. The Board approved the public comment posting on 20 December 2012, and the comment period was opened on 3 January 2013. No comments were received.

Whereas, on 28 March 2013, the SIC recommended that the Board adopt the changes to Article IX, Section 2.3 of the Bylaws.

**RESOLVED** (2012.10.xx.xx), the Board adopts the proposed changes to Article XI, Section 2.3 of the ICANN Bylaws that are necessary to modify the charter for the RSSAC in line with the recommendations arising out of the organizational review of the RSSAC.

**RATIONALE:**

These ICANN Bylaws amendments will clarify the continuing purpose of the Root Server Advisory Committee (RSSAC). They were recommended by the joint RSSAC-SIC Working Group formed to conclude the implementation of the [RSSAC review WG final report: implementation steps](#) [PDF, 448 KB], approved by the Board on 25 January 2011. The proposed Bylaws changes were posted for public comment, and no comments were received in response. The absence of public comment indicates that such amendments are desirable for the RSSAC to improve its effectiveness in the current environment. The Bylaws revisions are drafted to allow the RSSAC sufficient time to coordinate the new RSSAC member terms that are required under the Bylaws, with the first full term under the new Bylaws provision beginning on 1 July 2013.

The approval of these Bylaws revisions is an Organizational Administrative Function for which public comment was sought. While the approval of the Bylaws amendments has no budget implications per say, it is expected that the Bylaws revisions will induce RSSAC expenditures. Empowered by the revised Bylaws amendment, the RSSAC will contribute to strengthening the security, stability and resiliency of the DNS.

|                  |                           |             |               |
|------------------|---------------------------|-------------|---------------|
| Submitted<br>by: | Samantha Eisner           | Date Noted: | 26 March 2013 |
|                  | Samantha.eisner@icann.org |             |               |

# 2013-04-11-01c-Board Overview-Turkey Hub Office.docx

|  |  |
|--|--|
| <p><b>What is the Issue?</b></p> <p>ICANN has decided to establish a branch office in Istanbul, Turkey. The registration to do business in Turkey must include a Board resolution establishing the branch and designating the branch representative.</p> | <p><b>Why Is It Important?</b></p> <p>If the Board does not pass the resolution our registration to do business in Turkey will likely be denied.</p> |
| <p><b>Who is the Decision-maker?</b><br/><b>Who is the Shepherd?</b></p> <p>The Board is the decision maker. Akram Atallah is the shepherd.</p>  | <p><b>Next Steps?</b></p> <p>Staff will proceed in submitting the registration documents required to do business in Turkey.</p>                      |

# **2013-04-11-01c-Board Paper-Turkey Hub Office .docx**

**ICANN BOARD SUBMISSION NO. 2013.04.11.1c**

**TITLE:** **Branch Office in Turkey**

**PROPOSED ACTION:** **For Board Approval**

**EXECUTIVE SUMMARY:**

The Board has previously agreed that ICANN should establish a branch office in Istanbul, Turkey. In order to establish the branch office, the Turkish government requires a Board resolution establishing the office and appointing a branch representative.

**STAFF RECOMMENDATION:**

Staff recommends that the Board pass the Resolution as set out below.

**PROPOSED BOARD RESOLUTION:**

Whereas, the Internet Corporation for Assigned Names and Numbers, a legal entity duly incorporated and existing under the laws of the State of California and the United States of America, having its principle place of business at 12025 E. Waterfront Drive, Suite 300, Los Angeles, California USA 90094 ("ICANN"), has decided to establish a branch office in Istanbul, Turkey ("Branch Office").

Resolved (2013.04.xx.xx), David Olive, holding a United States passport numbered [REDACTED], is appointed as the representative of the Branch Office with each and every authority to act individually on behalf of the Branch Office before, including but not limited to, any and all courts, private and public institutions.

**PROPOSED RATIONALE:**

ICANN is committed to continuing to expand its global reach and presence in all time zones throughout the globe. One of the key aspects of ICANN's internationalization is to establish offices in Turkey and Singapore. Another key aspect of ICANN's internationalization is to ensure that not all members of ICANN's senior management are located in the Los Angeles office. To that end, one of ICANN's officers, David Olive, has agreed to relocate to Istanbul and to be the designated branch representative.

In order to formally establish an office in Istanbul, ICANN must register to do business in Turkey. The registration to do business in Turkey requires a specific Board resolution establishing the branch and designating the branch representative, which is why the Board has passed this resolution.

This is an Organizational Administrative Function not requiring public comment.

Submitted by: Akram Atallah, COO; Amy Stathos, Deputy General Counsel

Date Noted: 28 March 2013

Email [akram.atallah@icann.org](mailto:akram.atallah@icann.org); amy.stathos@icann.org

# **2013-04-11-01d-Board Overview-NCSG Rejection of PIA- CC Application.docx**

## Overview – Board Consideration of NCSG Decision to Reject Application For Public Internet Access/Cybercafé Constituency

|   |  |
|---|--|
| <p><b>What is the Issue?</b></p> <p>ICANN has received its first application under the GNSO Constituency Recognition Process (<a href="#">adopted by the Board</a> in June 2011). The Application for Candidacy (AFC) submitted by the Cybercafé Association of India (CCAOI), seeks recognition of a new GNSO Constituency called the “Public Internet Access/Cybercafé Ecosystem (PIA/CC)” within the GNSO’s Non-Commercial Stakeholder Group (NCSG).</p> | <p><b>Why Is It Important?</b></p> <p>This is the first formal application submitted under the Board-approved process. The process includes objective eligibility criteria, encourages collaboration and puts the decisions regarding applications, in the first instance, in the hands of the communities to be directly impacted by the potential new Constituency. The NCSG of the GNSO has followed the process and has advised the Structural Improvements Committee of the Board of its determination to deny the application because the application does not meet the criteria established by the Board.</p> |
| <p><b>Who is the Decision-maker? Who is the Shepherd?</b></p> <p>The Structural Improvements Committee has recommended that the Board ratify the decision of the NCSG (as contemplated by the process). Ray Plzak, as Chair of the Structural Improvements Committee is the shepherd.</p>   | <p><b>Next Steps?</b></p> <p>If ratified by the Board, the decision of the NCSG to deny the PIA/CC application is without prejudice. The Constituency proponents have the right to re-submit a new application. Given the degree of discussion and collaboration between the community and ICANN staff to date, staff is hopeful that the interests of cybercafés can find a home elsewhere in the ICANN community and processes.</p>  |

# **2013-04-11-01d-Board Paper-NCSG Rejection of PIA-CC Application.doc**

## ICANN BOARD SUBMISSION NO. 2013-04-11-1d

**TO:** ICANN Board

**TITLE:** Board Review of GNSO Non Commercial Stakeholder Group PIA/CC Application Rejection

**PROPOSED ACTION:** Board Ratification of NCSG Decision

### **EXECUTIVE SUMMARY:**

ICANN has received its first application under the GNSO Constituency Recognition Process ([adopted by the Board](#) in June 2011). The Application for Candidacy (AFC) submitted by the Cybercafé Association of India (CCAOI), seeks recognition of a new GNSO Constituency called the “Public Internet Access/Cybercafé Ecosystem (PIA/CC)” within the GNSO’s Non-Commercial Stakeholder Group (NCSG).

Pursuant to the application process, ICANN staff alerted the NCSG leadership of the application and managed a 68-day Public Comment Forum for community review of and reaction to the PIA/CC proposal. In a parallel effort, the NCSG leadership corresponded with the CCAOI proponents and conducted an independent assessment of the application. The NCSG and the ICANN staff complied with all aspects of the new process.

On January 10, 2013, the NCSG Chair alerted CCAOI, the Chair of the Board’s Structural Improvements Committee (SIC) and ICANN staff that after careful review of the application, the NCSG had (1) concluded that the AFC for the PIA/CC does not meet the required application criteria, (2) recommended the rejection of this application and (3) asked that the ICANN Board ratify this rejection. The NCSG rejection was based primarily on (1) the fact that the PIA-CC stated mission was not consistent with the charter of the NCSG, and (2) that the AFC did not demonstrate sufficient community support and diversity as outlined in the applicant evaluation criteria. Both criteria are fundamental aspects of the evaluation process.

Under the terms of the process (Section III, C.), the Board has an obligation to ratify or reject the NCSG decision by its 28 February meeting or report the circumstances that prevented it from taking a final action and its best estimate for the time required to reach an action.

### **RECOMMENDATION:**

In light of the evaluation and decision made by the NCSG, the SIC recommends that the Board ratify the decision of the NCSG to reject the PIA/CC application and encourage further dialogue between the PIA/CC proponents and ICANN Staff to investigate and consider other options for PIA/CC engagement with the ICANN community and processes. The decision is without prejudice and the Constituency proponents have the right to re-submit a new application.

### **PROPOSED RESOLUTION:**

**Whereas,** The ICANN Board wants to encourage participation by a broad spectrum of existing and potential community groupings in ICANN processes and activities.

**Whereas,** the ICANN Board has established a Process for the Recognition of New GNSO Constituencies that includes objective eligibility criteria, encourages collaboration and puts the decisions regarding applications, in the first instance, in the hands of the communities to be directly impacted by the potential new Constituency.

**Whereas,** the Cybercafé Association of India (CCAOI), submitted an application for formal recognition of a new GNSO Constituency called the “Public Internet Access/Cybercafé Ecosystem (PIA/CC)” within the GNSO’s Non-Commercial Stakeholder Group (NCSG).

**Whereas,** the Staff managed a 68-day Public Comment Forum for community review and reaction to the PIA/CC proposal.

**Whereas,** the NCSG Leadership and ICANN staff engaged in collaborative consultation and dialogue with the PIA/CC proponents.

**Whereas** the NCSG Leadership and ICANN staff have followed the process and the NCSG has advised the Structural Improvements Committee of the Board of its determination to deny the application because the application does not meet the criteria established by the Board.

**RESOLVED (2013.04.xx.xx)** the decision of the NCSG to deny the PIA/CC application is ratified with the understanding that the decision is without prejudice and the Constituency proponents have the right to re-submit a new application.

**RESOLVED (2013.04.xx.xx)** the Staff is directed to continue collaborative discussions with the PIA/CC proponents to further investigate and consider other options for community engagement within the ICANN community and its processes.

**RATIONALE:**

The process for the recognition of new GNSO Constituencies was designed to provide specific and objective application criteria and to place decisions on the recognition of new GNSO Constituencies, in the first instance, in the hands of the community groups in the best position to evaluate those applications. In the present case, the process was followed and the NCSG has made its determination.

It is important to note that Board ratification of the NCSG decision to reject the PIA/CC application is without prejudice to the right of the proponents to resubmit a new application. The Board hopes that further discussions with the PIA/CC proponents can result in a course of action that will allow PIA/CC interests to be effectively incorporated into ICANN’s activities and processes.

This action will have no immediate or substantial impact on ICANN's resources. This action is not expected to have any impact on the security, stability or resiliency of the DNS.

This action is an Organizational Administrative Function for which public comment was received.

**DOCUMENT/BACKGROUND LINKS:**

**[New Constituency Recognition Process - 24 June 2011](#)**

**[Public Comment Forum For PIA-CC Application](#)**

**[NCSG Decision Regarding PIA-CC Application](#)**

**ATTACHMENTS:**

**[Attachment A – Agenda item Overview](#)**

**[Attachment B – Summary of Process for Recognition of New GNSO Constituencies: Application Phase](#)**

**[Attachment C – Summary of Contacts With PIA-CC Proponents Prior to Board Review](#)**

|                        |   |
|------------------------|---|
| Submitted by:          | David Olive, Robert Hoggarth  |
| Position:              | VP-Policy Development; Senior Policy Director                             |
| Date Noted:            | March 28, 2013  |
| Email and Phone Number | <u><a href="mailto:Policy-Staff@icann.org">Policy-Staff@icann.org</a></u> |

# **2013-04-11-01e-Board Paper-.CAT Removal of Cross Ownership.docx**

**ICANN BOARD PAPER NO. 2013.04.11.1e**

**TITLE:** .CAT Registry Cross-Ownership Removal Request

**PROPOSED ACTION:** For Board Consideration

**EXECUTIVE SUMMARY:**

In December 2012, the Fundació puntCAT requested the removal of the cross-ownership restrictions reflected on the 23 September 2005 Registry Agreement signed between ICANN and Fundació puntCAT.

(<http://www.icann.org/en/about/agreements/registries/cat>).

This request was submitted and followed the “Process for Handling Requests for Removal of Cross-Ownership Restrictions on Operators of Existing gTLDs” adopted by the Board on 18 October 2012. See:

<http://www.icann.org/en/resources/registries/removal-cross-ownership>.

The public comment period took place between 22 December 2012 and 11 February 2013. During this period only one comment was received. The comment was in support of the request.

ICANN conducted a competition review in accordance to the process and has determined that the request does not raise significant competition issues. Furthermore, Fundació puntCAT argues that the removal of the cross-ownership restrictions would allow its entity to be on a level playing field with the new gTLD Registry Operators.

This is the first cross-ownership removal request submitted under the Board-approved process adopted 18 October 2012, but the Board is likely to see additional requests going forward.

**STAFF RECOMMENDATION:**

Staff followed the Board-approved process for handling requests to remove cross-ownership restrictions no major issues have been identified or were raised during the public comment period. Staff recommends that the Board approve the amendment to

the current .CAT Registry Agreement to reflect the removal of the cross-ownership restrictions.

**PROPOSED RESOLUTION:**

Whereas, in December 2012, the Fundació puntCAT requested the removal of the cross-ownership restrictions reflected on the 23 September 2005 Registry Agreement signed between ICANN and Fundació puntCAT;

Whereas, the request followed the "Process for Handling Requests for Removal of Cross-Ownership Restrictions on Operators of Existing gTLDs" adopted by the Board on 18 October 2012;

Whereas ICANN conducted a competition review in accordance to the Board-approved process and has determined that the request does not raise significant competition issues;

Whereas, a public comment period took place between 22 December 2012 and 11 February 2013 and only one comment was received, which was in support of Fundació puntCAT's request.

Resolved (20xx.xx.xx.\_\_[to be assigned by Secretary]), an amendment to remove the cross-ownership restriction in the Fundació puntCAT 23 September 2005 Registry Agreement is approved, and the President and CEO and the General Counsel are authorized to take such actions as appropriate to implement the amendment.

## **PROPOSED RATIONALE:**

- Why the Board is addressing the issue?

The cross-ownership removal for existing registries has been subject to extensive discussions by the board and the community. This is the first time an existing registry has made the request according to the Board-approved process adopted on 18 October 2012. However, the Board is likely to see additional requests in the future. Under the Board process adopted in October 2012, to lift cross-ownership restrictions existing gTLD registry operators could either request an amendment to their existing Registry Agreement or request transition to the new form of Registry Agreement for new gTLDs. Although Fundació puntCAT requested an amendment to its Registry Agreement, it still will be offered the opportunity to transition to the new form of Registry Agreement for the new gTLDs. Removal of the cross-ownership restrictions for .BIZ, .INFO and .ORG are being considered as part of their overall renewal negotiations. ICANN is also in preliminary discussions with .MOBI and .PRO on removal of the cross-ownership restrictions.

- What is the proposal being considered?

An amendment to the 23 September 2005 Registry Agreement signed between ICANN and Fundació puntCAT.

- Which stakeholders or others were consulted?

A public comment period took place between 22 December 2012 and 11 February 2013.

- What concerns or issues were raised by the community?

Only one comment was received during the public comment period. The comment was in favor of the Fundació puntCAT request.

- What factors did the Board find to be significant?

ICANN conducted a competition review in accordance to with the Board-approved process for handling requests of removal of cross-ownership restrictions in Registry Agreements. ICANN has determined that the request does not raise significant competition issues.

- Are there fiscal impacts or ramifications on ICANN (strategic plan, operating plan, budget); the community; and/or the public?

There is no fiscal impact to ICANN.

- Are there any security, stability or resiliency issues relating to the DNS?

There are no security, stability and resiliency issues identified.

- Is this either a defined policy process within ICANN's Supporting Organizations or ICANN's Organizational Administrative Function decision requiring public comment or not requiring public comment?

This request followed the "Process for Handling Requests for Removal of Cross-Ownership Restrictions on Operators of Existing gTLDs" adopted by the Board on 18 October 2012.

<http://www.icann.org/en/resources/registries/removal-cross-ownership>.

### **Signature Block:**

Submitted by: Karla Valente,  
[karla.valente@icann.org](mailto:karla.valente@icann.org)

Position: Director, gTLD Programs

Date Noted: 27 March 2013

Email:

### **FORMATTING INSTRUCTIONS:**

Font to be used is Times New Roman – 12 pt.

All headings will be all capital letters and bold.

The actual Title and Proposed Action will be initial capital letters and bold.

The text will be spaced 1.5 lines apart.

The Board Paper Number will always start with the date separated by dashes – for example, 2010-04-22-xx (xx to be assigned by the Secretary).

The Resolution Number will always start with the date separated by periods – for example, 2010.04.22.xx (xx to be assigned by the Secretary).

The whereas and resolved paragraphs shall be separated by 2 lines.

The word “Resolved” shall be initial capitals only.

When the document is saved, the shortened title of the Board Paper should appear in the name of the document.

# **2013-04-11-01f-Board Overview-.GA Redelegation Request.doc**

|  |   |
|--|---|
| <p><b>What is the Issue?</b></p> <p>ICANN has received a request to redelegate operation of .GA to a new entity. It has passed through Staff evaluation and is ready for transmission to the U.S. Government for authorization.</p>  | <p><b>Why is it important?</b></p> <p>ICANN reviews delegations and redelegations of ccTLDs as part of the IANA Functions. The delegation and redelegation of a TLD is one of the more critical functions that relate to Internet security and stability. The Board reviews such requests along with ICANN Staff analysis to ensure ICANN followed proper procedures.</p> |
| <p><b>Who is the decision maker?</b></p> <p>Under the latest guidance from the U.S. Government and the language of the IANA Functions Contract, the Board's role is to ensure that Staff followed proper procedures.</p> <p>Generally, responsibility for shepherding such requests within the Board belongs to Kuo Wei Wu as Chair of the Board IANA Committee.</p> | <p><b>Next Steps</b></p> <p>If the Board raises no issues during its review, the request will be transmitted to the U.S. Government for implementation.</p>   |

# 2013-04-11-01f-Board Paper-Redelegation of .GA.doc

## ICANN BOARD PAPER NO. 2013.04.06.1f

**TITLE:** Redelelegation of the .GA domain representing Gabon  
**PROPOSED ACTION:** For Board Consideration  
**IANA REFERENCE:** 670082

### EXECUTIVE SUMMARY:

ICANN has been asked to prepare a recommendation for the NTIA to authorize the redelegation of the country-code top-level domain .GA, comprised of the ISO 3166-1 code representing Gabon, to Agence Nationale des Infrastructures Numériques et des Fréquences (ANINF).

The current sponsoring organisation of the domain, Gabon Telecom, a recently privatised Telecommunications company, consents to the transfer. The proposed sponsoring organisation is Agence Nationale des Infrastructures Numériques et des Fréquences (ANINF), a government agency, created in 2011 and tasked with managing the .GA domain amongst other responsibilities Sensitive Delegation Information

### PROPOSED RESOLUTION:

Resolved (2013.04.06.xx), ICANN has reviewed and evaluated the request, and the documentation demonstrates the process was followed and the redelegation is in the interests of the local and global Internet communities.

### PROPOSED RATIONALE:

As part of the IANA Functions, ICANN receives request to delegate and redelegate country-code top-level domains. ICANN Staff has reviewed and evaluated a redelegation request for this domain and has provided a report to the ICANN Board that proper procedures were followed in that evaluation. The Board's oversight of the process helps ensure ICANN is properly executing its responsibilities relating to the stable and secure operation of critical unique identifier systems on the Internet and pursuant to the IANA Functions Contract. Ensuring that the process is

followed adds to the accountability of ICANN. This action will have no fiscal impact on ICANN or the community, and will have a positive impact on the security, stability and resiliency of the domain name system.

This is an Organizational Administrative Function not requiring public comment.

**SIGNATURE BLOCK:**

Submitted by: Kim Davies  
Position: IANA Function Liaison for Root Zone Management  
Date Noted: 29 March 2013  
Email: kim.davies@icann.org

**2013-04-11-01f-Reference Materials-.GA Redelegation  
Request.doc**

**REFERENCE MATERIALS — BOARD PAPER NO. 2013-04-06-XX**

**TITLE:** Relegation of the .GA domain representing Gabon to Agence Nationale des Infrastructures Numériques et des Fréquences (ANINF )

**IANA REFERENCE:** 670082

In accordance with ICANN’s obligations under the IANA Functions Contract for managing the DNS Root Zone, ICANN’s IANA Department receives requests to delegate, redelegate and revoke top-level domains. Per the IANA Functions Contract, ICANN shall apply existing policy frameworks in processing requests related to the delegation and redelegation of a county-code top-level domain, such as RFC 1591 and the GAC Principles, and any further clarification of these policies by interested and affected parties. If a policy framework does not exist to cover a specific instance, ICANN must consult with the interested and affected parties on any recommendation that is not within or consistent with an existing policy framework.

Recommendations shall be submitted to the US Government via a Delegation and Redelegation Report.

Sensitive Delegation Information

## **DELEGATION AND REDELEGATION REPORT**

ICANN is required to produce a “Delegation and Redelegation Report” for the US Government. This report is published in the IANA website after a request is implemented.

The proposed Delegation and Redelelegation Report is attached as Exhibit A.

**SIGNATURE BLOCK**

Submitted by: Kim Davies  
Position: IANA Function Liaison for Root Zone Management  
Date Noted: 29 March 2013  
Email: kim.davies@icann.org

**2013-04-11-01f-Reference Matrials-Exhibit A-.GA  
Redelegation Request.doc**

## **Report on the Redelegating of the .GA domain representing Gabon to Agence Nationale des Infrastructures Numériques et des Fréquences (ANINF)**

29 March 2013

This report is being provided under the contract for performance of the Internet Assigned Numbers Authority (IANA) function between the United States Government and the Internet Corporation for Assigned Names and Numbers (ICANN). Under that contract, ICANN performs the “IANA functions”, which include receiving delegation and redelegation requests concerning TLDs, investigating the circumstances pertinent to those requests, making its recommendations, and reporting actions undertaken in connection with processing such requests.

### **FACTUAL INFORMATION**

#### **Country**

The “GA” ISO 3166-1 code is designated for use to represent Gabon.

#### **Chronology of events**

The .GA domain was first delegated in 1994 to Ripe Network Coordination Centre. In 1998, the domain was redelegated to the Office des Postes & Telecommunications de la Republique Gabonaise. In 2003, ICANN was notified that the Office des Postes & Telecommunications de la Republique Gabonaise split its posts and telecommunications divisions and, in 2004, the sponsoring organisation name was changed to Gabon Telecom.

In 2007, Gabon Telecom was privatised. The applicant has stated that, because of the privatisation and consequent reorganisations and reprioritisations, the development of .GA registry operations has not been Gabon Telecom’s first priority. This has necessitated the transfer of the management of .GA ccTLD.

On 27 January 2011, Agence Nationale des Infrastructures Numériques et des Fréquences (ANINF) was established by Presidential Decree No. 0212/PR as a public administrative agency. In this decree, the previously existing National Agency for Information Technology, the National Agency for Information and Communication Technologies and the Telecommunications Regulatory Agency were combined into the new agency, Agence Nationale des Infrastructures Numériques et des Fréquences (ANINF). ANINF’s role is to provide “installation and management of shared national infrastructure and resources in the fields of telecommunications, audiovisual and computers” and to “manage the Internet domain of Gabon .GA”, amongst others.

In January 2012, ANINF became involved in the management of .GA ccTLD and took over responsibilities for handling all new registrations of domains under .GA ccTLD.

In Spring 2012, the proposed name servers for the .GA domain commenced publishing the contents of the zone, which will continue to be maintained by Gabon Telecom until the redelegation is conducted.

On 11 September 2012, the first Comité Consultatif was held in Libreville to discuss developments regarding the registry operations of ANINF. The Comité Consultatif is a body that was created to ensure that the policies and projects of ANINF serve the community in Gabon. All stakeholders are invited to participate and give feedback at Comité Consultatif sessions, which are expected to take place at least three times per year.

On 15 November 2012, ANINF commenced a request to ICANN for redelegation of the “.GA” top-level domain.

### **Proposed Sponsoring Organisation and Contacts**

The proposed sponsoring organisation is Agence Nationale des Infrastructures Numériques et des Fréquences (ANINF), an independent agency of the government of Gabon.

The proposed administrative contact is Cyriaque D. Kouma, Chef de Projet DIG at ANINF. The administrative contact is understood to be based in Gabon.

The proposed technical contact is Dorian B. Mouket, Manager ICT at ANINF.

## **EVALUATION OF THE REQUEST**

### **String Eligibility**

The top-level domain “GA” is eligible for continued delegation under ICANN policy, as it is the assigned ISO 3166-1 two-letter code representing Gabon.

### **Public Interest**

Support for the application to redelegate the domain was provided by Blaise Louembe, the Minister de l'Économie Numérique, de la Communication et de la Poste in Gabon. Additional statements in support of this redelegation were provided from SOS Consommateurs (a consumer advocate group), DIGICOM (a local ISP), and Institut de Recherches Initiatique et Noumenale Avancees (I.R.I.N.A.) (a non-governmental organisation).

The application is consistent with known applicable local laws in Gabon.

The proposed sponsoring organisation undertakes to operate the domain in a fair and equitable manner.

### **Based in country**

The proposed sponsoring organisation is constituted in Gabon. The proposed administrative contact is understood to be resident in Gabon. The registry is to be operated in the country.

### **Stability**

The request is deemed uncontested, with the currently listed sponsoring organisation consenting to the transfer.

The appropriate transfer plan has been provided. Based on the information submitted, ICANN staff evaluated stability aspects relating to registry transfer and does not see any stability issues given all parties act in accordance with the agreed upon transfer plan.

### **Competency**

The application has provided satisfactory details on the technical and operational infrastructure and expertise that will be used to operate the .GA domain. Proposed policies for management of the domain have also been tendered.

## **EVALUATION PROCEDURE**

ICANN is tasked with coordinating the Domain Name System root zone as part of a set of functions governed by a contract with the U.S. Government. This includes accepting and evaluating requests for delegation and redelegation of top-level domains.

A subset of top-level domains are designated for the local Internet communities in countries to operate in a way that best suits their local needs. These are known as country-code top-level domains (ccTLDs), and are assigned by ICANN to responsible trustees (known as “Sponsoring Organisations”) that meet a number of public-interest criteria for eligibility. These criteria largely relate to the level of support the trustee has from its local Internet community, its capacity to ensure stable operation of the domain, and its applicability under any relevant local laws.

Through ICANN’s IANA department, requests are received for delegating new ccTLDs, and redelegating or revoking existing ccTLDs. An investigation is performed on the circumstances pertinent to those requests, and, when appropriate, the requests are implemented and a recommendation for delegation or redelegation is made to the U.S. National Telecommunications and Information Administration (NTIA).

### **Purpose of evaluations**

The evaluation of eligibility for ccTLDs, and of evaluating responsible trustees charged with operating them, is guided by a number of principles. The objective of the assessment is that the action enhances the secure and stable operation of the Internet’s unique identifier systems.

In considering requests to delegate or redelegate ccTLDs, input is sought regarding the proposed new Sponsoring Organisation, as well as from persons and organisations that

may be significantly affected by the change, particularly those within the nation or territory to which the ccTLD is designated.

The assessment is focused on the capacity for the proposed sponsoring organisation to meet the following criteria:

- The domain should be operated within the country, including having its sponsoring organisation and administrative contact based in the country.
- The domain should be operated in a way that is fair and equitable to all groups in the local Internet community.
- Significantly interested parties in the domain should agree that the prospective trustee is the appropriate party to be responsible for the domain, with the desires of the national government taken very seriously.
- The domain must be operated competently, both technically and operationally. Management of the domain should adhere to relevant technical standards and community best practices.
- Risks to the stability of the Internet addressing system must be adequately considered and addressed, particularly with regard to how existing identifiers will continue to function.

### **Method of evaluation**

To assess these criteria, information is requested from the applicant regarding the proposed sponsoring organisation and method of operation. In summary, a request template is sought specifying the exact details of the delegation being sought in the root zone. In addition, various documentation is sought describing: the views of the local internet community on the application; the competencies and skills of the trustee to operate the domain; the legal authenticity, status and character of the proposed trustee; and the nature of government support for the proposal. The view of any current trustee is obtained, and in the event of a redelegation, the transfer plan from the previous sponsoring organisation to the new sponsoring organisation is also assessed with a view to ensuring ongoing stable operation of the domain.

After receiving this documentation and input, it is analysed in relation to existing root zone management procedures, seeking input from parties both related to as well as independent of the proposed sponsoring organisation should the information provided in the original application be deficient. The applicant is given the opportunity to cure any deficiencies before a final assessment is made.

Once all the documentation has been received, various technical checks are performed on the proposed sponsoring organisation's DNS infrastructure to ensure name servers are properly configured and are able to respond to queries correctly. Should any anomalies be detected, ICANN staff will work with the applicant to address the issues.

Assuming all issues are resolved, an assessment is compiled providing all relevant details regarding the proposed sponsoring organisation and its suitability to operate the relevant top-level domain.

# **2013-04-11-02a-Board Overview-IDN-Variant-TLD- Program.docx**

|  |  |
|--|--|
| <p><b>What is the Issue?</b></p> <p>In order to enable a future, secure and stable delegation of IDN variant TLDs it has been identified the need to implement two key components first: the Procedure to Develop and Maintain the Label Generation Rules for the Root Zone in Respect of IDNA Labels, and the recommendations from the Report on User Experience Implications of Active Variant TLDs.</p> | <p><b>Why is it Important?</b></p> <p>There is a long-standing interest by some IDN communities to deploy IDN variant TLDs. The Board has had IDNs as their priority for several years in order to enable Internet users to access domain names in their own language, and the Board has recognized that IDN variants are an important component for some IDN TLD strings.</p> |
| <p><b>Who is the Decision-maker? Who is the Shepherd?</b></p> <p>The Board is the decision maker on this.</p> <p>Ram Mohan, is the shepherd as Chair of the Board Variant Working Group that oversees the IDN Variant TLD Program.</p>   | <p><b>Next Steps?</b></p> <p>If approved by the Board, Staff will work to implement the Procedure to Develop and Maintain the Label Generation Rules for the Root Zone in Respect of IDNA Labels, and the recommendations from the Report on User Experience Implications of Active Variant TLDs, in preparation for a future deployment of IDN variant TLDs.</p>              |

# **2013-04-11-02a-Board Paper-IDN-Variant-TLD- Program.docx**

## ICANN BOARD PAPER NO. 2013.04.11.2a

**TITLE: IDN Variant TLD Root LGR Procedure and User Experience Study Recommendations**

**PROPOSED ACTION: For Board Consideration**

### **EXECUTIVE SUMMARY:**

The ICANN Board has had IDNs as their priority for several years in order to enable Internet users to access domain names in their own language, and the Board has recognized that IDN variants are an important component for some IDN TLD strings.

On [10 December 2010 the Board created the IDN Variant TLD Issues Project](#), which later evolved into the IDN Variant TLD Program. The program is tasked with studying the issues associated with the delegation of IDN variant TLDs and developing the necessary solutions. As indicated by [Board resolution on 25 September 2010](#) and the [IDN ccTLD Fast Track](#) no IDN Variant TLDs will be delegated until relevant work is done. Delegation should be possible once the IDN Variant TLD Program has finalized and the first release of the Label Generation Rules for the Root Zone in Respect of IDNA Labels has been published.

The IDN Variant TLD Program finalized its third phase of work by publishing the "[Procedure to Develop and Maintain the Label Generation Rules for the Root Zone in Respect of IDNA Labels](#)" and the Report on "[User Experience Implications of Active Variant TLDs](#)". Both documents represent a step forward in a future secure and stable delegation of IDN variant TLDs.

### **RECOMMENDATION:**

In order to enable a future delegation of IDN variant TLDs it is recommended to adopt the "Procedure to Develop and Maintain the Label Generation Rules for the Root Zone in Respect of IDNA Labels" to start working on populating the Label Generation Rules for the Root Zone in Respect of IDNA Labels. It is also recommended to update the gTLD Applicant Guidebook and IDN ccTLD Process to incorporate the Label Generation Rules for the Root Zone in Respect of IDNA Labels to be used in the ccTLD and gTLD evaluation processes. Finally, in order to enable a good user

experience with IDN Variant TLDs, it is recommended to implement the recommendations from the Report on User Experience Implications of Active Variant TLDs with any input and guidance that interested Supporting Organizations and Advisory Committees may have.

**PROPOSED RESOLUTION:**

Whereas, IDNs have been a Board priority for several years to enable Internet users to access domain names in their own language, and the Board recognizes that IDN variants are an important component for some IDN TLD strings;

Whereas, the Board previously resolved that [IDN variant gTLDs](#) and [IDN variant ccTLDs](#) will not be delegated until relevant work is completed;

Whereas, since December 2010 ICANN has been working to find solutions to ensure a secure and stable delegation of IDN variant TLDs, and the IDN Variant TLD Program benefited from significant community participation in developing the Procedure to Develop and Maintain the Label Generation Rules for the Root Zone in Respect of IDNA Labels and the Report on User Experience Implications of Active Variant TLDs.

Resolved (2013.04.06.\_\_[to be assigned by Secretary]), the Board directs staff to implement the [Procedure to Develop and Maintain the Label Generation Rules for the Root Zone in Respect of IDNA Labels](#), including updating the gTLD Applicant Guidebook and IDN ccTLD Process to incorporate the Label Generation Rules for the Root Zone in Respect of IDNA Labels in the respective evaluation processes.

Resolved (2013.04.06.\_\_[to be assigned by Secretary]), the Board requests that, by 1 July 2013, interested Supporting Organizations and Advisory Committees provide staff with any input and guidance they may have to be factored into implementation of the Recommendations from the [Report on User Experience Implications of Active Variant TLDs](#).

## **PROPOSED RATIONALE:**

### **Why the Board is addressing the issue now?**

IDN variant TLDs have been a subject of interest for several years to a number of IDN users. The IDN Variant TLD Program has been working with subject matter experts in the community to develop solutions to enable a secure and stable delegation of IDN variant TLDs. The Program has concluded the work on two key components of the solution: the Procedure to Develop and Maintain the Label Generation Rules for the Root Zone in Respect of IDNA Labels and the Report on User Experience Implications of Active Variant TLDs, hereinafter referred to as the Procedure. The Procedure is now ready for consideration for adoption as the mechanism, between other things, to evaluate potential IDN TLD strings and to identify their variants (if any). The recommendations from Report on User Experience Implications of Active Variant TLDs are now ready to be implemented with any input and guidance that interested Supporting Organizations and Advisory Committees may have.

### **What is the proposal being considered?**

The Procedure describes how to populate and maintain the Label Generation Rules for the Root Zone in Respect of IDNA Labels, which is expected to become a key component in processing IDN TLD applications. The Procedure requires participation from the relevant communities as a central component. The Procedure includes safeguards to ensure maximum community participation of a given linguistic community and avoid dominance of a single interested party, and requires technical experts involvement to ensure technical and linguistic accuracy on the contents of the Rules. The Report on User Experience Implications of Active Variant TLDs includes a series of recommendations to enable a good user experience with IDN variant TLDs.

### **What Stakeholders or others were consulted?**

The development of the Procedure and the Report included full participation of several members from the community. Both documents also went through two public comment processes and a number of public presentations where feedback was gathered.

### **What concerns or issues were raised by the community?**

There were concerns raised about the idea that variants in general are inappropriate in the root zone, though, allowing that some specific case might be acceptable. There were also concerns about conflict resolution and governance of the Procedure. However, by having a requirement of consensus within and between panels the conflict resolution issue would seem to be mitigated. With regards to the governance of the Procedure, it is foreseen that having the integration panel under contract with ICANN will allow removing a panelist that could be behaving in a non-constructive manner.

There were concerns regarding the issues raised in the Report may frightens readers away from supporting variants and the report does not highlight the risks (problems and security issues) if variants are not supported or activated. However, we felt that in order to ensure a secure, stable and acceptable experience, these issues needs to be called out for the respective parties to work on, also the need for variants is well articulated by the individual issues reports, so we consider it outside the scope of the current study.

### **What significant materials did Board review?**

A Board paper and Reference Materials detailing the proposal, the Procedure to Develop and Maintain the Label Generation Rules for the Root Zone in Respect of IDNA Labels, and the Report on User Experience Implications of Active Variant TLDs.

### **What factors the Board found to be significant?**

That the Label Generation Rules for the Root Zone in Respect of IDNA Labels will improve the current process to evaluate IDN strings by using a pre-approved, deterministic process to define which code points are allowed in the root. The rules being a key component to consistently identify the variants of applied-for IDN strings. The Procedure has the participation of the relevant communities as a core feature. The Recommendations aim to enable a good user experience in regards to IDN variant TLDs.

### **Are there Positive or Negative Community Impacts?**

Adopting the Procedure and consequently the Label Generation Rules for the Root Zone in Respect of IDNA Labels will benefit future TLD applicants by enabling future applicants to check whether the string they are intending to apply for is allowed. The Rules will also allow the deterministic identification of IDN variants for the applied-for strings. Implementing the Recommendations will enable a good user experience with IDN variant TLDs.

**Are there fiscal impacts/ramifications on ICANN (Strategic Plan, Operating Plan, Budget); the community; and/or the public?**

No fiscal impacts/ramifications on ICANN are foreseen by adopting this resolution.

**Are there any Security, Stability or Resiliency issues relating to the DNS?**

The adoption of the Rules and the implementation of the Recommendations is expected to have a positive impact on the Security of the DNS by having a technically sound process with multiple checkpoints, including public review, of the code points and their variants (if any) that will be allowed in the root zone and the deployment of measures avoid user confusion regarding IDN variant TLDs.

**Is this either a defined policy process within ICANN's Supporting Organizations or ICANN's Organizational Administrative Function decision requiring public comment or not requiring public comment?**

This is an implementation activity, not a policy process.

**Signature Block:**

Submitted by: Francisco Arias on behalf of the IDN Variant TLD Program team  
Position: gTLD Registry Technical Liaison  
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