

# ALAC Updates

## Policy development activities

### *Statements approved by the ALAC*

#### [The ALAC Ratified its Statement on the Proposed Renewal of .asia Registry Agreement](#)

The ALAC supports the proposed changes to the .asia (DotAsia) renewal agreement, with (3) comments related to universal acceptance (UA), public interest commitments and fees to be paid to ICANN org.

**Universal Acceptance (UA):** While Clause 1.2 of the proposed .asia (DotAsia) agreement encourages the adoption of Universal Acceptance (UA), it recognizes that registries may experience technical difficulties in its implementation. DotAsia already promotes UA within Asia and is a lead participant in the UASG, supported by the DotAsia Board. Therefore, the ALAC proposes that Clause 1.2 of the agreement be amended to read: ICANN encourages Universal Acceptance for all top level domain strings in contract with DotAsia.

**Public Interest Commitments:** The ALAC strongly supports clause 2.17 on Public Interest Commitments for DotAsia.

**Fees to be paid to ICANN org:** In respect of Section 6.1 of the proposed renewal agreement, the ALAC counsels for both the registry fixed fee (presently proposed at \$6,250 per calendar quarter) and the registry level transaction fee (presently proposed at \$0.25 for each annual increment of an initial or renewal domain name registration) to be adjusted for inflation on an annual basis. This adjustment ought to also be adopted in the base Registry Agreement.

#### [The ALAC Ratified its Statement on Registry Agreement Renewals .org, .biz and .info](#)

The ALAC generally refrained from commenting on these prior proposed Registry Agreement renewals, with the exception of the proposed renewal of the .NET Registry Agreement in 2017. The ALAC in general favors standardizing Registry Agreements as this allows for transparency and predictability, as well as ease of review and compliance monitoring of one standard contract (with necessary but controlled variations through Addendums) instead of managing many disparate/varying contracts. Being supportive of this approach, the ALAC has not objected to the base Registry Agreement, or to its use in prior renewals.

In respect of the intent to standardize the said 3 proposed Registry Agreement renewals (.org, .biz, .info), the ALAC welcomes the following proposals:

- (i) inclusion of Public Interest Commitments (per Specification 11),
- (ii) inclusion of Minimum requirements for Rights Protection Mechanisms (per Specification 7),
- (iii) adoption of the Registry Code of Conduct (per Specification 9), and

- (iv) amendment of the relevant section in Specification 5 to govern the allocation of two-character labels at the second level to avoid confusion with corresponding country codes.

The ALAC also noted there are differences in opinion within At-Large regarding the omission and quantum of price caps.

### **[GNSO Expedited Policy Development Process \(EPDP\) on the Temporary Specification for gTLD Registration Data Policy Recommendations for ICANN Board Consideration](#)**

The ALAC provided advice to the ICANN Board, noting significant concern related to three aspects of the EPDP Report. Specifically, the ALAC is concerned not only with the outcomes, but with the process that was followed to address the issues. All three impact the ability to access registration data and the completeness of that data, specifically: “to identify the appropriate balance for a path forward to ensure compliance with the GDPR while maintaining the existing WHOIS system to the greatest extent possible”. The ALAC advises the ICANN Board to:

- Request that the issue of Thick WHOIS be discussed during the EPDP Phase 2 in light of the new legal opinion;
- Request that the issue of geographic differentiation be re-opened during the EPDP Phase 2 in light of the new legal opinion and the lack of considering the competing needs of privacy vs the benefits of non-redaction on cyber-security activities and that the ensuing discussion factor in the needs of those using the data for cyber-security and other legitimate purposes;
- Request that the issue of legal/natural differentiation be discussed during the EPDP Phase 2 explicitly considering the competing needs of those using the data for cybersecurity and other legitimate purposes;
- Initiate independent studies related to the implementation of geographic and legal/natural differentiation as well as the impact of the Temporary Specification implementation on cyber-security, or request that the EPDP Phase 2 commission such studies. If the latter, the Board should ensure adequate funding for such work.

### **[ICANN64 Joint GAC-ALAC Statement on EPDP](#)**

During ICANN64, the At-Large Advisory Committee (ALAC) and Governmental Advisory Committee (GAC) drafted and approved a [Joint GAC-ALAC Statement on the EPDP](#). The GAC and ALAC are aligned overall with the EPDP Phase I Report, as it pertains to outstanding concerns as articulated in their respective statements to the report. The two advisory committees are in agreement on the need to distinguish between natural and legal persons. In addition, the GAC and ALAC highlighted the importance of data accuracy, the technical contact field, and protecting the public interest. The statement was drafted jointly with the GAC with input from the

ALAC Liaison to the GAC, Yrjö Lansipuro, and GAC representative, Cathrin Bauer-Bulst, as well as the At-Large representatives to the EPDP, Hadia Elminiawi and Alan Greenberg.

### **Updated Operating Standards for Specific Reviews**

It is the view of the ALAC that the level of specificity for specific reviews is necessary to prevent misunderstandings and missteps by any of the parties involved in the review. The ALAC believes scope should be well defined within the confines of bylaws and review teams should be free to pursue their mandate within that scope. Accordingly, the ALAC voiced their strong support for the updates to the Operating Standards for Specific Reviews.

### **First Consultation on a 2-Year Planning Process**

The ALAC/At-Large community agrees that more time should be given for additional community involvement, and requests that ICANN Org provide a listing of priorities and statements on the impact of each project within ICANN Org and on each of the unique ACs and SOs. The ALAC also encourages ICANN Org to provide the appropriate level of resources to ICANN IT for continued support of services which are vital for community policy work. The ALAC believes that the additional time from 15 months to 2 years would provide more transparency as the community becomes more aware of priority ranking of projects or has collaborated with ICANN Org on priority ranking. The At-Large Advisory Committee believes that beyond the priorities of keeping the Internet secure and stable, and maintaining the multistakeholder model, the community should be directly involved in setting other priorities. In addition to policy activity, the ALAC emphasizes that outreach and engagement are integral to the planning cycle, and the benefit of CCWGs and CCEGs in planning activities. The ALAC supports a formalized, dedicated planning phase to plan for SO/AC activities. The ALAC noted it strongly believes that for ICANN to be as inclusive as possible, documents should be translated into multiple languages; important community meetings should be held in different time zones and in different languages, with real time translation (language channels) and captioning / real time transcription (RTT) provided on all calls. Finally, the ALAC strongly believes that for ICANN to be seen to be truly multi-stakeholder-focused and inclusive, then appropriate resources must be made available to remove barriers that might prevent the full participation of the ICANN ***community in policy activities***.

### **ICANN Strategic Plan for Fiscal Years 2021 – 2025**

The ALAC stressed the importance of ICANN's role in the multistakeholder model of Internet Governance (including 6 recommendations to improve its effectiveness), suggested a rebalancing of representation on the ICANN Board to enhance the Internet end user perspective, and noted that more fulsome cost/benefit analyses of programs like the gTLD expansion should be available in order to predict the future impact on total resources. The ALAC also commented on strengthening the security of the Domain Name System (DNS) and the DNS Root Server System, evolving the unique identifier systems to continue to serve the needs of the global Internet user base, addressing geopolitical issues impacting ICANN's mission to ensure a single and globally interoperable Internet, and ensuring ICANN's long-term financial sustainability.

**1st Comment: [ICANN Draft FY20 Operating Plan and Budget and Five-Year Operating Plan Update](#)**

Of principal concern to the ALAC/At-Large is their ability to achieve the objectives of the At-Large Review Implementation Plan. The comments in the statement relate to particular portfolio or project areas and incorporate specific At-Large concerns, namely: language services, raising stakeholder awareness of ICANN worldwide, engage stakeholders regionally, support policy development, policy related and advisory activities, reinforce stakeholder effectiveness, collaboration and communication capabilities, coordination of ICANN participation in Internet Governance, supporting organizational reviews, and supporting stakeholder participation.

**2nd Comment: [ICANN Draft FY20 Operating Plan and Budget and Five-Year Operating Plan Update](#)**

The ALAC Chair determined to submit an additional ALAC statement on this public comment, in accordance with the new rules regarding FY20 Additional Budget Requests (ABRs). As ABRs are no longer intended to request travel support to ICANN meetings, the ALAC decided to submit an additional comment to the FY20 Budget public comment, requesting two travel slots to support the attendance of active At-Large policy/outreach leaders in At-Large work session activities at ICANN meetings.

**[Work Track 5 on Geographic Names at the Top Level - Supplemental Initial Report of the New gTLD Subsequent Procedures Policy Development Process](#)**

The ALAC notes that there has yet to be a discussion about whether any new gTLDs are needed. In case of an expansion, first and foremost, (1) strings with geographic connotations should not present harm (eg. risk for confusion) to end-users and (2) end-users, as residents of a given geographic entity, should have a say, through their governments or public authorities, in how its name is used. The ALAC prefers preventative protection mechanisms for country, territory, sub-national place and capital names. In the case of non-capital city names, there is a balanced support within the ALAC for either (1) requiring support or a non-objection letter from the relevant authority only if the applicant intends to use the TLD primarily for purposes associated with the city or (2) requiring support or a non-objection letter in any case. As to the 2012 AGB, ALAC thinks that its final version generally worked well and supports, in general, its treatment of geographic names.

**[Application for New Uniform Domain Name Dispute Resolution Policy \(UDRP\) Dispute-Resolution Service Provider](#)**

The ALAC strongly supports the proposal for a new UDRP Dispute Resolution Provider, viewing it beneficial to the interests of all Internet end users, particularly to domain name registrants.