



## ICANN 59 JOHANNESBURG



## Welcome to Johannesburg and ICANN59!

This meeting serves as the second annual “policy forum” for the ICANN community and it will be busy. And because the Business Constituency (BC), per usual, remains actively involved in ICANN’s policy-making processes, the BC’s members will be engaged throughout the course of the meeting ensuring that the interests of business users of the domain name system are represented and heard.

Of course, the BC intends to continue to be the voice of business users at ICANN throughout the year.

In addition to the important policy discussions taking place at ICANN 59,

attendees will also be actively involved in outreach activities throughout the four days of the meeting.

Recognizing that the internet affects business users all over the world, the BC strives to expand outreach to the broader business community. In this regard, BC representatives will be holding an open and public meeting on Thursday, 29 June 2017, to allow attendees to see the BC in action and ask questions of its leadership and members.

The BC welcomes all business and commercial users of the Internet to join us then to learn more about what the BC does and how membership in the BC can lead

to positive engagement within the broader ICANN community.

The second half of 2017 should be as exciting as the first half and the BC looks forward to interacting with the broader ICANN community in South Africa. The BC’s members take seriously the BC’s role within the ICANN community and look forward to another engaging meeting.

For more information regarding the BC, please go to our updated website at [bizconst.org](http://bizconst.org).

Warm Regards,

**The Business Constituency's  
Executive Committee**

## Policy Perspective

# A new Empowered Community mechanism

By Steve DelBianco, Vice Chair for Policy Coordination

The Johannesburg meeting is the second in ICANN's three-meeting cycle. It lasts 'only' four days, and is focused on policy work and outreach. But for the BC, these focused activities are our favorite fields of endeavor.



**“We’re not in Johannesburg for long, but please tap anyone with a “Business Constituency” name badge and ask how you can help the BC...”**

Over half of BC members are involved in ICANN's working groups and review teams, often as chairs or co-chairs. When it comes to outreach, the BC devotes lots of effort and expense to meet local businesses. This helps us understand the concerns of local business registrants and identifies potential new BC members, too.

2017 is the first year of ICANN's full independence from the U.S. government, but we haven't yet seen any changes in the way ICANN works. It's still a deliberate process of bottom-up policy development, led by the multistakeholder community. And the BC is still a leading participant

in working groups and still a top contributor to public comments.

However, we are seeing here in Johannesburg one small change from pre-transition days. ICANN is seeking community approval of a proposed bylaws change regarding which board committee handles Reconsideration Requests.

It's a minor amendment, but the first test of the new Empowered Community mechanism we created to exercise oversight of the ICANN organization. We are confident the community will ably answer this first test of the post-transition bylaws.

Our community faces additional tests

in the year ahead. There are multiple projects underway as part of 'Work Stream 2' of the IANA transition, covering diversity, human rights, legal jurisdiction, and several aspects of accountability. Many BC members are engaged in Work Stream 2 projects and can explain the trajectory of their recommendations. They may also ask your help to evaluate and comment on those recommendations, so please be ready to volunteer.

BC members are needed for other policy projects, too. This year, we're starting formal reviews of Security, Stability and Resiliency; of Whois; and of ICANN's accountability and transparency.

Right now the BC is evaluating recommendations from the review of the previous expansion of generic top-level domains (gTLDs).

That review is one of several ICANN projects to plan for future expansion of gTLDs, providing opportunities for BC members to improve consumer protection and registrant identification mechanisms.

We're not in Johannesburg for long, but please tap anyone with a "Business Constituency" name badge and ask how you can help the BC to advocate for business registrants and users.



**Steve DelBianco,  
Vice Chair  
for Policy  
Coordination**

# CSG Looks Ahead to Next GNSO Review

By Barbara Wanner, BC CSG Rep



Earlier this year, the Commercial Stakeholders Group (CSG) and the Non-Commercial Stakeholders Group (NCSG) – both of which comprise the Non-Contracted Party House (NCPH) – gathered for their 4th Intersessional in Reykjavik, Iceland.

One of the highlights of this meeting was a discussion about the opportunity for the CSG and NCSG to proactively shape the Terms of Reference (TOR) for the 2019 external review of Generic Names Supporting Organization (GNSO). Both Stakeholder Groups agreed that the upcoming 5-year review would greatly benefit from community input to refine its scope and to clarify how the GNSO's effectiveness would be determined before ICANN issues the Request for Proposal (RFP) for an outside contractor to conduct the review. There also was a NCPH consensus supporting outreach to the Contracted Party House (CPH), which is the other half of the GNSO, in this endeavor.

The BC subsequently took the initiative to follow up with ICANN staff to remind them of this NCPH Intersessional action item. We requested that all constituencies be kept apprised of the development of the RFP for the GNSO review so we can offer the community's views on appropriate scope and definitions of GNSO effectiveness prior to its issuance.

The CSG leadership, in turn, agreed on the need to form a special cross-constituency committee in the near-term to enable sufficient time to develop work plans in the individual constituencies, build a consensus within the broader NCPH, and explore potential collaboration with the CPH. The CSG further emphasized the importance of timely engagement with relevant members of the ICANN Board's Organizational Effectiveness Committee, ideally at ICANN 59, to discuss the 2019 GNSO Review. All CSG constituencies look forward to moving this initiative forward.

## GLOSSARY OF ACRONYMS

Visit <https://gnso.icann.org> for a full list

- ACP** Administrative Challenge Panels
- ADR** Alternative Dispute Resolution
- AfriNIC** African NIC
- AFTLD** African ccTLDs
- AIRA** American Internet Registrants Association
- APTLD** Council of the Asia Pacific country code Top Level Domains
- APNG** Asia Pacific Networking Group
- APNIC** Asia-Pacific Network Information Center
- ARIN** American Registry for Internet Numbers
- ARPA** Advanced Research Projects Agency
- BIND** Berkeley Internet Name Domain
- CAIP** Canadian Association of Internet Providers
- CENTR** Council of European National Top level domain Registries
- CNRI** Corporation for National Research Initiatives
- CORE** Council of Registrars
- CORE-MoU** Council of Registrars Memorandum of Understanding
- DARPA** Defense Advanced Research Projects Agency
- DNS** Domain Name System
- DOC** US Department of Commerce
- ETNO** European Public Telecommunications Network Operators Association
- ETSI** European Telecommunications Standards Institute
- FCC** US Federal Communications Commission
- GNSO** Generic Names Supporting Organisation
- gTLD** generic Top Level Domain (not associated with country code)
- gTLD-MoU** Generic Top Level Domain Memorandum of Understanding
- IAB** Internet Architecture Board
- IAHC** International Ad Hoc Committee
- IANA** Internet Assigned Numbers Authority
- ICANN** Internet Corporation for Assigned Names and Numbers
- ICC** International Chamber of Commerce
- IETF** Internet Engineering Task Force
- IESG** Internet Engineering Steering Group
- INTA** International Trademark Association
- IOPS.ORG** Group of Commercial Internet Service Providers
- iPOC** gTLD-MoU Interim Policy Oversight Committee
- ISO** International Organization for Standardization
- ISOC** Internet Society
- ISP** Internet Service Provider
- ITU** International Telecommunication Union
- LACTLD** Latin American and Caribbean ccTLDs
- MoU** Memorandum of Understanding

# ICANN Multistakeholder Organizational Chart



## ICANN Board of Directors

**Top row Left to Right:** Göran Marby – President & CEO, Steve Crocker – Chair (NomCom), Becky Burr (GNSO), Rinalia Abdul Rahim (At-Large), Cherine Chalaby – Vice Chair (NomCom), Chris Disspain (ccNSO), Asha Hemrajani (NomCom), Ron da Silva (ASO), Markus Kummer (GNSO), Maarten Botterman (NomCom)

**2nd row Left to Right:** Khaled Koubaa (NomCom), Rafael Lito Ibarra (NomCom), Lousewies van der Laan (NomCom), George Sadowsky (NomCom), Thomas Schneider (GAC), Mike Silber (ccNSO), Akinori Maemura (ASO), Ram Mohan (SSAC Liaison), Jonne Soininen (IETF Liaison), Kaveh Ranjbar (RSSAC Liaison)

### Generic Names Supporting Organization (GNSO)

(see following page)

James Bladel (Chair)  
Heather Forrest (V. Chair)  
Donna Austin (V. Chair)

### Country Code Names Supporting Organization (ccNSO)

Katrina Sasaki (Chair)  
Byron Holland (V. Chair)  
Demi Getschko (V. Chair)

### Address Supporting Organization (ASO)

Filiz Yilmaz (Chair)  
Louie Lee (V. Chair)  
Ricardo Patara (V. Chair)

### Government Advisory Committee (GAC)

Thomas Schneider – Switzerland (Chair)  
Olga Cavalli – Argentina (V. Chair)  
Gema Campillos – Spain (V. Chair)  
Henri Kassen – Namibia (V. Chair)  
Wanawit Ahkuputra – Thailand (V. Chair)

### Security & Stability Advisory Committee (SSAC)

Patrik Fältström (Chair)

### Root Server System Advisory Committee (RSSAC)

Brad Verd (Co-Chair)  
Tripti Sinha (Co-Chair)

### At-Large Advisory Committee (ALAC)

Alan Greenberg (Chair)  
Tijani Ben Jemaa (V. Chair)  
Leon Sanchez (V. Chair)

### Technical Liaison Group (TLG)

Bilel Jamoussi  
Wendy Seltzer  
Daniel Dardaillier  
Warren Kumari

### Internet Engineering Task Force (IETF)

Jari Arkko (Chair)

### Nominating Committee 2017

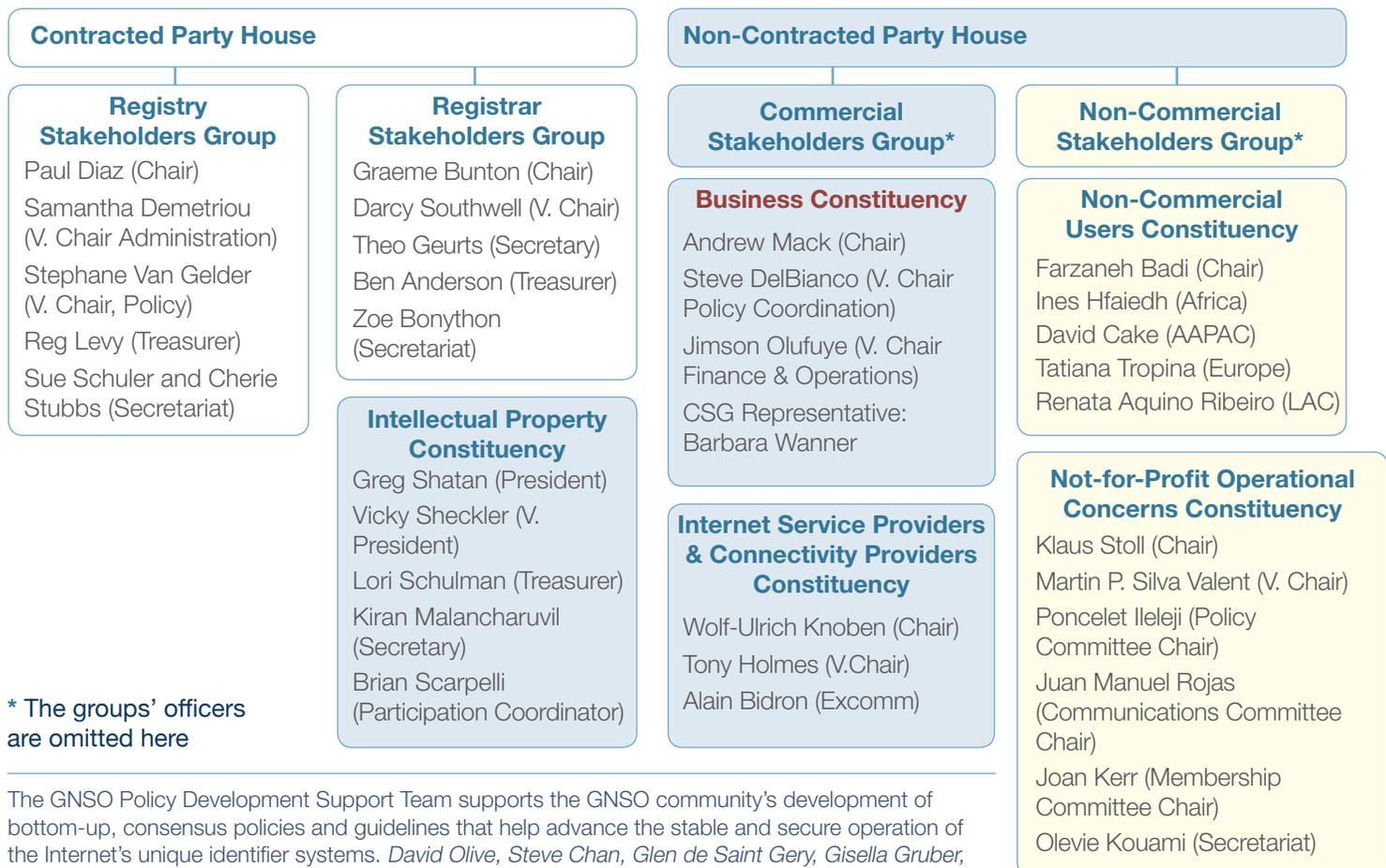
Hans Petter Holen (Chair)  
Zahid Jamil (Chair-Elect)

### Ombudsman

Herb Wayne

# GNSO Stakeholder Groups, Constituencies & Council

The GNSO Council is responsible for managing the policy development process of the GNSO.



\* The groups' officers are omitted here

The GNSO Policy Development Support Team supports the GNSO community's development of bottom-up, consensus policies and guidelines that help advance the stable and secure operation of the Internet's unique identifier systems. *David Olive, Steve Chan, Glen de Saint Gery, Gisella Gruber, Julie Hedlund, Robert Hoggarth, Susie Johnson, Marika Konings, Nathalie Peregrine, Carlos Reyes, Steve Sheng, Mary Wong, Terri Agnew, Emily Barabas.*

# Report from the BC's Councilors on the GNSO Council

By Philip S. Corwin and Susan Kawaguchi

ICANN's Generic Names Supporting Organization (GNSO) includes all parts of the ICANN community involved with generic top level domains (gTLDs), and its Council sets policy for them. The Business Constituency (BC) is part of the Commercial Stakeholders Group (CSG), which comprises one-half of the Non-Contracted Parties House (NCPH) side of the Council. The BC's current Councilors representing its views on Council are Susan Kawaguchi of CNA Consulting, Inc., who was recently reelected to a second term – and Philip Corwin, head of Virtualaw LLC and Counsel to BC member the Internet Commerce Association.

Like most of the ICANN community, the Council was closely involved with the work of the CWG-Stewardship and the CCWG-Accountability in preparation for last year's IANA transition. Most Councilors – including the BC's – participated in various aspects of this process. The end result of this two-track process was the development and delivery of a coherent package of recommendations for transitioning oversight of the IANA root zone functions from the National Telecommunications and Information Administration (NTIA),

Like most of the ICANN community the Council was closely involved with the work for last year's IANA transition... the work is not over yet.

a division of the U.S. Department of Commerce, to the global multistakeholder community. Transition implementation was accompanied by new measures

to make ICANN's Board and staff more accountable to its community while preventing governmental takeover or domination of ICANN. The ICANN community completed its own review of draft Bylaws revisions incorporating all the transition and accountability proposals prior to the handoff on October 1, 2016.

Still, the work is not over. The launch of the secondary yet still important issues relegated to Work Stream 2 has commenced. These include assurance of greater transparency in ICANN decision-making and operations and grappling with nuanced jurisdictional matters. The working group on transparency has completed its work under the direction of outgoing BC Chair Chris Wilson and, upon adoption and implementation, the ICANN community should enjoy substantially greater access to internal ICANN documents as well as enhanced information regarding ICANN lobbying and interactions with governments.

The community must now adapt to its newly empowered role. In that regard, the GNSO Council has commenced a discussion of how the GNSO should exercise its role in the Empowered Community that will exercise the accountability powers. The GNSO Council, with input from all of its constituencies and stakeholder groups, is presently reviewing ICANN's proposed FY 2018 budget as the community now has leverage to modify or even reject it. BC members will continue to discuss these ongoing accountability processes and proposals on a regular basis, and Susan and Philip will convey the BC's consensus views to the full Council.

BC members will next gather together at ICANN 59, taking place in late June in Johannesburg, South Africa. This is the short mid-year "B" meeting devoted to intensive policy development work.

## Other issues on which the Council is currently engaged include:

- Overseeing implementation of the recently completed PDP on accreditation standards for privacy and proxy services providers associated with registrars, to ensure that registrants' privacy is maintained but that rights holders can convey messages and obtain registrant data in appropriate circumstances.
- Assuring that International Governmental Organizations (IGOs) have adequate access to the Uniform Domain-Name Dispute Resolution Policy (UDRP) and Uniform Rapid Suspension System (URS) rights protection mechanisms, or to a similar arbitration process, to prevent abuse of their names and acronyms in domain names. BC Councilor Philip Corwin is Co-Chair of this WG, which issued its draft report and recommendations on January 20th for forty days of public comment. The Working group is now considering all comments and moving forward to delivering its Final Report. The topic of IGO protections remains a major focus of GNSO-GAC dialogue that will likely continue in Johannesburg.
- Determining what usage should be made of the more than \$100 million (and possibly as much as \$240 million) in "last resort" auction proceeds for contested new gTLDs. The Council has established a CCWG to grapple with this issue and it has produced a proposed Charter to guide its work. ICANN's Board has signaled that it will give serious review to community input.
- Maintaining and improving the functioning of a liaison from the Council to the Governmental Advisory Committee (GAC). This work has included implementation of an "early look"



system for gathering GAC feedback on developing issues, with the aim of identifying issues of significant concern to the GAC and better integrating governmental views into the policymaking process.

- Following the work of a Policy Development Process (PDP) on subsequent rounds of new gTLDs. This will be coordinated with a separate PDP reviewing all rights protection mechanisms (RPMs) for all gTLDs – including the first review of the Uniform Dispute Resolution Policy (UDRP) ever undertaken; Councilor Corwin and BC member J. Scott Evans both serve as Co-Chairs of the RPM Review WG. The BC has made clear that its position is that any new round of gTLDs can only proceed after both of these PDPs complete their review of all matters pertaining to new gTLDs, along with a separate review of Competition, Choice and Trust mandated by the Affirmation of Commitments.
- Overseeing the work of a multi-part PDP on “A Next-Generation Registration Directory Service” (RDS) that is intended to help redefine the purpose and provision of gTLD registration data, and develop a potential new model to replace today’s much-criticized WHOIS system. BC Councilor Susan Kawaguchi has played an integral role in this important effort and will continue to be involved with its work as Vice Chair of the working group.
- The GNSO council recently created the Standing Selection Committee comprised of representatives of all the Stakeholder groups and Constituencies within the GNSO. This committee will be instrumental in evaluating and recommending candidates for review teams and other specialized representative positions within the Council. Susan Kawaguchi is chairing this Committee and worked

with Ed Morris of the Non-Commercial Stakeholder Group to develop its charter and working processes.

The BC may also take the initiative on select new issues by urging the Council to initiate the process that can lead to the development of new responsive policies. One issue that has received BC attention is a rising number of domain thefts, which can be devastating to businesses and their customers. ICANN has a role to play in addressing this, including best practices for registrar security as well as tougher compliance against registrars who do not cooperate adequately in investigating incidents and returning stolen domains.

Another issue on the BC’s radar is the targeting of Trademark Clearinghouse registered marks for excessive sunrise registration fees by new gTLDs. The issue involves questionable policies regarding “premium domain” designation and pricing by many new gTLD registries and will be a subject of discussion by both the Subsequent procedures and RPM review WGs.

As the 2017 round of ICANN meetings continues, the BC’s Councilors will continue to play a vital role in conveying BC consensus views to the Council while keeping BC members apprised of Council activities and decisions.



**BC Councilors  
Susan Kawaguchi,  
and Philip Corwin**



## The mission of the BC

The Constituency fully represents the views of the Internet business user community.

ICANN policy positions are consistent with the development of business via an Internet that is stable, secure and reliable while promoting consumer confidence.

ICANN policy positions derive from broad stakeholder participation in a common forum for suppliers and users.

### Executive Committee

**Chair:** Andrew Mack

**Vice Chair, Policy Coordination:** Steve DelBianco

**Vice Chair, Finance & Operations:** Jimson Olufuye

**CSG Representative:** Barbara Wanner

**GNSO Councilor:** Susan Kawaguchi

**GNSO Councilor:** Philip Corwin

### BC Appointees to the Nominating Committee:

Jay Sudowski (Small Business Seat)  
Paul Mitchell (Large Business Seat)

### BC Credentials Committee:

Andrew Mack, Arinola Akinyemi  
John Berard

### BC Finance Sub Committee:

Marilyn Cade, Chris Chaplow

### BC Secretariat:

Chantelle Doerksen

### Outreach Committee Members:

Andrew Mack (Coordinator),  
Gabriela Szlak, Marilyn Cade,  
Lawrence Olawale-Roberts,  
Omar Mansoor Ansari.



## About ICANN and the GNSO

ICANN's mission is to help ensure a stable, secure and unified global Internet. To reach another person on the Internet, you have to type an address into your computer — a name or a number. That address has to be unique so computers know where to find each other.

ICANN helps coordinate and support these unique identifiers across the world. ICANN was formed in 1998 as a not-for-profit public-benefit corporation and a community with participants from all over the world. ICANN and its community help keep the Internet secure, stable and interoperable.

### About the GNSO

The Generic Names Supporting Organization fashions (and over time, recommends changes to) policies for gTLDs (e.g., .com, .org, .biz). The GNSO strives to keep gTLDs operating in a fair, orderly fashion across one global Internet, while promoting innovation and competition.

### Useful links

<https://www.icann.org>  
<https://gns0.icann.org/en/>

## The Benefits of BC Membership

The Business Constituency is a constituency representing customers of providers of connectivity, domain names, IP addresses, protocols and other services related to electronic commerce in its broad sense.

BC members contribute as:

- participants on the BC e-mail list to learn about and debate issues
- participants on telephone conferences to reach consensus on key issues
- participants at physical meetings coincident with ICANN global meetings
- issue managers on specific topics
- bridges for information flow between other GNSO constituencies

**If you would like to become a member of the BC, please contact the BC Secretariat at:**  
**[info-bc@icann.org](mailto:info-bc@icann.org)**

**[www.bizconst.org](http://www.bizconst.org)**