**GNSO – ICANN Nairobi Meeting
GNSO Open Working session
Update from Working Groups
06 March 2010 at 16:15 local time**

Note: The following is the output of transcribing at the GNSO Update from Working Groups held in Nairobi on Saturday 06 March at 16:15 Local time. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record.

Stéphane Van Gelder: Okay so those of you who want to attend this session we're going to do the update from the Working Groups. We'll start with Alan's - Alan Greenberg's update on the PEDNR and we will then try and connect with Michele who will be doing a remote update on the IRTP Group B. Alan, when you're ready please go ahead.

Alan Greenberg: Thank you Stéphane. All right, to remind people of what the subject of the PDP is essentially we're looking at whether Registrants have reasonable opportunities, reasonable ability to reclaim a domain if it expires and under what conditions should they be able to do this and exactly what processes.

The PDP Charter allows for the - for outcomes of either consensus policy, best practices or presumably other specific outcomes. The PDP has not been the most productive one around in this first month.

There has been a continual discussion on whether in fact there is a problem, whether we should be having the PDP, whether their problems justify policy outcomes.

At least part of the problem is due to the Working Group has a very large percentage of Registrars on it and we have had significant problems

attracting more participation from user groups, from non-commercial user group, from the commercial user group and from At-Large.

As a result and just in terms of the raw number of people speaking there is a definite position and view of the many - from the - many of them. We started off by conducting a survey of the number of large Registrars which covers 65% or so of all registrations.

And the simplest conclusion we can come out of that is that the practices amongst Registrars are exceedingly varied and there's probably no consistency at all over the process.

So the concept of trying to map out what the process is post-expiration is virtually impossible. It's more complex and it's interesting in that among the Group there are people who have been spending years as Registrars or as other professionals involved in this and each of them has learned something, sometimes about their own organization, sometimes about others.

Stéphane Van Gelder: Who are the other professionals involved?

Alan Greenberg: We have - went over the public comments that resulted from the public comment period and the various constituency statements, and we are starting to develop a draft of the report without having the conclusions of course.

And perhaps the most important recent issue is - or recent activity is we put out a survey of the Group to try to understand where there is a belief that we need to fix things, where we - there is a belief something that will change - needs to change and where indeed we don't have a problem at all.

Stéphane Van Gelder: (Unintelligible).

Alan Greenberg: One of the confusing issues is that if you look at the larger Registrars most everyone allows an opportunity to regain a domain name after expiration. Virtually none of them put it in their policies.

Stéphane Van Gelder: Most everyone allows an opportunity.

Alan Greenberg: The question is do we need to have any conformity between what the words say and what the practices are. We're just starting an initial review of the survey we did.

The very preliminary results seem to indicate that there's a large number of people in the Committee or in the Working Group that do in fact feel that we need to change some things and policy may well be an outcome.

If we're not successful with the survey of coming to sufficient closure to move forward and move forward effectively, then we may well come back to the GNSO and say, "We just in a stalemate, that insufficient participation by some groups has made this impossible to move forward."

That's the substance of my report. Marika did I leave anything out? I will report that without Marika we would not have survived this and I thank her immensely.

(Tim): Stéphane this is (Tim). Could I get in the queue?

Stéphane Van Gelder: You sure can (Tim). In fact you're in the queue, you are the queue.

(Tim): Okay so Alan could you repeat that? I guess I didn't quite understand what you were saying about most large Registrars allow recovery after expiration but they - that virtually none of them have it in their policy. Is that what you said or could you explain that?

Alan Greenberg: That's probably what I said and it may or may not be accurate. I'll try to rephrase it. If you look at some of the registration contracts and to be honest I'm not sure about those of the one - of the company you represent, they often say things like, "We may at our discretion allow you to recover the name."

That's not the exact words but the net effect. We may assign the domain to somebody else and sell it or auction it as soon as the moment it expires, so most of the agreements allow a Registrar to take custody of a domain and not provide it back to the Registrant and not drop it so it goes into RGP.

As far as the results of the Registrar survey every Registrar that we have talked to in fact does allow a process by which a Registrant can get it back. But rarely is it something that is guaranteed in the agreement. That's what I intended to say and I think that's reasonably accurate.

(Tim): Okay that's helpful. Thanks Alan.

Stéphane Van Gelder: Thanks (Tim). Anyone else would like to ask a question? If not can I ask if - I'd just like to thank Alan first of all for that report and can I ask if Michele is on the line?

I don't know if they have an Internet connection in Ireland. Sorry, I shouldn't have made that joke should I? Okay well in that case is Greg Aaron on the line? Oh sorry, no. Marika's doing that one so Marika you're doing the wrap WGs. Yo.

Marika Konings: Give me one second while I pull up the presentation. While the presentation is loading I just want to give the apologies from Greg Aaron who unfortunately couldn't be present here and wasn't able to participate either remotely.

He will be participating in the GNSO Council session on Wednesday remotely and as well in the afternoon session that we'll be talking about a bit more in a little bit.

So this is a Working Group that already started some time ago as well looking at the issue of registration abuse. The question was brought to the Council or the observation was made that the Registrees and Registrars seem to lack uniform approaches to deal with domain and registration abuse.

But a question was asked as well, like does it actually matter and, you know, what would be the effects or impact of a more commonized approach if any? What role should ICANN actually play in this?

And one of those issues if any are suitable for a GNSO Policy Development? So before actually launching into a Policy Development Process it was decided that some of those questions that needed further discussion and research so that the Council would be able to make an informed decision on the issues, and as a result a pre-PDP Working Group was launched in March of 2009.

So that - the Group was - it was handed a number of questions to look further into, first of all the question of what is the difference between registration abuse and domain name use abuse?

And that difference has a potential impact on whether consensus policies can be made or not. But what is effectiveness of existing abuse policies, how are they being used? It doesn't mean because someone has provisions in place that they're actually effective in addressing abuse.

What if any are - could be the benefits of a more uniform approach by Registrees and Registrars? And based on the deliberations and research that has been undertaken by the Group, initial reports was published on the 12th

of February and so earlier this month and time there we discussed at this meeting.

So the report brings together like over a hundred pages of information on these different issues basically, you know, the background to how the Group came to the different recommendations on the different issues that are listed here on this slide.

So basically recommendations are being made on issues such as cyber squatting, WHOIS access and malicious use of domain names, front running, fake renewal notices, domain kiting, deceptive and/or offensive domain names, uniformity of contracts and meta issues.

It's important to point out and, you know, I 'm not going to go into these detail in this update on what those recommendations are and, you know, how the Group came to those recommendations because we'll have a more detailed information session or update to the GNSO Council on Wednesday in the Wednesday morning session.

And then that afternoon there will be an - a public information session where we'll go into more detail on these different items and the contents of the report.

So anyone interested in that I would just encourage you to attend those sessions. So just to note maybe here that on those recommendations, some of those recommendations are unanimous consent as recommendations but there are a number of recommendations that - where the Group was divided or where some alternative views are being put forward.

So I think those are - the issues of the Group is especially looking for public comments on, so in conjunction with the publication of the initial report, a public comment here has been opened which people can submit comments.

It's open I think until the 28th of March so following receipt of the comments the Group will review and analyze the comments and decide if - where the reports needs to be updated.

And the Group is aiming to present a final report to the GNSO in time for the ICANN meeting in Brussels. And on the basis of that report the GNSO Council can then consider recommendations and decide on next steps.

So here again the information for those of you interested, submit comments. Here you have the link. As mentioned there will be a more detailed presentation of the initial report during the GNSO Council session on Wednesday morning, probably around 10:30.

And there is an information session scheduled for Wednesday afternoon from 4:00 to 5:30. Are there any questions?

Stéphane Van Gelder: No questions? Thanks very much. I was going to call you Greg but you're not Greg, you're Marika. Thanks very much Marika. So who's doing the RAA sub-teams A&B? Steve - Steve Metalitz is that you?

Steve Metalitz: Yes this is Steve Metalitz. I can do the report on sub-team B.

Stéphane Van Gelder: That would be great if you could. I'd appreciate it. There are no slides, is that correct?

Steve Metalitz: There are no slides and I'll be very brief. This Group was set up to - do you want me to do this now, right?

Stéphane Van Gelder: Yes please.

Steve Metalitz: Okay. This Group was set up with three tasks. One was to compile topics for possible amendments to the Registrar Accreditation Agreement. The second

was to flag any issues in those topics that raised issues for the - for consensus policies and third was to recommend next steps.

So we have a small but active team that's been meeting on a bi-weekly basis pretty much since October, November and ably supported by the Staff. We received many - we had a public request for topics and we received quite a few of them, really close to a hundred suggestions with a good deal of overlap.

There was some very well, very detailed recommendations from the ICANN Staff. There were recommendations from a group of law enforcement agencies from seven countries.

There was - there were a number of recommendations from a Working Group of the Intellectual Property Constituency and then there were some topics proposed by interested individuals.

So our team has been going through these to try to assign - to first of all weed out a few that really aren't appropriate for the - for Registrar Accreditation Agreement amendments and secondly to try to assign higher or lower priorities since there are so many topics recommended.

And also to see any that really are more appropriate for the consensus Policy Development Process. We're almost done with that task. We're - we've gone through all the topics and we are now in the process of trying to weed out any duplicates or overlaps and just make sure we're in agreement on priorities.

And then we're just starting the discussion of what next steps we would recommend, in other words how we would recommend that we move toward negotiation of inclusion of these in a revised Registrar Accreditation Agreement.

So our goal is to provide a - our written report to the Council next month in time for the Council to deal with it in its late April meeting. And I think we're on track to do that.

So I want to thank all of the sub-team members that have been participating from around the world and as well the ICANN Staff that's been of great assistance. And that concludes the report but I'll be glad to try to answer any questions.

Stéphane Van Gelder: Thanks very much for doing that Steve. Are there any questions for Steve on that report? If not is Beau Brendler on the line for the sub-team A?

Marika Konings: We're trying to see if he's actually ready here. We're not completely sure whether he's already here or not but we're checking, so if we can maybe first go to the next one on the list and we'll go after that one.

Stéphane Van Gelder: Okay Marika you said you could do the IRTB Part B if Michele couldn't make it.

Marika Konings: Yes but maybe we can first do the IRDW so we give Michele a little bit more time.

Stéphane Van Gelder: Okay. And is Steve Sheng on the line?

Steve Sheng: Yes I'm on the line.

Stéphane Van Gelder: Great. Could you - are you okay to do that report now?

Steve Sheng: Sure, sure.

Stéphane Van Gelder: Okay just give us five seconds. Marika's uploading the slides and then whenever you're ready please go ahead. Thanks.

Steve Sheng: Sure. So good afternoon. My name is Steve Sheng. I'm the Senior Technical Analyst in Policy and one of the Staff support for the Internationalized Registration Data Working Group.

The Working Group was convened after the Seoul meeting and to study issues relating to IRD and I'm here to give an update of the progress on behalf of our Chair who couldn't make it today.

And I'll be brief. So next slide. So here's a rough outline. I'll first provide a brief background on the motivation and the scope of the Working Group's work.

Also talk about Working Group demographics. I'll spend most of my time today updating new areas that the Working Group members have been discussing.

And finally I'll conclude with some timeline and possible next steps. Next slide please. So some background. Currently there are standards for displaying internationalized domain labels in names.

However as the registration data become increasingly internationalized there's no standard or guidance for submission in the display. So this lack of standard means that today the display of IRD data in WHOIS is mostly application dependent.

WHOIS service providers may choose encodings that best suit them. However it's no guarantee that the WHOIS client can support those encodings. The WHOIS protocol in its current form does not recognize encodings either.

So all of these factors create no uniform experience of readability and usability when it comes to IRD display in WHOIS. So recognizing these issues the ASAC have studied it and issued a report.

I think ASAC 37 and at the request of the ICANN Board the GNSO and ASAC formed the IRD Working Group. So next slide please. So the goal of the Working Group is to study the visibility and suitability of introducing displaced specifications to deal with the internationalization of registration data.

I want to clarify that the IRD issue is not an issue created by the introduction of IDNs. I think this is a evolving issue as more of the ccTLDs accept registration data in languages other than English.

So - and the Working Group is to engage participation from all SOs, ACs as well as ccTLDs to ensure broad community input. Next slide please. And on Slide 5 the Working Group is composed of 17 members from four countries and (unintelligible) these as far as ccTLDs to ensure broad community. I hear a echo.

Marika Konings: And anyone that's not speaking please mute their phones.

Steve Sheng: And from four countries the Working Group is chaired by Edmond Chong from GNSO and Jeremy Hitchcock from ASAC and we held bi-weekly teleconferences to deliberate on issues.

Next slide please. So on discussion topics the Working Group adopted the divide and conquer approach separate and to go from the Charter into sets of smaller questions.

They're listed on this slide and next. For the interest of time I won't go through all of them but on this slide I will highlight the first two questions. So the first question the Working Group considered is what should we require from IRD or WHOIS that a user can submit, IDN WHOIS queries, U-label or

A-label? Because currently it doesn't have - the WHOIS doesn't have capacity to accept U-label queries yet.

So - and the next question related to the internationalization of the registration data is recognizing that some of the Registrants may prefer to have their registration data displayed in a language or scripts that they are familiar with.

Recognizing this trend, how should the registration data we accept accommodate that? So those are the two questions that I mentioned. Again as you can see there are two other questions that the Working Group has been deliberating on on this issue.

I'm on Slide 7. Next slide. The second set of issues or questions that the Working Group has been outlined are how would internationalized registration data affect data representation?

And there are four questions. The first question is should WHOIS support multiple representations of the same registration data in different languages or scripts?

So as I mentioned earlier some Registrants may prefer to submit their information in their local languages but should we keep multiple representations, you know, should we keep some representation in ASCII in English or in Roman characters?

You know, is there a value to adopt a must be present representation of data? And the other questions we consider is should we consider adopting a format for civic address information that is reasonably functioned around the world, you know, since we're talking about internationalizing the registration data and those issues are also relevant.

And finally is how the IDN specific data be presented. Example is the IDN variants and IDN language text, so those are the second set of questions that the Working Group has deliberated.

Next slide. For some of these questions the Working Group has converged on some possible recommendations. So one recommendation - possible recommendation is that, you know, the WHOIS service will want to specify that the WHOIS requirement, that the WHOIS service must be able to accept or submit in either U or A-label format.

This will give the user the ability to query IDN domains and WHOIS. Now here when I say WHOIS I mean the WHOIS service that includes the protocol as well as the WHOIS data.

And it doesn't have to be the current WHOIS service. It could be improved or a replacement to a existing WHOIS. So we're specifying a requirement for WHOIS service essentially.

So another recommendation is WHOIS must be able to support - display both A-label and U-label. I mean, this recommendation or requirement ensures the readability of the WHOIS results of the IRD.

Finally in the last item I want to highlight is the Working Group has agreed that various elements of the registration data would be separately internationalized, and the Working Group are working through each data item to discuss the best way to internationalize it.

Next slide please. Slide 9. There are several issues in active deliberations by the Working Group and I want to highlight the second point. So the question is, is it desirable to adopt a must be present representation of data in addition with local character set support?

And I think there are two camps of opinions within the Working Group. So one camp thinks that, you know, requiring a must be present representation may present a barrier of entry to those who do - who does not know the must be present language.

So whether their language is, you know, English or French or whatever. So this is basically recognizing that, you know, this - the current status quo is not acceptable.

However on the other camp, you know, people are saying that requiring must be present representation may be necessary although optimal. It may be necessary to realize the original intent of the WHOIS, that is to be able to contact - get in contact with Registrants easily.

So those are the opinions in - expressed and we're working through - we're deliberating through these issues. Next slide. I think these on Slide 10 list the set of issues that we - the Working Groups are to deliberate. So we'll just go on to Slide 11.

There are several other topics that we have deliberated as well. And one of them - the second one I'd like to point out, is the collection and display of the IRD a local matter for Registrars?

That is the Registrars should decide, you know, what script they would support and what information and what encodings they will collect. And obviously there's a set of questions for those - for that choice as well.

Next slide. So in Slide 12 we've outlined the set of possible next steps and year ten timelines. We hope to provide a possible preliminary report by May 2010 and present - be able to present at the ICANN Brussels meeting in June.

We have a more detailed briefing at a ASAC open meeting on Tuesday from 2:00 to 3:30 pm in the vision room and if you'd like to find more about this Working Group I would encourage you to attend that briefing. So with that I conclude my update and I'd like to open to questions.

Stéphane Van Gelder: Thanks very much. There's a question from (Tim).

(Tim):   Hey Stéphane. This is probably a dumb question so forgive me and I might have missed it somewhere earlier in the presentation but what do you mean by the term must be present? Could you explain that a little bit?

Steve Sheng: So must be present - so currently for example in the detail these - the WHOIS is in English or the WHOIS information is in English. So going forward and I think particularly from the - from either the law enforcement or some other interest to get in touch with Registrants, is it necessary to still require for example, you know, English U.S. ASCII representation or, you know, some representation in a Roman character set in WHOIS.

There must be there in addition to local encodings so that's what we - meaning by must be present.

(Tim):   Okay got it. Thank you very much.

Stéphane Van Gelder: Thanks very much. Any other questions? If not Steve thanks very much for that very, very comprehensive report and who do we have next Marika? Is Michele - no, let's try Michele once again. Okay Marika yes, can you do that? Thanks very much.

Marika Konings: Marika again to give you an update on the interregistrar transfer policy Part B PDP Working Group. So the interregistrar transfer policy also referred to as IRTP is a consensus policy that was adopted in 2004 by the GNSO Council.

Basically its objective is to provide a transparent and predictable way in which Registrants can transfer it or transfer their domain names from one Registrar to another.

As part of the adoption of that consensus policy it was decided that a review will be undertaken to ensure that the policy was working and that - as intended and to identify whether there were any areas that needed improvement or clarification.

So the result of that process, a number of issues were identified which were then grouped together in five different PDPs that were labeled A to E. So we're currently at the issues that were categorized under label B so hence the name IRTP Part B PDP Working Group - another milestone.

So this Working Group is looking at a number of questions that relate to should there be a process or special provisions for the urgent return of a domain name registration following a hijacking or an inappropriate transfer or when a change of Registrant occurs.

And it looks at a number of issues related to Registrar lock status. It's asking the question whether standards or a best practices should be developed and it's looking into whether a clarification for a denial of reason Number 7, which is one of the reasons that's currently in the policy and that's created some confusion over the interpretation of it.

So this PDP was initiated in June 2009 and since then the Working Group has been discussing the Charter questions in parallel to soliciting public comments and input from constituency and stakeholder groups.

So the Group has already looked at the different public comments received and then is still in the process of reviewing this, the constituency and stakeholder group submissions.

We've also had active participation from ICANN's compliance team which was one of the requirements of the Working Group Charter as we got some further insight as to the level of complaints and the issues that complaints are being received upon - received on.

And the ideas as well that compliance team will provide input at the end of the day if this Group comes up with any kind of recommendations for policy changes on whether those changes are implementable and any recommendations on how to make them better if needed.

So an initial report - a draft initial report has already been prepared which basically outlines the discussions to date, summarizes the public comments. And the next step for the Group will be to review that report and work further on the recommendations for each of these Charter questions.

The Group is - has put together a little sub-team at the moment as well to look at more - a more detailed recommendation for a process for urgent return.

So they're looking for example if, you know, are there ways to revise or modify the TDRP, the Transfer Dispute Resolution Policy, to allow for more urgent or speedier resolution of complaints?

And so the Group doesn't have a meeting planned in Nairobi and I'm - there was not sufficient people actually here but they're working on a weekly schedule and are making good progress.

So if you're interested in receiving further information you can have a look at the issues report, the actual policy and here is also a link to the Working Group workspace where you can find basically the latest documents that are on their discussions. With that are there any questions?

Stéphane Van Gelder: If not that would conclude our business for the day.

Marika Konings: On the RAA A Working Group we haven't been able to locate Beau Brendler but once we find him we'll ask him to put something in writing and share that with the Council.

So - and I'm sure he's available to take questions either by email or when you run into him here.

Stéphane Van Gelder: Yes apologies to the Council for that Mr. Beau and thanks everyone for your attendance today.

Chuck Gomes: Stéphane this is Chuck.

Stéphane Van Gelder: We have a question, sorry, yes.

Chuck Gomes: Not a question, just some concluding remarks that will be brief. People are looking kind of sleepy here. (Tim) is rubbing his eyes. The - but I want to compliment all of the volunteers that participated on these Working Groups and a lot of the Groups that aren't even represented in this update today, the GNSO Improvement Work Teams.

To my knowledge we have nearly maybe more, we have nearly 20 different GNSO projects with Working Teams or Working Groups or Drafting Teams going on right now.

And the - as we come into this meeting I tried to review as many of the documents as I could and I was just sincerely impressed with the quality of the work that's being done and the collaboration that's being done.

So my compliments and thanks to everyone and also to those who have volunteered to take on the extra responsibility of leading all of these efforts. And Stéphane I want to thank you for taking my place there and doing an excellent job today.

I think it would be good if everyone gave him a hand for filling in the way he has. That's all I have Stéphane. Thanks a lot.

Stéphane Van Gelder: Thanks Chuck. I'm blushing now. You can't see that but thanks to everybody anyway and to all you volunteers who are participating remotely at very late hours or early hours of the day. Thank you very much for that.

We'll reconvene tomorrow then for - I'm trying to find the agenda but I've lost it. I'm all flustered now that I've been complimented. So we'll reconvene tomorrow.

There's a Council breakfast at 8:00 am for those who are able to attend that and then at 9:00 am in the room that Liz mentioned earlier on in parlor on the first floor we will have the work teams, the Operations Steering Committee work teams, Council Operations work team working there and they will continue.

And that agenda is available on the GNSO Council Web site or the main Nairobi meeting Web site. Thanks to all of you once again and see you all tomorrow. Have a good evening. Operator, the call is now terminated.

Coordinator: That does conclude today's conference. You may disconnect at this time.

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