

ICANN78 Readout – Highlights & Take-Aways from the Annual General Meeting

On 7 November 2023, eco – Association of the Internet Industry and ICANN – Internet Corporation for Assigned Names and Numbers held a joint [ICANN78 readout](#) to summarise and discuss selected topics from the [Annual General Meeting \(25th\)](#) which took place in Hamburg, Germany from 21 to 26 October 2023. Speakers from different constituencies of the ICANN community provided an overview of the highlights and key takeaways of the ICANN78 meeting from their perspectives.

The ICANN78 readout was moderated by **Lars Steffen**, Director eco International, and was hosted by **Gabriella Schitteck**, Stakeholder Engagement Director, Nordic & Central Europe, ICANN Org, and **Thomas Rickert**, Director Names & Numbers at the eco Association.

Reports from the constituencies were provided by:

- **Nicolas Caballero**, Chair of the GAC
- **Sebastien Ducos**, RySG, Outgoing Chair of the GNSO Council
- **Matthias Hudobnik**, Member, At-Large Advisory Committee (ALAC)
- **Jordan Carter**, Vice Chair (Asia Pacific) of the ccNSO Council
- **Philippe Fouquart**, Chair of the ISPCP (CSG)

Gabriella Schitteck welcomed everyone to the readout for ICANN78, ICANN's 25th Annual General Meeting. The event in Hamburg with a total of 167 public sessions attracted over 1,800 on-site participants and 600 online participants from 175 countries or territories, half of whom were from Europe.

Schitteck congratulated the recipient of this year's **[Dr. Tarek Kamel Award for Capacity Building](#)**, which went to Margarita Valdés Cortés, Legal and Business Director at NIC Chile for her significant efforts in capacity building at the local, regional, and global levels.

In her **[opening speech](#)**, Sally Costerton, Interim President & CEO of ICANN, talked about trust and how important trust was in the creation of ICANN. Schitteck highlighted how Costerton talked about how trust was key during the IANA transition and about how trust will be fundamental as we move forward. One of the major issues going forward will be the **[WSIS+20 review](#)**, which will take place in 2025. This is a review of the outcomes of the 2005 UN World Summit on the Information Society (WSIS) to assess progress and identify challenges and areas for continued focus.

At ICANN78, the Universal Acceptance Steering Committee met to prepare the call for another **[Universal Acceptance Day](#)**, Schitteck reported. The **[call for proposals](#)** is open until 15 December and the Universal Acceptance Day will take place on 28 March 2024.

Schitteck gave an update on the changes to ICANN's **[Board of Directors](#)**. Avri Doria and Matthew Shears, both on the board since 2017, have left, while the two new board members are Catherine Adeya and Chris Buckridge, whose terms will end in 2026.

Governmental Advisory Committee (GAC)

Nicolas Caballero, Chair of the GAC, introduced the new leadership team from March 2024 in the Governmental Advisory Committee (GAC). Zaina Bou Harb (Lebanon), Nigel Hickson (UK), Wang Lang

(China) were re-elected. The new vice-chairs are Christine Merida (Egypt) and Thiago Dal-Toe (Colombia). These one-year vice chair terms start after ICANN79 and go until end of ICANN82. There are currently 182 GAC Member States and Territories and 38 Observer Organisations; 110 of those joined just in the last year, which is a challenge on various fronts. The GAC has been offering capacity-building workshops to explain ICANN's bottom-up, consensus-driven process to the new government and intergovernmental representatives at the GAC. These workshops cover key roles of the GAC, e.g., providing advice to the board on public policy issues, particularly when there's interaction between ICANN's activities or policies and national or international laws.

Some of the statements of interest included in the GAC [communiqué](#):

- The upcoming High-Level Government Meeting (HLGM) in Kigali, Rwanda on 9 June 2024.
- Future rounds of new gTLDs, including auctions, mechanisms of last resort, and private resolution of contention sets in new gTLDs, Latin script diacritics in new gTLDs, GAC consensus advice and early warnings on new gTLD applications, and the new gTLD Applicant Support Program.

Another important topic was the launch of the Registration Data Request Service (RDRS) in November 2023. The GAC also discussed the proposed Registration Data Consensus Policy for gTLDs.

The consensus advice to the Board primarily concerned **Closed Generic gTLDs**. The GAC advised the Board to ensure that the forthcoming Applicant Guidebook clearly states that Closed Generic gTLD applications won't be considered for the next round of new gTLDs. The rationale is detailed in the [communiqué](#) (p.11). The follow-up on previous advice items included enabling inclusive informed participation in ICANN and future gTLD policies and procedures.

Generic Names Supporting Organization (GNSO)

Sebastien Ducos, RySG, Outgoing Chair of the GNSO Council, commented on the Subsequent Procedures (**SubPro**) and the GNSO's ongoing work on recommendations previously not approved by the board during the meeting in Cancún. Over the past six months, they've focused on clarifying these recommendations, attaching statements to them for better understanding and these have now been approved by the Board. They are now addressing the remaining recommendations that may require reworking or community input, potentially leading to changes in their nature or their removal. The decisions on these recommendations involve negotiation among the community, the board, and the GNSO. This process is expected to conclude by March, resulting in a complete set of recommendations ready for implementation. Ducos later commended ICANN for bringing people from their policy team to the implementation work on SubPro and separating the implementation work for SubPro, freeing up resources for other work.

Ducos commented briefly on the **closed generics** issue, highlighting the collaborative efforts between ALAC and GNSO over the last year, with challenging negotiations between the different groups. However, they hadn't been able to finalise policy-ready work for the next round of implementations and will continue to work on this issue. He asked Nicolas Caballero to clarify the GAC's definition of what is a closed generic, and thus not allowed in the next round of applications, versus a restricted TLD, which the GAC is encouraging in certain sensitive market verticals, including banking, the medical profession, and the legal professions.

Caballero recalled the rationale behind the GAC's stance. He emphasised that unless there is a community-consensus policy established, applications for closed generic TLDs should not

proceed. A clear statement in the applicant guidebook would prevent confusion among potential applicants and avoid wasting resources, time, and energy. Caballero mentioned the GAC's advice in the draft framework for closed generics in July 2023, citing concerns about competition issues, the overall value assessment of closed generic TLDs for the Internet, their potential negative economic and social impacts, and the evaluation panel. With 182 countries in the GAC, each with different legal perspectives and interpretations, there are multiple viewpoints on the matter and there is no clear definition yet.

The GNSO celebrated its **20th anniversary** in Hamburg, with a number of "old-timers" and some of the first chairpersons joining in person or in video class. Ducos commented wryly that it was a bit scary to see that some of the discussions have been ongoing for 20 years.

Sebastien Ducos highlighted discussions within the GNSO focusing on **character variants and diacritics within the Latin script**, particularly relevant for European languages. This research follows on from earlier work on Indian variants, with the aim of allowing two variants of the same character string to coexist as separate top-level domains, sharing resources and pointing to the same TLD. This approach is relevant for languages such as Chinese, which differentiates between simplified and traditional characters. In addition, Ducos mentioned the GNSO's efforts to implement a solution for European languages written in Latin script, aiming to integrate diacritics with ASCII characters for local market acceptance while maintaining global functionality. Their goal is to create a policy that allows variants of TLDs with and without diacritics, similar to the case of ".quebec" / ". québec". However, this work may not be ready in time for the next round of domain allocations.

The GNSO, in particular the Contracted Parties (which include registries and registrars), reached an agreement with ICANN this year on contract amendments to improve the **definition of DNS abuse** and to establish clearer responses to such abuse. These changes represent significant progress in addressing DNS abuse within ICANN. This involved collaboration between all parties to the contracts to ensure consensus between the Contracted Parties and ICANN on these updated definitions.

Ducos reported that the GNSO previously had a small team looking at DNS abuse and its potential policy implications. However, this team found that the pace of abuse often outstripped the pace of ICANN's policy-making. As a result, the Contracted Parties are transforming this team into a permanent fact-finding and information-sharing panel. This panel will meet regularly throughout the year, not just during ICANN weeks, and will invite diverse representatives from the community to discuss various aspects of DNS abuse. It will initially include representatives from various ICANN groups, including GNSO, ALAC, GAC and others. The goal is to establish an ongoing forum for continued information exchange and collaboration on DNS abuse issues.

Ducos also discussed the launch of the **Registration Data Request Service (RDRS)** at the end of November, a voluntary platform for requestors seeking registration data. Requestors will submit their requests through an ICANN interface, which will then be forwarded to participating registrars for decision-making based on the documentation provided. This initiative follows extensive policy work and the development of the specific application data system, following a review by the ICANN Board to streamline efforts and costs. Ducos urged potential users, such as intellectual property lawyers and law enforcement, to learn how to access the RDRS so they can use it as soon as it is released.

Regarding the **Registration Data Policy**, the GNSO had a policy almost ready for publication in August 2023, but reached an impasse specifically on urgent requests. The GAC agreed to continue to work together on Urgent Requests, a critical issue. In order to facilitate progress and publication, they requested that this aspect be removed from the policy, recognising that significant work remains to be done. As a result, the policy will be published soon. Once published, registrars and registries will

have 18 months to fully implement the policy, including changes to data structure, synchronisation with partners and ensuring data consistency in all directions.

Thomas Rickert added that the operational challenge of the Registration Data Policy, particularly in relation to Urgent Requests, is that the processing of disclosure requests requires legal advice, which is not usually available to registries and registrars at weekends. Despite the willingness to provide prompt assistance, this issue couldn't be easily resolved at the time. However, the forthcoming publication of the Registry Data Policy is promising and will enable registries and registrars to comply with the policy recommendations arising from the first phase of the EPDP.

At-Large Advisory Committee (ALAC)

Matthias Hudobnik, Member, At-Large Advisory Committee (ALAC), discussed the policy involvement of the At-Large Community, highlighting key points. He mentioned the ALAC's appreciation for ongoing discussions within the GNSO Council, specifically regarding **diacritics in the Latin script**, impacting the delegation of strings like “.quebec” / “. québec” in their ASCII versions. The ALAC called for an ICANN support staff study on the implications of such strings. Additionally, they are monitoring proposed contractual amendments to the Base Registry and Registrar Accreditation agreements concerning DNS abuse mitigation.

The ALAC welcomed outreach opportunities by Contracted Parties to open meetings and share information with SOs and ACs. They hope that the RDRS will cover 40-45% of managed domains by year-end. The At-Large Community remains interested in discussions regarding the next round of new gTLDs, particularly voluntary commitments by registries, applicant support, and auctions, which have garnered attention from entities like the GAC, NCUC, and the ICANN board.

Hudobnik discussed several topics covered in the At-Large Consolidated Policy Working Group (CPWG), starting with a **focus on applicant support and key issues**. These issues included defining recommendations, their scope, usage, pro bono services, targeted applicants, and discussions around Closed Generics, Dispute Resolution Policies (DPR), Policy Development Policies (PDP) and the EPDP of IDNs. Additionally, the group also celebrated the 20-year anniversary of the At-Large Community, emphasising the value of community involvement for the future. In one of the General Assemblies, the importance of talking about sustainability development goals was addressed.

There were three At-Large policy sessions:

1. Multi-stakeholder governance for new Internet infrastructures:

This session focused on the discussion of new technologies, in particular Low Earth Orbit (LEO) satellites, aimed at providing high-speed Internet globally and reducing the digital divide. Concerns were raised about the dominance of a few players in this technology and its impact on the digital divide. Discussions covered security, capability, reliability issues, operability, commercial concerns, sustainability, affordability, environmental debris and geopolitical tensions.

2. Impact of technological advancement in ICANN:

This session aimed to identify emerging technologies affecting the Internet's unique identifier system. It looked at how ICANN and the multi-stakeholder model are adapting and using new technologies to manage these identifiers. The challenges, opportunities, efficiency, and effectiveness of managing unique identifiers were explored.

3. Review of the World Summit on the Information Society (WSIS+20):

This session highlighted the critical opportunity presented by the 2025 review of WSIS implementation to reaffirm support for multi-stakeholder Internet governance. Discussions emphasised the need for the participation of diverse groups, although the details of organising such participation were not fully agreed upon. The session explored ongoing processes and sought ways for stakeholders to engage in a structured multilateral space, updating the community on the current state of play and proposing intervention strategies for stakeholders.

Country Code Names Supporting Organization (ccNSO)

Jordan Carter, Vice Chair (Asia Pacific) of the ccNSO Council, gave an overview of the ccNSO's sessions and decisions at ICANN78. At the San Juan meeting in March 2024, dedicated sessions will be devoted to three topics discussed in Hamburg.

One is the significant **gap in the policy framework** identified in relation to the Lebanese domain “.lb”. In particular, this gap has led to the emergence of caretaker operations as a new entry in the root for activity. Essentially, this status became necessary when there was no available ccTLD manager to be appointed for “.lb”, a scenario not previously addressed in the policy framework. The second issue is to assess whether similar gaps exist in the policy framework applicable to ccTLDs. The third issue is how to deal with the future discovery of unforeseen gaps in the policy framework. These considerations may lead to the initiation of a Policy Development Process (PDP) within the ccNSO.

The ccNSO also celebrated its 20th anniversary with a face-to-face World Café session focusing on how the ccNSO might be relevant to the community in the next five or ten years. This will soon be followed by an online version.

During the ICANN78 sessions, discussions covered different perspectives on tools and measurement systems for **DNS abuse**, including ICANN's DAAR service. Policies to address DNS abuse in the ccTLDs are not within the ICANN framework but are formulated within the policy-making processes of individual ccTLDs, in accordance with their jurisdictional rules. A panel with the Registry Stakeholder Group leadership explored the differences and similarities between ccTLDs and gTLDs in terms of abuse. The ccNSO's DNS Abuse Standing Committee (DASC) does not make policy, but rather raises awareness, shares best practices in combating abuse, and provides information to ccTLDs.

The DASC highlighted its [repository](#) of DNS abuse tools and information, and launched an email list to facilitate community input, questions and suggestions for improvement.

The ccNSO's upcoming work on DNS abuse is structured around four questions. Firstly, how do data validation and registration policies for ccTLDs relate to DNS abuse? How can ccTLDs work effectively with registries to tackle DNS abuse? What tools and measurements are available to help ccTLDs mitigate it? And do systems and governance models and regulatory frameworks have an impact on DNS abuse?

Registration Data Request Service (RDRS)

Nicolas Caballero, Chair of the GAC, added some further points on the **Registration Data Request Service (RDRS)**. The GAC has requested that the Board reconsiders the release of the proposed Registration Data Consensus Policy for gTLDs, highlighting concerns about the appropriate timeline for responding to urgent requests for registration data in selected emergency circumstances (known

as Urgent Requests). The GAC supported the Board's initiative to separate Urgent Requests from the overarching Registry Data Consensus Policy discussions. Efforts are ongoing to find a format that is acceptable to all stakeholders.

Caballero reiterated the GAC's position that the proposed response time of up to three business days, rather than calendar days, for urgent requests for registration data does not serve its intended purpose. The use of business days could lead to significant delays due to jurisdictional differences and other considerations. In addition, the Implementation Planning Team (IPT) had previously considered public comments and concluded that there wasn't sufficient justification to change the policy language to require a 24-hour response time for urgent requests.

Later in the Readout, Caballero pointed out that the GAC urged the Contracted Parties to adopt the DNS abuse amendments, which aim to establish baseline obligations for gTLD registries and registrars in ICANN contracts. The GAC also called on the ICANN Board to facilitate community monitoring of the implementation of these amendments. However, there was some disappointment that many of the GAC's suggestions from the public consultation were not included in the final amendments or advice.

Internet Service Provider Constituency (ISPCP) in the Commercial Stakeholder Group (CSG), GNSO

Philippe Fouquart, Chair of the ISPCP within the GNSO, explained their involvement in policy development initiated by the GNSO. As part of the Non-Contracted Parties House (NCPH), they are involved not only in GNSO-initiated policies, but also in broader issues. The NCPH agreed at ICANN78 to pursue concrete actions by leveraging their members' participation in intergovernmental organisations. He outlined three key topics that the ISPCP addressed in Hamburg: a new charter, their dialogue within the NCPH and the Non-Commercial Stakeholder Group (NCSG), and an outreach session during ICANN78.

Regarding the **new charter**, their multi-year effort has been to address the need for transparency, influenced by the recommendations of Workstream 2. Developing new membership criteria has been challenging, particularly with regard to satellite Internet service providers, but after considerable work, the charter was reviewed by the ICANN Board and approved in September. Membership criteria have been broadened to include a range of service providers of different sizes and geographical diversity.

The **dialogue within the NCPH** during ICANN78, the first meeting of the NCPH in at least four years, covered a lot of ground. The aim was to identify areas of agreement, particularly in relation to the appointment of board seats and the rebalancing of the Nominating Committee (NomCom). It is hoped that the collaborative efforts within the House, despite its diverse perspectives, will streamline discussions and avoid prolonged delays, particularly on key appointments, thereby promoting more efficient decision-making processes.

During the **ISPCP outreach session** hosted by eco, two main topics were covered. The first centred on the DNS for EU project, funded by the European Commission, which aims to develop a privacy-preserving resolver that is compliant with European national laws. The project is exploring a user-focused resolver and an opt-in resolver aimed at ISPs. In particular, it was confirmed that there would be no legal leverage to mandate the use of this resolver, thus adding another public resolver to the Internet's list.

The second topic was the concept of Fair Share, with presentations on its pros, cons and potential implications, particularly in relation to net neutrality and technical impacts.

Thomas Rickert, Director Names & Numbers at the eco Association, provided an update on NIS2, a European Union directive that is raising concerns among various stakeholders, including registries, registrars and national legislators. The **NIS2 Directive's Article 28** focuses on registration data and requires entities to maintain accurate databases, validate data, publish non-personal information and respond to disclosure requests. Challenges arise as the Directive has to be transposed into national law, leading to some uncertainty and different perspectives across Member States.

During a Day Zero event hosted by eco prior to the ICANN meeting, 150 participants discussed the complexities of Article 28. Speakers from the European Commission and Member States presented their views. Discussions focused on the challenges of transposing the Directive into national law, involving governments, ccTLD and gTLD operators. The indirect reference to ICANN in the NIS2 was also discussed, and the regulatory approach of the European Commission was contrasted with the multi-stakeholder model advocated by various organisations.

The operational challenges of implementing the requirements of the Directive were discussed in detail, including the role of registration data in combating DNS abuse. It was found that while accurate data is valuable, it may not be enough to combat DNS abuse, as many criminal activities take place through compromised websites where registry data is less effective. eco is committed to continuing to engage with the legislative process and operational requirements of NIS2.

The comprehensive report on the ICANN78 NIS2 workshop can be downloaded free of charge from the [eco website](#).

In addition, Rickert stressed the importance of voting in favour of the **ICANN contract amendments** aimed at holding bad actors accountable for abuse issues. He urged participation in the voting process, which remains open until early December, to ensure the successful implementation of these changes.

Wrapping up, Thomas Rickert thanked everyone who spoke and participated in the ICANN78 readout and looks forward to seeing everyone again at ICANN79 in Puerto Rico in March 2024.

The video of the ICANN78 Readout is available [online](#).