ICANN 62
PANAMA CITY
25–28 June 2018
POLICY FORUM

ICANN62 PROPOSED TOPICS

1. New gTLD Auction Proceeds Cross-Community Working Group - Initial Report
High Interest Topic Session (90 min)
GNSO

2. Registration Directory Services (RDS) - Placeholder
High Interest Topic Session (90 min)
GNSO

3. Update on RDS-WHOIS2 Review Team
High Interest Topic Session (90 min)
RDS-WHOIS2 RT

4. Presentation of the Final CCWG-Accountability WS2 Recommendations
High Interest Topic Session (90 min)
GNSO

5. GDPR Compliance, Access to WHOIS & Accreditation: Next Steps for Community Work
Cross Community Topic Session (180 min)
GNSO - IPC

6. Accreditation & Access to non-public Whois data
Cross Community Topic Session (90 min)
BC

7. Protecting International Governmental Organization (IGO) Names & Acronyms at the Second Level of the Domain Name System
Cross Community Topic Session (90 min)
GNSO

8. DNS Abuse Mitigation
Cross Community Topic Session (90 min)
GAC

9. Domain Name System and platforms
Cross Community Topic Session (180 min)
ALAC

10. Geographic Names at the Top-Level (Work Track 5)
Cross Community Topic Session (180 min)
GNSO

11. WT5 (Geonames as TLD) of GNSO's Subsequent Procedures PDP
High Interest Topic Session (90 min)
ALAC

1 New gTLD Auction Proceeds Cross-Community Working Group - Initial Report	
Session Type	High Interest Topic Session (90 min)
Background / Importance	The New Generic Top-Level Domain (gTLD) Program established auctions as a mechanism of last resort to resolve the competition sets between identical or similar terms (strings) for new gTLDs - known as string contention. Following the ICANN Board's commitment to do so, the auction proceeds derived from such auctions have been reserved and earmarked within ICANN until such time as the ICANN Board authorizes a plan for the appropriate use of the funds. These proceeds are to be considered as an exceptional, one-time source of revenue. Subsequently, a CCWG was chartered by the Address Supporting Organization (ASO), the At-Large Advisory Committee (ALAC), the Country Code Names Supporting Organization (ccNSO), the Generic Names Supporting Organization (GNSO), the Governmental Advisory Committee (GAC), the Security and Stability Advisory Committee (SSAC), and the Root Server System Advisory Committee (RSSAC) to propose the mechanism that should be developed in order to allocate the new gTLD Auction Proceeds. Following approval of the proposal(s) by the Chartering Organizations, it will be submitted to the ICANN Board for its consideration. The CCWG intends to publish its Initial Report for community input prior to ICANN62 and would like to use the opportunity to engage with the community on its proposed recommendations and any outstanding issues / questions that are identified in the Initial Report.
Goals/Expected Outcomes	Community awareness, engagement and input on the new gTLD Auction Proceeds Initial Report and recommendations.
Proposed Format	The CCWG intends to host a webinar prior to ICANN62 to provide an overview of the Initial Report and its recommendations so that the session can focus on issues specifically identified as requiring further community input, as well as feedback on the proposed recommendations. The session is expected to be led by the CCWG Co-Chairs with the session structured around specific questions / issues to facilitate input and discussion.
Other Comments	The session is contingent on the CCWG delivering on its work plan and publishing an Initial Report by ICANN62.
Proposer	GNSO
Entered by	Marika Konings
email	marika.konings@icann.org

2 Registration Directory Services (RDS) - Placeholder

Session Type	High Interest Topic Session (90 min)
Background / Importance	As a result of a decision that may be taken by the ICANN Board in relation to if/how the interim model for compliance with GDPR is implemented, a one year GNSO policy development process may be kicked off in the two to six weeks. If/when that happens, there may be a need for cross-community discussion and/or input to facilitate the PDP meeting its one year timeline. Similarly, if this does not happen, there may be a need for the ongoing RDS PDP Working Group to expedite its work through cross-community discussions. As such, the GNSO Council would like to request a placeholder to enable such a meeting should it be deemed necessary.
Goals/Expected Outcomes	To be determined
Proposed Format	To be determined
Other Comments	The GNSO Council expects that it would become clear in the next two to six weeks whether or not such a meeting would be needed and would inform the ICANN62 planning committee as soon as possible, should it be agreed that a placeholder is needed to accommodate this topic.
Proposer	GNSO
Entered by	Marika Konings
email	marika.konings@icann.org

3 Update on RDS-WHOIS2 Review Team

Session Type	High Interest Topic Session (90 min)
Background / Importance	ICANN Bylaws mandate Specific Reviews on a number of topics including RDS-WHOIS. The RDS-WHOIS2 Review Team is preparing to issue its Draft Report. Topics included are an analysis of the first WHOIS RT Recommendation implementation and a reviews of how the policy addresses consumer confidence, the needs of law enforcement and safeguarding data. The Review is particularly challenging in that in parallel virtually everything related to WHOIS may be changing due to GDPR.
Goals/Expected Outcomes	Update the community on the status of the Review and the issues to be covered, and solicitation of community input.
Proposed Format	Presentation by RT Members of the topics being covered during the review, and of the findings to date, followed by questions and discussion.
Other Comments	The exact classification is not clear. This should be scheduled at a time to not conflict with SO/AC dedicated sessions, but the interest level of past RT updates indicates that this may not draw the crowds expected of a Cross-Community Topic.

A Policy Forum is not the ideal format for such a meeting, but if we wait until ICANN63, it will be too late and we would be in violation of the requirement to keep the community up to date on our work. |
Proposer	RDS-WHOIS2 Review Team
Entered by	Alan Greenberg
email	alan.greenberg@mcgill.ca

4 Presentation of the Final CCWG-Accountability WS2 Recommendations

Session Type	High Interest Topic Session (90 min)
Background / Importance	CCWG-Accountability WS2 Chartering Organizations (SO/ACs) will be asked to approve the WS2 final recommendations at ICANN 62 for submission to the Board.
Goals/Expected Outcomes	Dialogue with the community and Chartering Organization members to answer any questions and facilitate the Chartering Organization approval of the recommendations.
Proposed Format	Presentation by the CCWG-Accountability Co-Chairs and facilitated Q&A and comments from the community.
Proposer	GNSO
Entered by	Patrick Dodson
email	patrick.dodson@icann.org

5 GDPR Compliance, Access to WHOIS and Accreditation: Next Steps for Community Work

Session Type	Cross Community Topic Session (180 min)
Background / Importance	GDPR compliance work has dominated the ICANN agenda for months now as the ICANN org and the community work to put in place an interim compliance model that includes an accreditation and access scheme for law enforcement, cybersecurity experts and intellectual property professional so they can continue their important work. With the May 25, 2018 deadline recently passed prior to the ICANN 62 meeting, we feel it is an important time to assess where we are with an interim solution and next steps for a permanent solution to allow ICANN and the contracted parties to comply with GDPR requirements, while allowing the access required under GDPR for parties with legitimate interests.
Goals/Expected Outcomes	The goal of this session is to assess the current state of this critical community work and to plan for next steps with regard to the interim model for compliance and accreditation, as well as next steps for a permanent solutions that offer a long-term solutions to GDPR compliance. Through participation by various parts of the community we hope to bring forward the concerns that need to be addressed for the various steak holders impacted by this important topic.

Proposed Format	A 180 minute panel discussion that will be made up of a cross-section of community members who are experts in GDPR compliance and its impact on WHOIS. We intend to leave significant time beyond the panelists presentations for a robust community discussion and questions and answer portion.
Proposer	GNSO - IPC
Entered by	Brian Winterfeldt
email	brian@winterfeldt.law

6 Accreditation & Access to non-public Whois data

Session Type	Cross Community Topic Session (90 min)
Background / Importance	With the GDPR entering into force on May 25, third interested parties will no more have access to the WHOIS registry the way they do today. It is of paramount importance to make sure third interested parties can continue having access to it. Hence the importance of advancing discussions on a possible "accreditation model". It is important for the whole community .
Goals/Expected Outcomes	Advancing discussions and giving the opportunity to the different side of the community to express their concerns/ideas of an accreditation model.
Proposed Format	It should be a panel representing the various part of the community.
Proposer	BC
Entered by	Claudia Selli
email	claudia.selli@att.com

7 Protecting International Governmental Organization (IGO) Names & Acronyms at the Second Level of the Domain Name System

Session Type	Cross Community Topic Session (90 min)
Background / Importance	The extent to which IGO names and acronyms should be protected at the second level of the domain name system, and the appropriate mechanisms for such protection, has been a topic of long-standing discussion amongst the ICANN community. Currently, the names and acronyms of around 190 IGOs (named on a list provided to ICANN by the Governmental Advisory Committee (GAC)) have been withheld from registration as second level domains in all the new gTLDs delegated as part of the 2012 New gTLD Program, via ICANN Board direction and on an interim basis pending final resolution of the matter.

In late 2013, the Generic Names Supporting Organization (GNSO) completed a Policy Development Process (PDP) that recommended second level "preventative" protection for IGO names and acronyms via a mechanism similar to the Trademark Clearinghouse, i.e. for 90 days following the launch of a new gTLD, potential registrants attempting to register domains matching an IGO name or acronym will be sent a Claims Notice alerting them of the fact, and the applicable IGO will receive a Notice of Registered Name should the registrant proceed with the registration. GAC advice on the topic, however, was for permanent protection of these IGO names and acronyms on the basis of the public interest since IGOs, as created by governments under international law, are objectively different rights holders from trademark owners.

As the GAC advice and GNSO policy recommendations on appropriate second level protections for IGO names and acronyms are not consistent with each other, in April 2014 the ICANN Board adopted only the GNSO's recommendations for protecting IGO names and acronyms at the top level, resolving at the same time to facilitate discussions among the relevant parties to reconcile any remaining differences between the GNSO's recommendations and GAC advice for second level protection. The interim protections put into place at the second level would remain until the matter is resolved.
In March 2017, a facilitated dialogue was held between GAC and GNSO representatives to attempt to reconcile the differences on the topic of "preventative" protections. During the discussion, a possible reconciliation mechanism was suggested, i.e. that ICANN Organization should provide a "watch service" to IGOs such that they would be notified, on an ongoing basis, each time a second level domain matching their name and acronym is registered.

In June 2014, based on another recommendation from its completed PDP pertaining to "curative" protections, the GNSO Council initiated a PDP to examine whether existing second level dispute resolution mechanisms (i.e. the Uniform Domain Name Dispute Resolution Policy (UDRP) and the Uniform Rapid Suspension procedure) should be amended, or if a new, narrow and separate mechanism should be developed to address the needs of IGOs and international non-governmental organizations. With respect to the topic of curative rights, the GAC's most recent advice is that protection should be modeled on, but separate from, the UDRP, provide standing based on IGOs' status as public intergovernmental institutions, and respect IGOs' jurisdictional status by facilitating appeals exclusively through arbitration. The Curative Rights PDP work is nearing completion, and the GAC has indicated that the group's likely recommendations may differ from GAC advice on the topic of curative rights protection for IGOs.

Since any "preventative" protections will need to be viewed alongside any "curative" mechanisms in order to confirm the full scope of any second level protections, the ICANN Board had indicated that it is unlikely to act on the possible reconciliation of GAC advice and GNSO policy on "preventative" issues, pending the outcome of the GNSO's Curative Rights PDP.

The need to resolve the issue of what, if any, overall second-level protections should be afforded to IGO names and acronyms has been a subject of community discussion for a number of years. There has been long-standing GAC advice on the topic, and there appears to be a possibility that, on the "curative" rights issue, the community may once again be faced with inconsistencies between GAC advice and GNSO policy recommendations. |

Goals/Expected Outcomes	The goal is to hold a 90-minute session where representatives from across the affected stakeholders, including the GNSO, GAC and IGOs, can discuss whether and how the actual and potential differences between GAC advice and GNSO policy work can be reconciled so that the issue of second level protections for IGOs can be resolved. Community feedback from different groups, e.g. registry operators, registrants and other interested parties, can be provided and considered as part of the discussion. A successful open dialogue on this long-standing topic will allow the community to gain clarity on what the final protections may be and look toward commencing the necessary implementation work should the ICANN Board approve any final outcomes that are adopted by the GAC and GNSO according to their specific internal procedures.
Proposed Format	There are several ways that such a session can be structured. For example, a facilitated discussion similar to what was conducted at ICANN55 in March 2017 can be considered, using an experienced community facilitator familiar with the issues. A strawman paper and other preparatory materials laying out the issues for discussion can be prepared in advance and circulated, and a rapporteur (e.g. ICANN staff) used to record notes and agreements. It will be important to have authorized representatives from the GAC, the IGOs, and the GNSO. Similarly, the wider ICANN community and the ICANN Board should be given the opportunity to provide feedback and ask questions.
Proposer	GNSO
Entered by	Mary Wong
email	mary.wong@icann.org

8 DNS Abuse Mitigation

Session Type	Cross Community Topic Session (90 min)
Background / Importance	As a side effect of efforts by ICANN, Registries and Registrars to comply with the EU General Data Protection Regulation, the DNS Abuse landscape, which has shown continuing and concerning trends, may be significantly affected for the worse. While the ICANN Community has focussed significant resources towards defining a GDPR-compliant Whois model over the past year, important ICANN initiatives and processes are still expected to deliver on adequate capabilities in terms of DNS Abuse reporting, related contractual compliance enforcement and fact based policy making.
Goals/Expected Outcomes	The primary goal of this session is to discuss latest developments in DNS Abuse and follow-up on relevant ICANN initiatives and policy processes as well as conclusions of prior cross community sessions. This cross-community discussion should serve to: · inform community efforts related to GDPR compliance implementation · Identify challenges and opportunities related to reporting DNS Abuse and using this data in prevention efforts, contractual compliance enforcement and necessary policy making
Proposed Format	· Presentations of latest research and data available · Discussion of status and next steps of mitigation initiatives · Forum type of interaction for all interested community members.
Other Comments	The GAC's PSWG is reaching out to SSAC and ICANN's SSR Team for contributions.
Proposer	GAC
Entered by	Fabien Betremieux
email	fabien.betremieux@icann.org

9 Domain Name System and platforms

Session Type	Cross Community Topic Session (180 min)
Background / Importance	https://www.nytimes.com/2018/04/10/us/politics/zuckerberg-facebook-senate-hearing.html https://www.facebook.com/photo.php?fbid=10157768732928636&set=a.161132138635.150139.726353635&type=3&theater
Goals/Expected Outcomes	A better view of what is the future of DNS vs platforms (Facebook, Uber, Airb&b...). How the lessons of multistakeholder organizations (like ICANN) learned can apply to any (or all) platform?
Proposed Format	A short intro from one rep from each of the SO/AC co-organizing this session. Ad discussion between the speakers and the participants.
Proposer	ALAC
Entered by	Sebastien Bachollet
email	sebicann@bachollet.fr

10 Geographic Names at the Top-Level (Work Track 5)

Session Type	Cross Community Topic Session (180 min)

Background / Importance	The topic of geographic names at the top-level of the DNS is an area where there are divergent views amongst the community organizations, and even amongst those within their respective community organizations. During the 2012 round of the New gTLD Program, country or territory names as defined in the Applicant Guidebook, were not permitted. Certain other Geographic names, as defined in the Applicant Guidebook, were permitted when accompanied with supporting documentation or non-objection.
	However, during that 2012 round, there were a number of other applied for gTLDs that members of the community, including the Governmental Advisory Committee, considered to be of geographic significance and either submitted early warnings, public comments, and/or official government objections through GAC Advice. Some of these strings were ones which other community members considered to be generic or were applied for by a particular brand. As a result of that advice, a number of the generic applications either went through as originally proposed, others were modified through a private negotiation process, and some were not allowed to proceed.
	Irrespective of whether the community agrees with those outcomes, it is acknowledged by many that the process was not as predictable as it could have been. For subsequent procedures for new TLDs, they seek more predictability and certainty as to which TLDs constitute geographical TLDs, whether such TLDs are permitted or not, the application and evaluation processes for them, and the forms of objections and resolutions involving any disputes over geographic names.
	The New gTLD Subsequent Procedures PDP WG has sought to facilitate a dialogue that allows for the community to collaborate, understand the various needs, and to consider and debate proposals to address geographic names in future new gTLD procedures. The PDP WG has held a pair of webinars on 25 April 2017, where various positions held by different members of the multi-stakeholder community were presented. Those webinars served as an input to a pair of facilitated cross-community sessions held at ICANN59, focused on geographic names at the top.
	The PDP WG has since convened Work Track 5 (WT5), dedicated to the single topic of geographic names at the top-level within the New gTLD Program. WT5 has an inclusive leadership structure, with a co-lead from each of the ALAC, ccNSO, GAC, and GNSO. WT5 has agreed to a Terms of Reference and has begun substantive deliberations, starting with a review of the geographic terms in the Applicant Guidebook and their respective treatment, followed by consideration of geographic terms that were not identified as such in the Applicant Guidebook.
	WT5 Wiki Page: https://community.icann.org/x/YASbAw WT5 Terms of Reference: https://community.icann.org/x/RgS8B
Goals/Expected Outcomes	The goal is to socialize and get agreement on any preliminary outcomes WT5 has reached, and also collaborate with the community to make progress or reach agreement on outstanding issues.
Proposed Format	The desire is to have two 90 minute, non-conflicted sessions. The sessions will be led by the co-leads of WT5, ensuring that the team of moderators will represented by the ALAC, ccNSO, GAC, and GNSO. The session will be run as a working session to validate outcomes and address open issues, but will target issues where community input is especially important to WT5's deliberations. As the topic has been demonstrated to be of particular importance across the community, having the sessions non-conflicted is critical.
	By having two sessions, one at the beginning and one at the end of ICANN62, it would provide the opportunity for communities to consult internally during the time between the two sessions, and possibly better allow for agreements to be reached.
Other Comments	As noted in the Proposed Format, the desire is indeed to have 180 minutes, but have that allocated as two separate sessions, one taking place earlier and on taking place later during ICANN62.
Proposer	GNSO
Entered by	Steve Chan
email	steve.chan@icann.org

11	WT5 (Geonames as TLD) of GNSO's Subsequent Procedures PDP
Session Type	High Interest Topic Session (90 min)
Background / Importance	If procedurally possible, I would like to see a High Interest Topic Session on the issue of WT-5 (GeoNames as TLDs) of the GNSO Subsequent Procedures PDP. As At-Large is so culturally and linguistically diverse I would expect interesting views on geonames.
Goals/Expected Outcomes	It would be great that not only an update is given, but that At-Large / ALAC opinions on the matter are heard and gathered into the PDP process.
Proposed Format	1. Update by well versed members on topic. 2. Discussion
Proposer	ALAC
Entered by	Javier Rúa-Jovet
email	javrua@gmail.com