

行政院及所屬各機關出國報告
(出國類別：會議)

出席「網際網路名稱與號碼指配機構」
(ICANN)第十六次會議報告書

出國人員：

服務機關	職稱	姓名
交通部電信總局	副局長	高凱聲
交通部電信總局	主任	江幽芬
交通部電信總局	副處長	郭清福
外交部國際組織司	組長	楊光彬
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出國地區：加拿大蒙特婁
出國期間：九十二年六月二十一日至六月二十八日
報告日期：九十二年七月二十八日

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公 務 出 國 報 告 提 要

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報告名稱:

出席「網際網路名稱與號碼指配機構(ICANN)第十六次會議」報告書

主辦機關:

交通部電信總局

聯絡人/電話:

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出國人員:

高凱聲 交通部電信總局 副局長
郭清福 交通部電信總局 綜合規劃處 副處長
江幽芬 交通部電信總局 法制室 室主任
楊光彬 外交部 國際組織司 組長

出國類別: 其他

出國地區: 加拿大

出國期間: 民國 92 年 06 月 21 日 - 民國 92 年 06 月 28 日

報告日期: 民國 92 年 07 月 28 日

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關鍵詞: ICANN,DNS,網際網路名稱與號碼指配機構,網域名稱系統

內容摘要: 「網際網路名稱與號碼指配機構」(ICANN)第十六次會議於九十二年六月二十二日至二十六日在加拿大蒙特婁舉行,其間政府諮詢委員會(GAC)亦同時舉行。本次會議我國係由交通部電信總局、外交部國際組織司及台灣網路資訊中心共同組團與會。會議討論之重點包括國碼名稱支援組織(ccNSO)之成立、ICANN地理區域之劃分、一般會員諮詢委員會架構等議題。本報告書首先就ICANN組織作一簡介,再報告本次會議重要議題及內容。

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壹、前言

「網際網路名稱與號碼指配機構」(ICANN)第十六次會議於九十二年六月二十二日至二十六日在加拿大蒙特婁舉行，其間政府諮詢委員會(GAC)亦同時舉行。本次會議我國係由交通部電信總局、外交部國際組織司及台灣網路資訊中心共同組團與會。

會議討論之重點包括國碼名稱支援組織(ccNSO)之成立、ICANN 地理區域之劃分、一般會員諮詢委員會架構等議題。本報告書首先就 ICANN 組織作一簡介，再報告本次會議重要議題及內容。

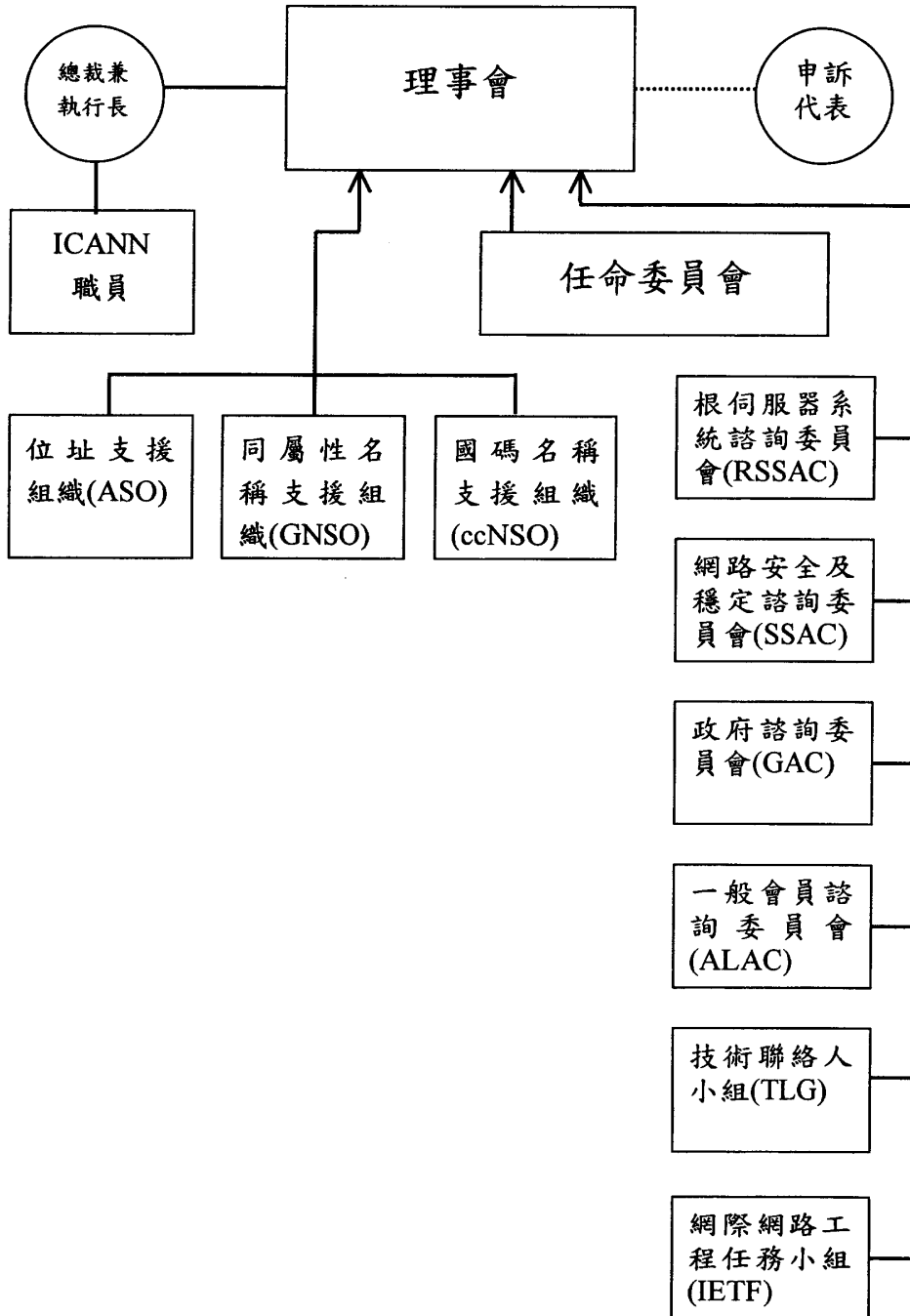
ICANN 簡介

ICANN 係一非營利之國際性機構(International corporation)，成立於 1998 年 10 月，負責監督原由美國政府管理之部分網際網路技術管理功能(Internet technical management functions)、通信協定參數(protocol parameters)之協調、域名系統(DNS)之管理、IP¹位址之安排及根伺服器系統(root server system)之管理。2002 年 12 月 15 日 ICANN 通過部分新版組織章程，確立改革方向，並於此次 ICANN 會議正式完成組織章程相關條文之修訂。

(一) ICANN 組織架構圖

ICANN 下設有理事會、支援組織、諮詢委員會及技術聯絡人小組等其他諮詢機制，其組織架構圖如下：

¹ IP 為網際網路通信協定(Internet Protocol)之意，使得不同電腦網路間得以透過各式實體鏈路(physical links)而快速、經濟地互相通信。一 IP 位址為一以數字表示之位址，使得 Internet 上之電腦位置得以確定，Internet 上電腦間之資訊傳輸及建立連結即藉此 IP 位址達成，一般大眾係藉使用 DNS 以人性化名稱(human-friendly names)來辨識主機位址。



(二) ICANN 組成單位之功能

1. 理事會

- ICANN 理事會係由十五位具投票權之理事組成，其中八位理事由任命委員會選出，另由位址支援組織(ASO)、同屬性名稱支援組織(GNSO)、國碼名稱支援組織(ccNSO)各選出二位，總裁為當然理事。任期三年，每年改選部分理事。此外，六位不具投票權之聯絡人則分由根伺服器系統諮詢委員會(RSSAC)、網路安全及穩定諮詢委員會(SSAC)、政府諮詢委員會(GAC)、一般會員諮詢委員會(ALAC)、技術聯絡人小組(TLG)及網際網路工程任務小組(IETF)指派。

2. 支援組織

各支援組織 (Supporting Organization) 均有特定之功能，為 ICANN 在各專責領域之主要政策建議來源及諮詢單位，並分別負責任命理事會中之二位理事：

- 1) 位址支援組織(ASO)：ASO 負責向 ICANN 提出有關 IP 位址運作、指配、及管理之政策性建言，其著重於識別單一 Internet 上各種電腦之 IP 位址系統，如 128.9.128.127，係根據 ICANN 與若干網際網路區域註冊管理機構洽簽之 MOU 所設立之組織。
- 2) 國碼名稱支援組織(ccNSO)：ccNSO 負責向 ICANN 提出有關 ccTLD 之政策性建言，ccNSO 係由 ccTLD 管理者組成，下設評議會(Council)管理相關政策制定程序。
- 3) 同屬性名稱支援組織(GNSO)：GNSO 負責向 ICANN 提出有關同屬性頂級域名之政策性建言，係由若干選舉人團組成，下設評議會(Council)管理相關政策制定程序。

3. 諮詢委員會

諮詢委員會為一正式諮詢體，由來自 Internet 社群 (community)代表組成，負責向 ICANN 作政策性之建言，ICANN 組織章程明定設立不同之諮詢委員會，諮詢委員會不代表 ICANN 行使職權，惟向 ICANN 理事會提出其研究報告及建言。

ICANN 理事會目前設有四諮詢委員會，即

1) 政府諮詢委員會(GAC)

GAC 為一由國家級政府、國際承認之經濟體、多國政府組織及條約組織(treaty organizations)代表所組成之諮詢委員會，其功能為向 ICANN 理事會表達政府單位之關切事項，GAC 以論壇方式討論政府之權益及關切議題(interests and concerns)，包含消費者權益；GAC 不代表 ICANN 行使職權，惟向 ICANN 理事會提出其研究報告及建言。

2) 網路安全及穩定諮詢委員會(SSAC)

SSAC 係負責就網域名稱及位址指配系統之安全及完整性向 ICANN 理事會提出建言，包括安全架構之擬定、與網際網路技術社群及重要 DNS 管理者、業者之溝通協調、風險分析評估等。

3) 根源伺服器諮詢委員會(RSSAC)

RSSAC 係負責向 ICANN 理事會提出有關網域名稱根源伺服器運作之建言，包含主機硬體容量、作業系統、名稱伺服器軟體版本、網路連結、硬體環境、安全問題及系統效率、可靠度等。

4) 一般會員諮詢委員會(ALAC)

ALAC 代表網際網路個別使用者向 ICANN 提出建言。

貳、ICANN 第十六次會議

一、會議時間、地點及議程

- (一) 時間：九十二年六月二十二日至六月二十六日
- (二) 地點：加拿大蒙特婁
- (三) 議程：詳附件一

二、主要討論議題

ICANN 會議包括理事會議、公眾論壇、各支援組織及諮詢委員會會議等(詳 ICANN 網站 <http://www.icann.org>)，僅述重要會議決議如下：

(一) 政府諮詢委員會(GAC)

ICANN 政府諮詢委員會(GAC)於 2003 年 6 月 22-24 日在加拿大蒙特婁召開第十六次會議，出席成員包括 37 個國家政府、國際承認之經濟體、多國政府及協約組織。就全球網際網路相關議題進行討論，並與 ICANN 其他選舉人團及改革委員會交換意見。

GAC 歡迎 Botswana、印度、奈及利亞、Palau、突尼西亞及烏干達等新會員之首次參加。亦對上次在里約熱內盧會議加入的馬利及斯洛法尼亞會員表示歡迎。

在上次巴西會中，GAC 設立 GAC 工作小組及聯絡人制度，該制度目前運作良好，對加速及深化 GAC 政策及促進 GAC 與 ICANN 選舉人團、支援組織及諮詢單位間之對話頗有貢獻。GAC 全體會員支持目前與 ICANN 相關單位之開放、透明化溝通模式。

在國際化域名(IDN)方面，GAC 注意到最近 ICANN 在促進 IDN 建置之努力。

有關 WIPO II 建議書之實作，GAC 重申其於里約熱內盧會議對保護國家及政府間組織名稱所提供的建言。GAC 樂見 ICANN 在 6 月 2 日所作的決議於此次蒙特婁會中成立聯合工作小組，GAC 要求 ICANN 聯合工作小組於迦太基會前訂出工作大綱及時間表，

並促該小組於 2004 年 12 月 Cape Town 會議前完成相關工作。至於工作小組研討之範疇應限於 WIPO II 實作之實際面及技術面議題，尤其是 UDRP 之涵意，並應針對相關問題提出解決方案。GAC 擬派員參加 ICANN/GAC 聯合工作小組，要求擬訂聯合工作小組研討範疇時應先徵詢 GAC 意見。

有關 ICANN 組織章程 ccNSO 條款修正案，GAC 提供以下建言：

- (1) GAC 重申其在會前對改革委員會(ERC)所作之建言，並進一步在蒙特婁會議與 ccTLD 社群與改革委員會交換意見，感謝其對 GAC 問題及關切議題之回應。
- (2) GAC 感謝 ICANN 社群，尤其是改革委員會、ccNSO 支援小組 (Assistance Group)、及 ccTLD 社群對 ccNSO 之籌設所作努力，GAC 注意到 ERC 最近對 ccNSO 條款所提建議，並認同 ccNSO 廣納 ccTLD 管理者之重要性。
- (3) 有鑑於在蒙特婁會議已進一步諮商，GAC 同意會中所提 ccNSO 組織章程修正草案已適當反映 GAC 建言。GAC 希望該修正之組織章程將成為 ccTLD 註冊管理機構、ICANN、及 GAC 構建全球 ccTLD 相關政策之工作架構。對 ccNSO 成功與否之重要評量是在於其實際運作情形，特別是其能吸引 ccTLD 註冊管理機構廣泛參與的程度。
- (4) 知悉 ccNSO 功能及 ccNSO 評議會審查作業即將展開，GAC 表達參與該審查作業之意願。

有關 GAC ccTLD 委任及管理原則之修訂，GAC 要求 ccTLD 工作小組準備下次會議之討論文件。

GAC 積極參與 ICANN Whois Workshop 之籌劃、準備、及演講。主席要求 Whois 工作小組整理會議紀錄供會員參考，尤其是那些因故無法出席之會員，並將於下次會議進一步討論此次 Whois Workshop 中所提出之政策議題。

GAC 會員將持續以區域性為基礎加強會員聯繫，特別是在北非迦太基會議時加強爭取非會員國家的加入，以擴增 GAC 會員。

GAC 下次會議訂於 92 年 10 月 27 日在突尼西亞的迦太基舉

行。

(二) ICANN 理事會(Board of Directors)

本次理事會議於 2003 年 6 月 26 日在蒙特婁舉行，由 Dr. Vint Cerf 擔任主席，經 ICANN 理事會討論並同意下列重要決議：

1. 更改吉隆坡會議的日期

總裁提案將原訂於 2004 年 6 月在馬來西亞吉隆坡舉行之 ICANN 會議，延至 2004 年 7 月舉行，業經當地主辦單位同意，且已得到 ICANN 理事會之「會議委員會」(Meetings Committee) 所支持。

決議 [03.96]：正式授權總裁安排於 2004 年 7 月 19 日－23 日在馬來西亞吉隆坡召開 ICANN 會議。

2. 正式通過 2003-2004 年預算

ICANN 組織章程規定 ICANN 總裁應準備一份下年度預算書提交理事會審議。

在財務委員會之背書及預算諮詢小組之協助下，ICANN 總裁遵循公開諮詢程序擬定預算書。經過 2003 年 3 月巴西里約熱內盧 ICANN 會議就「初步預算」(Preliminary Budget) 之討論，總裁於 2003 年 5 月 17 日提交「預算提案」(Proposed Budget)；經小幅修正後於 2003 年 6 月 24 日正式上網，並於 2003 年 6 月 25 日在 ICANN 公眾論壇中簡報。

理事會檢視該份預算書認為符合 ICANN 之最大利益，故作出如下決議：

決議[03.97]：通過該份 2003-2004 年度預算書。

決議[03.98]：授權總裁執行該預算書，若有實質變更則應通知理事會。

3. 指派 2002-2003 會計年度之獨立稽核會計師事務所

根據「稽核委員會」(Audit Committee) 所作出續由 KPMG LLP 會計師事務所擔任 ICANN 2002-2003 年度財務報告稽核工作之建議，總裁業已與 KPMG LLP 就參與該稽核工作之條

件進行協調。

決議[03.99]:由「稽核委員會」授權總裁與 KPMG LLP 簽約，委託該事務所負責稽核 ICANN 2002-2003 會計年度之財務報告。。

4. ICANN 地理區域之劃分

根據 ICANN 組織章程第六條第五項規定，ICANN 理事會應就五大地理區域（歐洲；亞洲／澳洲／太平洋；拉丁美洲／加勒比海島嶼；非洲；北美）國家/領土作一劃分，並且至少每隔三年檢討一次，以決定是否需要進行任何調整。

該劃分方式不同於而且獨立於「區域網際網路登記註冊管理機構」(RIR)所指定之區域，ICANN 理事會於 2000 年 7 月橫濱會議之決議 00.64 中，指示工作人員以聯合國統計部門目前所採 2002 年 2 月 16 日修訂之「國家或區域、國碼以及縮寫」及 2000 年 2 月 16 日所修訂之「總體地理區域以及所屬地理區域之組成」的分類為基礎來劃分地理區域，其中將國家與相依存之領土劃歸在一起。

工作人員據此擬出一分配表，該地理劃分及分配表在過去三年一直執行良好，無重大爭議。然而工作人員新近根據聯合國統計部門 2003 年 3 月的最新版本文件擬訂、公布了一份最新的分配表。

決議[03.100]:依據 ICANN 組織章程 Article 6, Section 7 規定，ICANN 理事會再度確認目前五個地理區域的定義，並且再度確認目前特定國家及領土之特別劃分方法。

決議[03.101]: ICANN 理事會正式通過工作人員於 2003 年 6 月 5 日公布的分配表。

5. 正式通過「一般會員諮詢委員會」提案

2003 年 6 月 15 日，「臨時一般會員諮詢委員會」公布其對「一般會員結構」(ALS)暨「區域一般會員組織」(RALOs)設立程序的建議，並徵求公眾意見，經考量各方意見(包括電子

郵件以及於 2003 年 6 月 25 日在蒙特婁舉辦之 ICANN 公眾論壇所提意見)；理事會決定採納「臨時一般會員諮詢委員會」的建議。

決議[03.102]：ICANN 理事會正式通過「臨時一般會員諮詢委員會」對「一般會員結構」之最低標準的建議，並將之規定於 ICANN 組織章程 Article XI, Section 2(4)(I)，作為所有「地理區域」之「一般會員結構」認可標準，惟該標準於 RALO 與 ICANN 洽簽瞭解備忘錄時得修改之。

決議[03.103]：ICANN 理事會接受「臨時一般會員諮詢委員會」的建議，通過「一般會員結構的認可程序」以及「一般會員結構指派辦法」。

決議[03.104]：ICANN 理事會採納「臨時一般會員諮詢委員會」所建議之「ICANN 理事會審核 ALAC 認可決定的程序草案」，並將之規定於 ICANN 組織章程的 Article XI, Section 2(4)(i)，作為審核「一般會員諮詢委員會」之「一般會員結構」認可或解除認可決定的程序

決議[03.105]：ICANN 理事會通過「臨時一般會員諮詢委員會」所建議之「個別『區域一般會員組織』(RALO) 與 ICANN MOU 洽簽指導原則」，並將之規定於 ICANN 組織章程的 Article XI, Section 2(4)(g)，作為認可 RALOs 的標準。

6. ccNSO 之設立

自 2003 年 3 月起，在 ICANN 改革委員會 (ERC) 的帶領下，ICANN 社群針對 ICANN 的程序以及組織變革展開密集討論。

ICANN 理事會於 2002 年 10 月 31 日正式通過組織章程大部分條款，據以推動改革事宜，並於 2002 年 12 月 15 日過渡條款通過後生效。

2002 年 ICANN 改革的重要目標之一係設立「國碼名稱支援組織」(Country-Code Names Supporting Organization，

ccNSO), ERC 於 2002 年 9 月任命一由 ccTLD 經營業者、GAC 以及其他成員所組成之「ccNSO 支援小組」, 草擬 ccNSO 結構以及程序之相關建議。

「ccNSO 支援小組」共提出十份報告, 並多次修改建議以反映公眾意見。由於整個程序未能及時完成, 2002 年 10 月版之 ICANN 組織章程並未納入 ccNSO 相關條款。

該小組遲至 2003 年 2 月 26 日始公布其彙整線上以及 ccTLD 管理者意見所提出之建議。據此, ERC 於 2003 年 4 月 22 日公布其第五份補充執行報告, 除小幅修正, 大致支持「ccNSO 支援小組」的建議。

而後針對 ccTLD 區域團體以及其他組織意見, ERC 於 2003 年 5 月 29 日公布其對相關 ccNSO 意見之回應。

2003 年 6 月 13 日, ICANN 最高法律顧問(General Counsel) 根據 ERC 建議提出組織章程修正草案。

蒙特婁會議中, 與會之 ccTLD 管理者、政府諮詢委員會成員以及 ICANN 社群的其他成員經過密集討論後, 對該修正草案增修條文文字進行諸多的調整。

「政府諮詢委員會」於其蒙特婁公報當中聲明, 該修正後之增修條文草案業已解除其對 ccNSO 結構以及程序的疑慮。

ccTLD 管理者亦於其蒙特婁公報當中聲明支持修正後之增修條文草案。

2003 年 6 月 25 日 ICANN 公眾論壇討論時, 若干 ccTLD 管理者代表以及 ccTLD 管理者之區域團體亦對修正後之增修條文草案表達支持。

ICANN 理事會對修正後之組織章程增修條文草案取得 ccTLD 管理者以及其他相關團體的支持表示滿意, 認為該草案之採認, 將促成 ccTLD 管理者此一重要網際網路社群重要成員之加入, 有助 ICANN 使命之達成。

決議 [03.106]: ICANN 理事會正式通過組織章程修正草案。

決議 [03.107]: ICANN 理事會代表網際網路社群表達其對「ccNSO 支援小組」成員、ccTLD 管理者、「政

府諮詢委員會」以及所有參與討論者的誠摯謝意，感謝大家的協助達成此一 ICANN 重要里程碑。

7. ccNSO 推動小組

決議 [03.108]：ICANN 理事會要求「ccNSO 支援小組」的九位 ccTLD 成員再邀六位成員共組一 ccNSO「推動小組」(Launching Group)，「推動小組」會員名單應於決議通過後的三十天內以書面方式送交秘書處。

決議 [03.109]：「推動小組」應該有權徵求其他 ccTLD 管理者加入此一「推動小組」，最後組成 ccNSO，且當 ccNSO 成員達三十位時，ccNSO 即應視為正式成立。

決議 [03.110]：「推動小組」應該有權自訂首任 ccNSO 理事會之選舉時程及程序。

決議 [03.111]：「推動小組」無權 (a) 發起國碼政策制定程序 (ccPDP) 或 (b) 參與實質政策之制定，或 (c) 代表 ccNSO 選派任何理事、觀察員或在任何 ICANN 團體的其他出席代表。

8. 受贊助的 TLD 徵求提案

ICANN 理事會決議 02.152 指示總裁提出「受贊助之 gTLDs」(sTLDs) 徵求提案(RFP)的草案，供 ICANN 理事會審核。

2003 年 3 月 25 日 ICANN 里約熱內盧會議公布一份新 sTLD 選擇標準之主題論文，經考量 3 月 26 日公眾論壇及電子郵件所蒐集之意見，ICANN 工作人員於 2003 年 6 月 24 日公布該草案，2003 年 6 月 25 日蒙特婁會議再度提出於公眾論壇討論，並開放讓大家利用電子郵件提供意見。其中內容包括 RFP 是否應該限於 2000 年 11 月依最新 TLD 選擇程序提出 sTLDs 提案的申請者、或此階段是否亦應受理其他 sTLDs 申請者申請。

ICANN 理事會將新增 gTLDs 之長期政策的制定列為優先重點工作，透過可預期、透明而且客觀的程序將新的 gTLDs 引進網域名稱系統。

決議 [03.112]: ICANN 理事會徵求公眾對 2003 年 6 月 24 日公布的 sTLDs RFP 提案之意見，要求於 2003 年 8 月 25 日前透過電子郵件提出，同時特別地 (a) 表明其對於 RFP 是否應限於 2000 年 11 月依新增 TLD 選擇程序提出 sTLDs 提案的申請者，或此階段是否亦應受理其他 sTLDs 申請者申請無預設立場，以及 (b) 徵求公眾對該項議題之意見。

決議 [03.113]: 總裁已接獲指示，於 2003 年 7 月 26 日前，將新增 gTLDs 之長期政策詳細制定計畫以及時程表提報 ICANN 理事會，其中內容至少須包含以下各項：

- (a) 完成目前持續對新增 TLD 概念證明(proof of concept)結果的評估，這項概念證明程序是在二〇〇〇年正式啟動。
- (b) 取得有關來源已對此一長期政策相關議題的建議與分析。
- (c) 就此一長期政策，啟動「同屬性名稱支援組織」之「政策發展程序」。
- (d) 徵詢 ICANN 各諮詢委員會以及支援組織之意見。

9. 正式通過支票簽名授權以及經費核銷

現任 ICANN 副總裁、最高法律顧問以及秘書長 Louis Touton 在 2003 年 5 月 22 日宣布，其將於此次會議結束後離職。

ICANN 理事會於決議 03.94 選出 Daniel E. Halloran 擔任代理秘書長，該任命自 Louis Touton 辭職之日正式生效。

ICANN 擬授予代理秘書長特定支票簽署職權，以取代先前授予 Louis Touton 的支票簽署職權。

決議 [03.114]:身為 ICANN 的代理秘書長，Daniel E. Halloran 得授權支用 ICANN 經費，並且簽署 ICANN 的支票，金額不超過一萬美元，直到 ICANN 適當地指派並且確認了企業營運副總裁為止。

決議 [03.115]:依據 ICANN 與 ArgoPacific 所達成之「管理暨諮詢服務協議」的條件，Daniel E. Halloran 得授权使用 ICANN 經費支付 ICANN 總裁 Paul Twomey 之服務費，並且簽署支票。惟每個月不得超過 US\$22,366，直到 ICANN 企業營運副總裁正式選出確認為止。

決議 [03.116]:理事會依據組織章程 Article XIII, Section 8，指派 Daniel E. Halloran 於其擔任代理秘書長期間負責核准支付 ICANN 總裁執行職務所產生的相關費用，金額不超過一萬美元，直到 ICANN 企業營運副總裁正式選出確認為止。

最後 ICANN 理事會通過決議感謝會議主辦單位、副總裁 Louis Touton、以及理事 Amadeu Abrili Abril、Karl Auerbach、Jonathan Cohen、Francisco da Silva、Hans Kraaijenbrink、Sang-Hyon Kyong、Andy Mueller-Maguhn、Jun Murai、Nii Quaynor、Helmut Schink、Linda Wilson 之貢獻。

10. 新任理事會的生效日期與時間

ICANN 組織章程 Article XX, Section 2, Paragraph 5 要求「過渡委員會」制定新任理事會的生效時間與日期。

決議 [03.130]:ICANN 理事會宣布新任理事會任期自本次會議散會後起算。

參、檢討與建議

一、鑒於網際網路之蓬勃發展以及 ICANN 所討論議題之日益受全球關

注，諸如 ccTLD 之委任與管理、ENUM、IPv6、國際化網域名稱系統之規範、新增 gTLD 網域名稱政策、消費者保護及智慧財產權原則等公共政策，建議我國產官學研相關單位寬籌預算，持續派員出席會議。

- 二、延請專家學者以顧問身分共同組團出席 GAC 會議，以適時提供專業性支援。
- 三、考慮協調 TWNIC 未來積極爭取 ICANN 會議主辦權，以凸顯我國經濟實力及提升我國在該組織之影響力，並積極參與 ICANN 各組織運作，爭取擔任 ICANN 理事及一般會員諮詢委員會(ALAC)委員等相關職務以加強實際參與度。

肆、附件

- 一、ICANN 蒙特婁會議議程
- 二、ICANN GAC 公報
- 三、ICANN 理事會報告
- 四、ICANN 組織章程修正條文

附件一

ICANN 蒙特婁會議議程

ICANN Meetings in Montréal, Canada

22-26 June 2003

SCHEDULE AND AGENDA

Sunday, 22 June 2003

Governmental Advisory Committee Meeting (09:30 - 18:00) (Level B, Salon AB)
Open GAC Discussion with ICANN Board (14:00 - 16:00)
ccTLD Managers Meeting (09:30 - 17:00) (Ballroom East) (Level 4, Ballroom East)

Monday, 23 June 2003

ASO Forum (09:00 - 11:00) (Level 3, Salon 6)
GNSO Constituency Meetings
Commercial and Business Users Constituency (14:30 - 18:00) (Level 2, Salon 5)
gTLD Registries Constituency (9:00 - 18:00) (Level A, Salon Jarry)
Internet Service and Connectivity Providers Constituency (14:30 - 18:00) (Level 2, Salon 3)
Intellectual Property Interests Constituency (14:30 - 18:00) (Level 2, Salon 1)
Non-Commercial Users Constituency (13:00 - 17:00) (Level 3, Salon 6)
Registrars Constituency (08:00 - 16:00) (Level 4, Ballroom Centre)
Cross-Constituency Meeting (08:30 - 13:00) (Level A, Joyce Room)
Governmental Advisory Committee Meeting (08:30 - 18:00) (Level B, Salon AB)
At-Large Advisory Committee Open Meeting with Canadian Internet Users (14:00 - 16:00) (Level A, Salon Lamartine)
ccTLD Managers Meeting (09:00 - 17:00) (Level 4, Ballroom East)
Host Evening Reception (19:00 - 21:00) (Level 4, Centre Ballroom and Foyer)

Tuesday, 24 June 2003

ICANN Public Forum, Part 1 (Whois Workshop) (08:00 - 12:00) (Level 4, Ballroom West/Centre)
Lunch Break (12:00 - 14:00)
GNSO Council Meeting (14:00 - 17:00) (Level 4, Ballroom West/Centre)
Governmental Advisory Committee Meeting (14:00 - 18:00) (Level B, Salon AB)
ccTLD Managers Meeting (14:00 - 18:00) (Level 4, Ballroom East)

Wednesday, 25 June 2003

ICANN Public Forum, Part 2 (Whois Workshop, continued) (08:00 - 12:00) (Level 4, Ballroom West/Centre)

Lunch Break (12:00 - 13:00)

ICANN Public Forum, Part 3 (13:00 - 18:30) (Level 4, Ballroom West/Centre)

Reports (13:00 - 14:30)

Afternoon Break (14:30 - 15:00)

Issues (15:00 - 17:30)

2003-2004 Proposed Budget

IDN Implementation Update

IDN Guidelines, Version 1.0

New TLD Program Status Update

Sponsored TLD RFP

Review of ICANN's Geographic Regions

GNR Proposal for .name SLD Service

Formation of At-Large Groups

ccNSO Formation

Open Microphone (17:30 - 18:30)

Thursday, 26 June 2003

ICANN Board Committee Reports (08:00 - 09:00) (Level 4, Ballroom West/Centre)

ICANN Board Meeting (beginning at 09:00) (Level 4, Ballroom West/Centre)

附件二

ICANN GAC 公報



Governmental Advisory Committee

Montreal, 24 June 2003

**GAC Communiqué – Montreal Canada
22-24 June 2003.**

1. The Governmental Advisory Committee (GAC) of the Internet Corporation for Assigned Names and Numbers (ICANN) met in Montreal, Canada, 22-24 June 2003. The participating GAC Members, included representatives from thirty seven national governments, distinct economies as recognised in international fora, and multilateral governmental and treaty organisations. They engaged in a follow-up to previous GAC Advice, moved forward the activities of the GAC working groups and had useful discussions, including an exchange of views with other ICANN constituencies and the ICANN Evolution and Reform Committee.
2. The Governmental Advisory Committee expressed warm **thanks to Canada** for hosting and organising the meeting in Montreal.
3. GAC welcomed the presence of several **new Members** participating for the first time: Botswana, India, Nigeria, Palau, Tunisia and Uganda. They also welcomed the membership of Mali and Slovenia who have also joined GAC since the Rio de Janeiro meeting.
4. At the last meeting in Rio de Janeiro, GAC had set up a system of **Liaisons** with ICANN and GAC **Working Groups**. This new system is working well and has contributed to accelerating and deepening aspects of GAC's policy work and facilitating, in certain areas, the dialogue between GAC and the ICANN constituencies, supporting organisations and advisory bodies. GAC noted that all members support the current policy of open and transparent communications with ICANN constituencies.
5. Regarding **IDN**: GAC took good note of recent decisions by ICANN to facilitate deployment of Internationalised Domain Names.

See Attachment

6. Regarding the implementation of **WIPO II**, GAC recalls its Advice from the Rio de Janeiro meeting on the "WIPO recommendations on names of countries and inter-governmental organisations (IGO)." GAC welcomed ICANN's decision of 2 June 2003 (Resolution 03.83), to set up the joint working group at Montreal. GAC requests that the working group should present an outline and timetable for its work to the ICANN and GAC meetings at Carthage. The GAC encourages the group to complete its work by the Cape Town meeting, December 2004.

The terms of reference of the working group should be limited to the practical and technical aspects of the implementation of the WIPO recommendations, and notably the implication for the UDRP. The Working Group should propose solutions for overcoming any problems identified. GAC is prepared to appoint delegates to the ICANN/GAC working group. GAC requests to be consulted on the Terms of Reference of the joint Working Group.

7. Regarding the proposed Bylaws amendments for the creation of **the Country Code Names Supporting Organisation (CCNSO)**, the GAC gives the following Advice.

(a) The Governmental Advisory Committee restated its inter-sessional Advice to the ERC of 16 May 2003 and has had further consultations with the ccTLD Community and ERC in Montreal.

<http://www.gac.icann.org/web/advice/index.shtml>

In the short time available, GAC has done its utmost to provide constructive advice on the revised Bylaws. In this context, GAC welcomes the positive spirit shown by the ccTLD community and the ERC in constructively responding to GAC's questions and concerns.

(b) The GAC expresses its appreciation for the extended efforts of the ICANN community regarding the preparation of the ccNSO, notably the Evolution and Reform Committee (ERC), the ccNSO Assistance Group and the ccTLD Community as a whole. GAC has taken note of recent ERC proposals for the ccNSO Bylaws. GAC agreed to the importance of ccNSO becoming as inclusive an organisation as possible.

(c) In light of the further consultations that have taken place during the Montreal meeting, GAC concurs that the proposed Bylaws, as presented to the GAC at the end of its meeting, adequately reflect GAC's Advice. The GAC hopes that the revised Bylaws will be the framework for a good working relationship between the ccTLD Registries, ICANN and the GAC in establishing global ccTLD-related policies. It notes, however, that an important measure of success of the ccNSO will be how it will operate in practice and in particular to what extent it will attract extensive participation of ccTLD Registries.

(d) GAC notes that a review of the functioning of ccNSO and the ccNSO Council will be initiated and would wish to participate in that review.

8. Regarding the up-dating of the GAC ccTLD Principles, GAC requested the ccTLD Working Group to prepare a discussion document for consideration at the next meeting in Carthage, Tunisia.

9. GAC has participated extensively in the development, preparation and presentation of the ICANN **Whois Workshop**. The GAC Chair has asked the Whois Working Group to prepare a written report on the proceedings of the Workshop for the information and consideration of GAC Members, particularly those who are not able to be present in Montreal. The policy issues arising from the Whois Workshop will be further considered by GAC in its next meeting, as appropriate.

10. Outreach: GAC confirmed that the approach to non-member countries would continue and that efforts should be enhanced, particularly in the context of the forthcoming meeting in Carthage, Tunisia. Reinforcing communications among GAC members would continue to be encouraged on a regional basis.

* * * *

11. Next Meeting: The next GAC face-to-face meeting will be in **Carthage, Tunisia**, October 2003. Meanwhile, GAC will continue its work on-line, in conference calls and through the ICANN Liaisons and GAC Working Groups.

With reference to Clause 5 of the GAC ccTLD Principles, France dissociates from the words "adequately reflects GAC's Advice", notably because the Advice concerning membership has not been taken into account at this stage."
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Attachment: GAC Liaisons and Working Group Convenors.

GAC Liaisons and Working Group Convenors.

- A. GAC - ICANN LIAISONS**
1. **ICANN Board - GAC Chair**
 2. **Generic Names Supporting Organisation (GNSO)**
Audri Mukhopadhyay, Canada (Accr. Rep.)
 3. **ccTLD Names Supporting Organisation**
Martin Boyle, UK (Accr.Rep.)
 4. **Root Server Advisory Committee RSSAC**
Thomas de Haan, Netherlands (Accr. Rep.)
 5. **Security and Stability Advisory Committee --- TBD ---**
 6. **Addressing Supporting Organisation (ASO)**
Robert Shaw, ITU (Accr. Rep.)
 7. **Technical Liaison Group (TLG)**
Richard Hill, ITU (Adviser)
 8. **At Large Advisory Committee (ALAC)**
Carlos Valdez, Peru (Accr. Rep.)
 9. **Nominating Committee**
Provisional liaison: GAC Secretariat

GAC - WORKING GROUPS AND CONVENORS

1. **Generic Top Level Domains (gTLDs) --- TBD ---**
 2. **International Domain Names (IDN) --- TBD ---**
 3. **Whois - Robin Layton, US (Accr. Rep.)**
 4. **Country Code Top Level Domains (ccTLDs)**
- Pablo Hinojosa, Mexico (Accr. Rep.)
 5. **Root Server Operation and DNS Security --- TBD ---**
 6. **Internet Protocol Version 6 (IPv6) - Eiji Aoki, Japan (Adviser)**
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附件三

ICANN 理事會報告



Preliminary Report Regular Meeting of the ICANN Board in Montréal

26 June 2003

ICANN's Transition Board of Directors held a meeting in Montréal, Canada, on 26 June 2003. Directors Vint Cerf (chairman), Amadeu Abril i Abril, Karl Auerbach (joined the meeting while in progress), Ivan Moura Campos, Lyman Chapin, Jonathan Cohen, Mouhamet Diop, Masanobu Katoh (via teleconference), Hans Kraaijenbrink, Sang-Hyon Kyong, Stuart Lynn, Andy Mueller-Maguhn, Alejandro Pisanty, Nii Quaynor, Helmut Schink (via teleconference, departed while meeting in progress), Francisco da Silva, Paul Twomey, and Linda S. Wilson participated. Vint Cerf served as chair of the meeting. The Board adopted the following resolutions:

Approval of Minutes

Resolved [03.95] that the minutes of the regular meeting of the Board of Directors held on 2 June 2003 are hereby approved and adopted by the Board as presented.

Change in Dates for Kuala Lumpur Meeting

Whereas, in resolution 03.37 the Board authorized the President to make arrangements for the June 2004 ICANN meeting to be held in Kuala Lumpur, Malaysia;

Whereas, the President, during the preparation of the 2003-2004 budget has proposed that the date of this meeting be moved to July 2004;

Whereas, the local hosts have agreed to this change in dates;

Whereas, this change has been endorsed by the Meetings Committee of the ICANN Board of Directors;

Resolved [03.96] that the President is authorized to make arrangements for the holding of an ICANN meeting in Kuala Lumpur, Malaysia on 19-23 July 2004.

Approval of 2003-2004 Budget

Whereas, ICANN's bylaws require that the President prepare and submit to the Board a proposed annual budget of the Corporation for the next fiscal year;

Whereas, the President, with the endorsement of the Finance Committee and with the assistance of the Budget Advisory Group, has followed an open and consultative process in developing the budget, with a Preliminary Budget discussed at ICANN's March 2003 meeting in Rio de Janeiro, Brazil; with subsequent discussion and other comments on that Preliminary Budget; with the President's submission of a Proposed 2003-2004 Budget on 17 May 2003; with minor modifications made to that Proposed Budget and posted on 24 June 2003; and with presentation of the Proposed 2003-2004 Budget as modified at the ICANN Public Forum on 25 June 2003 ("Proposed

Budget");

Whereas, the Board has reviewed the Proposed Budget and has found that its adoption is in the best interests of the Corporation;

Resolved [03.97] that the Proposed Budget is hereby adopted as the annual budget of the Corporation for the fiscal year beginning 1 July 2003 (as adopted, the "Budget"); and

Further resolved [03.98] that the President is authorized and directed to implement and carry out the Budget and is directed to inform the Board of material variances from the Budget during the upcoming 2003-2004 fiscal year.

Appointment of Independent Auditors for 2002-2003 Fiscal Year

Whereas, the Audit Committee has recommended that ICANN seek to retain KPMG LLP to conduct an audit of ICANN's financial statements for the 2002-2003 fiscal year;

Whereas, the President has negotiated with KPMG LLP, in consultation with the Audit Committee, regarding the terms of its engagement to audit ICANN's financial statements for the 2002-2003 fiscal year;

Resolved [03.99] that the Audit Committee is delegated authority to authorize the President to enter into an agreement with KPMG LLP, for the conduct of the audit of ICANN's financial reports for the 2002-2003 fiscal year.

ICANN's Geographic Regions

Whereas, Article VI, Section 5, of the ICANN Bylaws requires the Board to define a specific allocation of countries and territories among five geographic regions (Europe; Asia/Australia/Pacific; Latin America/Caribbean islands; Africa; North America), and to review that Section at least every three years to determine whether any change is appropriate;

Whereas, this allocation is different from, and independent of, the designated regions of the Regional Internet Registries;

Whereas, at its July 2000 meeting in Yokohama, the Board in resolution 00.64 directed the staff "to assign countries to geographic regions on the basis of the United Nations Statistics Division's current classifications of "Countries or areas, codes and abbreviations," as revised 16 February 2000, and "Composition of macro geographic (continental) regions and component geographical regions," as revised 16 February 2000," with the understanding that dependent territories be grouped together with the country of citizenship for the territory;

Whereas the staff proceeded to create an allocation table on that basis;

Whereas the existing definition of geographic regions and the associated allocation table have functioned well, without significant controversy, over the past three years;

Whereas the staff has prepared and posted an updated allocation table on the basis of the most recent (March 2003) version of the United Nations Statistics Division

documents;

Resolved [03.100] that the ICANN Board reaffirms the existing definition of five geographic regions and reaffirms the existing methodology for allocating specific countries and territories to particular regions, pursuant to Article VI, Section 5, of the ICANN Bylaws, and

Further resolved [03.101] that the ICANN Board adopts the allocation table posted by the staff on 5 June 2003.

Approval of Proposal by At-Large Advisory Committee

Whereas, on 15 June 2003 the Interim At-Large Advisory Committee posted a document describing its recommendations concerning the process for forming At-Large Structures and Regional At-Large Organizations (RALOs);

Whereas, public comment was invited on that document, both by e-mail and at the ICANN Public Forum in Montréal on 25 June 2003;

Whereas, after considering the public comments received, the Board concludes that the recommendations of the Interim At-Large Advisory Committee should be adopted and approved;

Resolved [03.102] that the Board hereby adopts the recommendation of the Interim At-Large Advisory Committee on "minimum criteria for an At-Large Structure", and hereby establishes them under Article XI, Section 2(4)(i) of the bylaws as the criteria and standards for the certification of At-Large Structures within all Geographic Regions, subject to revision for any region upon the entry of a Memorandum of Understanding between ICANN and the RALO for that region;

Further resolved [03.103] that the Board approves the "certification process for At-Large Structures" and "Application for 'At-Large Structure' (ALS) designation" recommended by the Interim At-Large Advisory Committee;

Further resolved [03.104] that the Board hereby adopts the "Proposed procedures for Board review of ALAC certification decisions" as recommended by the Interim At-Large Advisory Committee, and hereby establishes them under Article XI, Section 2(4)(i) of the bylaws as the procedures for review of At-Large Advisory Committee decisions to certify or de-certify At-Large Structures; and

Further resolved [03.105] that the Board hereby adopts the "Proposed guidelines for the form of each Regional At-Large Organizations' (RALO) Memorandum of Understanding (MOU) to be entered into with ICANN" as recommended by the Interim At-Large Advisory Committee, and hereby establishes them under Article XI, Section 2(4)(g) of the bylaws as the criteria and standards for the certification of RALOs.

ccNSO Formation

Whereas, beginning in March 2002 the ICANN community engaged in intensive discussion, led by the Committee on ICANN Evolution and Reform (ERC), concerning reforms to ICANN's procedures and organizational structures;

Whereas, on 31 October 2002 the Board adopted New Bylaws to implement most aspects of the resulting reforms, to become effective upon adoption of a transition article for the bylaws, which occurred on 15 December 2002;

Whereas, one important goal of the 2002 ICANN reform process was development of a Country-Code Names Supporting Organization (ccNSO);

Whereas, in September 2002 the ERC appointed a ccNSO Assistance Group, consisting of ccTLD managers, participants of the GAC, and other knowledgeable members of the community to develop recommendations concerning the structure and processes of a ccNSO;

Whereas, the ccNSO Assistance Group prepared and posted ten reports, with numerous recommendations, and in this process adjusted its recommendations to reflect public comments received;

Whereas, this process was not completed in time for inclusion of provisions concerning the ccNSO in the New Bylaws;

Whereas, the ccNSO Assistance Group posted its compiled recommendations, reflecting comments received online and in numerous consultations with ccTLD managers, on 26 February 2003;

Whereas, after additional public comment, on 22 April 2003 the ERC posted its Fifth Supplemental Implementation Report, which endorsed, with minor adjustments, the recommendations of the ccNSO Assistance Group;

Whereas, after comment by ccTLD regional groups and others, on 29 May 2003 the ERC posted its Response to Comments Received on its ccNSO Recommendations;

Whereas, on 13 June 2003, the General Counsel posted a set of proposed amendments to the bylaws to implement the ERC's recommendations;

Whereas, at the Montréal meeting the assembled ccTLD managers, members of the Governmental Advisory Committee, and other members of the ICANN community intensively discussed the proposed amendments to the bylaws, leading to various adjustments to the language of the proposed amendments;

Whereas, the Governmental Advisory Committee has stated in its Montréal communiqué that the proposed amendments to the bylaws, as adjusted in the discussions, address its concerns regarding the ccNSO structure and procedures;

Whereas, the ccTLD managers have stated in their Montréal communiqué support for the proposed amendments to the bylaws as adjusted;

Whereas, in discussions at the ICANN Public Forum on 25 June 2003, several representatives of ccTLD managers and regional groups of ccTLD managers expressed their support for the proposed amendments to the bylaws as adjusted;

Whereas, the Board is satisfied that proposed amendments to the bylaws as adjusted are broadly supported in the community of ccTLD managers and other affected parties, and that their adoption will help ICANN fulfill its mission by bringing into the ICANN process meaningful participation of ccTLD managers, which represent a very

important segment of the Internet community;

Resolved [03.106] that the Board adopts the amendments to the bylaws shown in Appendix A to these minutes; and

Further resolved [03.107] that on behalf of the Internet community the Board expresses its deep appreciation to the members of the ccNSO Assistance Group and other ccTLD managers, as well as the Governmental Advisory Committee and others in the community who participated in the discussions, for their vital assistance on achieving this important milestone in ICANN's evolution.

ccNSO Launching Group

Whereas, the Board has approved Appendix A to these minutes, consisting of an amendment to the Corporation's bylaws to establish a ccNSO;

Resolved [03.108] that the Board hereby requests the nine ccTLD members of the ccNSO Assistance Group to call for an additional six members to join with the nine ccTLD members of the Assistance Group, to form a launching group for the ccNSO ("Launching Group"), the membership of which Launching Group shall be identified in writing to the Secretary within thirty days following the adoption of these resolutions;

Further resolved [03.109] such Launching Group shall have authority to solicit additional ccTLD managers to join with the members of such Launching Group to eventually comprise the ccNSO, which shall be deemed constituted once thirty members have joined;

Further resolved [03.110] that such Launching Group shall also have the authority to establish a schedule and procedures for the selection of the initial ccNSO Council; and

Further resolved [03.111] that such Launching Group shall not have the authority (a) to initiate a ccPDP or (b) otherwise engage in development of substantive policies, or (c) select on behalf of the ccNSO any director or observer or other participant in any ICANN body.

Sponsored TLD Request for Proposals

Whereas, in resolution 02.152 the Board directed the President to develop a draft request for proposals for the Board's consideration for the purpose of soliciting proposals for a limited number of new sponsored gTLDs (sTLDs);

Whereas, on 25 March 2003 ICANN posted Criteria to Be Used in the Selection of New Sponsored TLDs as a topic paper for the Rio de Janeiro meeting;

Whereas, comments were received on that topic paper at the Public Forum held in Rio de Janeiro on 26 March 2003 and by e-mail;

Whereas, on 24 June 2003 the ICANN staff posted draft materials for a request for proposals for a limited number of new sTLDs;

Whereas, the draft materials were discussed at the ICANN Public Forum in Montréal on 25 June 2003 and are open for public comment by e-mail;

Whereas, the public comment raised various issues, including whether the request for proposals should be limited to applicants who proposed sTLDs in the November 2000 new-TLD selection process, or whether applications should also be accepted at this stage from others wishing to propose sTLDs;

Whereas, the Board places high priority on developing an appropriate long-term policy for introduction of new gTLDs into the domain-name system using predictable, transparent, and objective procedures;

Resolved [03.112] that the Board invites public comment, to be submitted by e-mail on or before 25 August 2003, on the draft request for proposals for sTLDs, posted on 24 June 2003, and specifically (a) notes that it has an open mind concerning whether the request for proposals should be limited to applicants who proposed sTLDs in the November 2000 new-TLD selection process, or whether applications should also be accepted at this stage from others wishing to propose sTLDs and (b) requests public comment on that issue; and

Further resolved [03.113] that the President is requested to provide to the Board, no later than 26 July 2003, a detailed plan and schedule for development of an appropriate long-term policy for introduction of new gTLDs into the domain-name system using predictable, transparent, and objective procedures, including at least the following elements:

- (a) completion of the presently ongoing review of the results of the new-TLD proof of concept initiated in 2000;
- (b) obtaining advice and analysis on issues pertinent to such a long-term policy from appropriate sources;
- (c) commencement of a well-focused Policy-Development Process within the Generic Names Supporting Organization on such a long-term policy; and
- (d) consultation with ICANN's Advisory Committees and other Supporting Organizations.

Approval of Check Signing Authorization and Expense Reimbursement

Whereas, on 22 May 2003, Louis Touton, ICANN's currently serving Vice President, General Counsel, and Secretary announced he would end his service to ICANN, which is scheduled to conclude at the adjournment of this meeting;

Whereas, in resolution 03.94 the Board elected Daniel E. Halloran, effective upon Mr. Touton's resignation as Secretary, to serve as Acting Secretary;

Whereas, ICANN desires to establish certain check-signing authority of the Acting Secretary, in replacement of the check-signing authority that it previously accorded to Mr. Touton;

Resolved [03.114] that as ICANN's Acting Secretary, Daniel E. Halloran may authorize disbursements of ICANN's funds, and sign checks of ICANN, in amounts of US\$ 10,000 or less until such time as a Vice-President of Business Operations of ICANN is duly appointed and confirmed;

Further resolved [03.115] that Daniel E. Halloran may authorize disbursements of ICANN's funds, and sign checks, for the services of Dr. Paul Twomey, as ICANN's President, that fulfill the terms of the Managerial and Consulting Services Agreement entered into by ICANN and ArgoPacific, not to exceed US \$22,366 dollars per month pursuant to the terms of such agreement until such time as a Vice-President of Business Operations of ICANN is duly appointed and confirmed; and

Further resolved [03.116] that the Board, acting under Article XIII, Section 8 of the bylaws, hereby designates Daniel E. Halloran, during his service as Acting Secretary, to approve reimbursements to the President of expenses incurred in connection with performance the President's duties to ICANN, in amounts of US\$10,000 or less until such time as a Vice-President of Business Operations of ICANN is duly appointed and confirmed.

Thanks for Meeting Assistance

Whereas, ICANN has successfully completed its June 2003 meeting in Montreal; Whereas, the planning and execution of the meeting has been conducted in exemplary fashion; Whereas, the gracious and warm hospitality, splendid facilities, strong support, and close attention to fulfilling the needs of participants have all been truly magnificent;

It is therefore resolved [03.117]: The ICANN Board expresses its deep appreciation and thanks, on its own behalf and on behalf of all participants, to the CIRA for hosting this meeting: Specifically we wish to thank Maureen Cubberly, Bernard Turcotte, Gabriel Ahad, Lynn Gravel, and Sophie Gullemette of JPDL, the onsite coordinator. The Board also extends its thanks to all sponsors of the meeting, including BCE, Verisign, Tucows, AusRegistry, ICM Registry, Hostopia, Public Internet Registry, EasyDNS, BLG Canada, TM Domain Registry, .NU Domain, and Uniform S.A. The Board expresses its great appreciation to John Crain, Diane Schroeder, Theresa Swinehart, Mary Hewitt, Dan Halloran, Anne-Rachel Inne, Steve Conte; Barbara Roseman, Denise Michel, Michael Evans, Tina Dam, Nelle Connell, Michelle Cotton, Laura Brewer; and Terri Darrenougue and the rest of the ICANN staff for their dedicated efforts in ensuring the smooth operation of the meeting.

Thanks to Louis Touton

Whereas, Louis Touton has served ICANN since before its creation in September 1998, working with Jon Postel, the original Internet Assigned Numbers Authority;

Whereas, Louis has devoted countless hours working selflessly and tirelessly to serve the Internet community through the ICANN process;

Whereas, Louis has dedicated virtually all his time and efforts since his arrival at ICANN as its Vice President and General Counsel;

Whereas, Louis Touton has served with distinction all three of the presidents and the two chairpersons of ICANN, to date;

Whereas, Louis has exhibited an uncanny ability to remember virtually every action, transaction, resolution, and contract detail on demand;

Whereas, Louis has contributed to the technical, legal, and policy well-being of

ICANN in countless ways and at all times during his tenure;

Therefore, the Board of ICANN resolves [03.118]:

1. That Louis Touton has earned the immeasurable gratitude of the Internet Community, the ICANN Board members, and colleagues at ICANN;
2. That the Board expresses its specific appreciation for the support, guidance, and expertise with which Louis has served every Board member as General Counsel;
3. That Louis Touton shall be enrolled as entry #4 on the IANA Special People Numbers Registry (SPNR) per exhibit A below;

Exhibit A

Special People Numbers Registry (SPNR) - per IANA

(last updated 2003-06-25)

For those who have worked for the benefit of the Internet into the wee hours too often, for too little compensation, and with too little public appreciation.

Thank you for your dedication.

Number Name

0 Reserved
1 Jon Postel
2 Joyce K Reynolds
3 Bob Braden
4 Louis Touton
5 Daniel Karrenberg
6 Stephen Crocker
7 Scott Bradner
8 Stephen Wolff

(registry created 2003-06-25)

4. That Louis Touton shall have a tree planted in his name at the Russ Hobby ranch in Northern California, adjacent to the tree planted for Jon Postel in 1998; and
5. That the Board expresses its wish that Louis will depart from ICANN with great pride in his contributions and find long life and great satisfaction in his future endeavors. The Board expresses the wish that he will make himself available from time to time for consultation with his ICANN colleagues.

Live long! and Prosper!

Thanks to Amadeu Abril i Abril

Whereas, Amadeu Abril i Abril was named to serve the ICANN Board by the Domain Name Support Organization in November 1999;

Whereas, Amadeu has served ICANN as chairman of the Conflicts of Interest Committee, and member of the Reconsideration Committee and the Board Governance Committee;

Whereas, Amadeu has carried out his duties as Director with skill, panache, and an unflinching sense of responsibility and adherence to principles;

Whereas, Amadeu has served as a moral compass and conscience for the Board;

Therefore the Board of Directors of ICANN resolves [03.119]:

1. That Amadeu Abril i Abril has earned the respect and deep gratitude of the ICANN Board and constituents for long and faithful service; and
2. That the Board wishes Amadeu Abril i Abril success and satisfaction in his new role in the GNSO and looks forward to his continued contributions to the work of ICANN in support of the Internet Community.

Thanks to Karl Auerbach

Whereas, Karl Auerbach was elected by popular vote to the ICANN Board in November 2000;

Whereas, Karl served ICANN ably as a member of the Committee on Conflicts of Interest and the Internationalized Domain Name Internal Working Group;

Whereas, Karl served with great diligence, determination and considerable attention to his duties as a Board member;

Therefore, the Board of Directors of ICANN resolves [03.120]:

1. That Karl Auerbach has earned the appreciation of the Board of Directors, that it offers without limitation;
2. That Karl has brought special technical expertise to his role on the Board; and
3. And that the Board wishes Karl Auerbach all good things in his future work.

Thanks to Jonathan Cohen

Whereas, Jonathan Cohen has served as an ICANN Director since November 1999, at the election of the Domain Name Supporting Organization;

Whereas, Jonathan has served as Chairman of the Meetings Committee, and as a member of the Finance, Conflicts and Board Governance Committees;

Whereas, Jonathan has brought extraordinary energy, enthusiasm and clarity of thought to the ICANN Board;

Therefore, the Board of ICANN resolves [03.121]:

1. That Jonathan Cohen has earned great respect, gratitude and admiration of the Board and the ICANN Community;
2. That Jonathan has brought color and humanity to his task as a member of the Board; and
3. and that the Board expresses its great appreciation for the years of service given by Jonathan Cohen and that it wishes health and success to him in all his future years.

Thanks to Francisco da Silva

Whereas, Francisco A Jesus da Silva was nominated to the Board of ICANN by the Protocol Support Organization in December 2002;

Whereas, Francisco Jesus da Silva has served with distinction and energy as a member of the Board of ICANN and as a member of the Board Governance Committee;

Whereas, Francisco brought to the Board a unique perspective regarding technology and policy;

Whereas, Francisco Jesus da Silva will return to the Board in a Liaison role;

Therefore, the Board of ICANN resolves [03.122]:

1. that Francisco Jesus da Silva has earned the great respect and appreciation of the ICANN Board and Community for his term of service on the ICANN Board;
 2. that Francisco blended a unique sense of humor with his skill and thoughtful deliberations as a Board member;
- and
3. that the Board expresses its great appreciation to Francisco Jesus da Silva for his commitment to ICANN and its work and wishes for his continuing success in his new role in the ICANN process.

Thanks to Hans Kraaijenbrink

Whereas, Hans Kraaijenbrink has served as a Director of the Board of ICANN from its beginning in October 1998;

Whereas, Hans has served with unmatched energy, honor and distinction as the Chair of the Reconsideration Committee, Chair of the Board Governance Committee and as a member of the Executive Committee, the Evolution and Reform Committee, the Advisory Committee on Independent Review, the Election Committee, and the

CEO Search Committee;

Whereas, Hans has brought tenacity, adherence to principles and a profound sense of responsibility to the mission of ICANN;

Whereas, the ICANN and its Community has been shaped in countless ways by the tireless efforts of Hans Kraaijenbrink, most notably in his service on the Evolution and Reform Committee in the matter of the formation of the ccTLD Names Support Organization (ccNSO);

Therefore the Board of Directors resolves [03.123]:

1. that Hans Kraaijenbrink has earned the deep respect, gratitude and admiration of the Board and the ICANN community;
 2. that Hans has brought discipline and devotion to duty and service to the highest level of distinction during his term of service;
- and
3. that the Board expresses on behalf of the ICANN Community and itself its unending appreciation for Hans Kraaijenbrink's contributions and its wish for Hans' long and healthy life filled with satisfying challenges and success.

Thanks to Sang-Hyon Kyong

Whereas, Sang-Hyon Kyong has served as a Director of the Board of ICANN since October 2000, having been elected by the Address Support Organization;

Whereas, Sang-Hyon has served with distinction as a member of the Executive Committee, the Internationalized Domain Name Committee and the Meetings Committee;

Whereas, Sang-Hyon has brought particular care and attention to consistency and clarity to his work on behalf of ICANN and its community;

Therefore, the Board of ICANN resolves [03.124]:

1. that Sang-Hyon Kyong has earned the praise, appreciation and respect of the ICANN Board and the ICANN Community;
 2. that Sang-Hyon has brought dignity and thoroughness to the deliberations of the ICANN Board;
- and
3. that the Board expresses its great gratitude to Sang-Hyon Kyong for his service to the Board and the ICANN Community and offers to him its wish for long and healthy life filled with satisfaction and success.

Thanks to Andy Mueller-Maguhn

Whereas, Andy Mueller-Maguhn was elected by popular vote to the ICANN Board in November 2000;

Whereas, Andy has served the ICANN Board well as a member of the Meetings Committee and as Chair of the President's Committee on Privacy;

Whereas, Andy has brought to the Board an unmatched devotion to freedom of speech and personal privacy and the interest of individual users of the Internet;

Therefore, the Board of ICANN resolves [03.125]:

1. that Andy Mueller-Maguhn has earned the respect and gratitude of the ICANN Board and Community for his period of service as a Director;

2. that Andy has unfailingly reminded the Board of its responsibility to the global Internet user community;

and

3. that it expresses its deep appreciation for Andy Mueller-Maguhn's service to the ICANN Board and that it wishes for him health, long life and all success in his future work, notably as chairman of the President's Committee on Privacy.

Thanks to Jun Murai

Whereas, Jun Murai has served as a Director of ICANN from its beginning in October 1998;

Whereas, Jun has served with distinction as Chair of the Root Server System Advisory Committee from its founding, as a member of the Audit Committee and the At-Large Nominating Committee;

Whereas, Jun Murai has brought to the Board a broad, deep and innovative understanding of the Internet and its operation;

Therefore, the Board of ICANN resolves [03.126]:

1. that Jun Murai has earned the great respect and appreciation of the ICANN Board and Community;

2. that Jun has contributed enormously to the continued stability of the Internet and the ability of the Domain Name System to absorb seemingly unlimited growth;

and

3. that the Board expresses its heartfelt gratitude for many years of service to ICANN, the ICANN and the Internet Community and its wish for his long life, happiness, and reward for work well done.

Thanks to Nii Quaynor

Whereas, Nii Quaynor was elected by popular vote to the Board of ICANN in November 2000;

Whereas Nii has served with honor and distinction as a member of the Membership Advisory Committee, the Evolution and Reform Committee, the Executive Committee, and the CEO Search Committee;

Whereas Nii has brought a special perspective of the developing world to the Board of ICANN and an unmatched sense of dignity and fairness to its work;

Therefore, the Board of ICANN resolves [03.127]:

1. that Nii Quaynor has earned the trust, appreciation, and great respect of the ICANN Board and Community;
 2. that Nii has contributed immeasurably to the continued growth of the Internet in Africa, especially with regard to the continuing formation of the African Network Information Center¹, among many other accomplishments;
- and
3. that the Board expresses its deepest appreciation to Nii Quaynor for long years of service to the ICANN Board, ICANN, and the Internet Community and that it offers to Nii its wish for long life, happiness and success in all things.

Thanks to Helmut Schink

Whereas, Helmut Schink was appointed to the Board of ICANN by the Protocol Support Organization in September 2000;

Whereas, Helmut Schink has served with honor and distinction as Chairman of the Audit Committee, on the Finance Committee and as a member of the CEO Search Committee;

Whereas, Helmut has brought to his task as Board Member an abiding regard for precision and logical process;

Therefore, the ICANN Board resolves [03.128]:

1. that Helmut Schink has earned the great respect and deep gratitude of the ICANN Community and the Board for his period of service on the Board of ICANN;
 2. that Helmut has contributed enormously to the proper operation and leadership of ICANN through his service on the various committees and his thorough attention to the details of corporate governance;
- and
3. that the Board wishes for Helmut Schink health, long life, and lasting satisfaction in all his future endeavors.

Thanks to Linda Wilson

Whereas, Linda Wilson was named to the Board of ICANN from its origin in October 1998;

Whereas, Linda has served with enormous energy, skill and great leadership during the course of her long tenure and a Board member, as the Chair of the Finance Committee, the Chair of the Audit Committee, Chair of the Advisory Committee on Independent Review, Chair of the Nominating Committee, Chair of the At-Large Nominating Committee, member of the CEO Search Committee, and member of the Board Governance Committee;

Whereas Linda Wilson has served the ICANN board and the ICANN Community with tireless energy, unmatched skill and attention to detail, and commitment beyond all norms of duty and responsibility;

Whereas Linda has brought to her Board service great wisdom and moral authority;

Whereas Linda has given, without stint, and at considerable personal cost, five long years of service as a Board member;

Therefore, the Board of ICANN resolves [03.129]:

1. That Linda Wilson has earned the admiration, respect, and deepest gratitude of the Board and the ICANN Community;

2. That Linda has set a standard for devotion to duty and responsibility beyond any reasonable expectation;

3. That Linda is a living embodiment of the meaning of service and leadership;

and

4. That it expresses its most heartfelt and passionate appreciation to Linda Wilson for her stewardship of all things ICANN and that it wishes for her long life, health, happiness, and endless satisfaction in all things that she undertakes.

Effective Time and Date of the New Board

Whereas, Article XX, Section 2, Paragraph 5, of the ICANN bylaws calls for the Transition Board to establish the Effective Time and Date of the new Board;

Resolved [03.130] that the Board hereby declares the adjournment of this meeting to be the effective time and date of the new Board.

Comments concerning the layout, construction and functionality of this site should be sent to webmaster@icann.org.

Page Updated 29-Jun-2003

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附件四

ICANN 組織章程修正條文



Appendix A to Minutes of Regular Meeting of ICANN Board

26 June 2003

Appendix A to Minutes of Regular Meeting of ICANN Board 26 June 2003

In resolution 03.106, the ICANN Board made the following revisions to the bylaws. Added words are underlined and in magenta and deleted words are stricken out and in red.

ARTICLE IV: ACCOUNTABILITY AND REVIEW, Section 4. PERIODIC REVIEW OF ICANN STRUCTURE AND OPERATIONS

1. The Board shall cause a periodic review, if feasible no less frequently than every three years, of the performance and operation of each Supporting Organization, each Supporting Organization Council, each Advisory Committee (other than the Governmental Advisory Committee), and the Nominating Committee by an entity or entities independent of the organization under review. The goal of the review, to be undertaken pursuant to such criteria and standards as the Board shall direct, shall be to determine (i) whether that organization has a continuing purpose in the ICANN structure, and (ii) if so, whether any change in structure or operations is desirable to improve its effectiveness. The results of such reviews shall be posted on the Website for public review and comment, and shall be considered by the Board no later than the second scheduled meeting of the Board after such results have been posted for 30 days. The consideration by the Board includes the ability to revise the structure or operation of the parts of ICANN being reviewed by a two-thirds vote of all members of the Board.

2. The first of such reviews, to be initiated within one year following the adoption of these Bylaws, no later than 15 December 2003 and to be completed in time for Board consideration at ICANN's annual meeting in 2004, shall be of the GNSO Council and the ICANN Root Server System Advisory Committee. The second of such reviews, to be initiated no later than 15 November 2004 and to be completed in time for Board consideration at ICANN's annual meeting in 2005, shall be of the ccNSO, the ccNSO Council, and such other organizations as the Board may designate.

3. The Governmental Advisory Committee shall provide its own review mechanisms.

ARTICLE VI: BOARD OF DIRECTORS, Section 4. ADDITIONAL QUALIFICATIONS

[Paragraph 1 is unchanged.]

2. No person who serves in any capacity (including as a liaison) on any Supporting

Organization Council shall simultaneously serve as a Director or liaison to the Board. If such a person accepts a nomination to be considered for selection by the Supporting Organization Council to be a Director, the person shall not, following such nomination, participate in any discussion of, or vote by, the Supporting Organization Council relating to the selection of Directors by the Council, until the Council has selected the full complement of Directors it is responsible for selecting. In the event that a person serving in any capacity on a Supporting Organization Council accepts a nomination to be considered for selection as a Director, the constituency group or other group or entity that selected the person may select a replacement for purposes of the Council's selection process.

[Paragraph 3 is unchanged.]

ARTICLE IX: COUNTRY-CODE NAMES SUPPORTING ORGANIZATION

[Note: This entire Article IX is new. For ease of display, the addition of the text of this Article is not redlined.]

Section 1. DESCRIPTION

There shall be a policy-development body known as the Country-Code Names Supporting Organization (ccNSO), which shall be responsible for:

1. developing and recommending to the Board global policies relating to country-code top-level domains;
2. Nurturing consensus across the ccNSO's community, including the name-related activities of ccTLDs; and
3. Coordinating with other ICANN Supporting Organizations, committees, and constituencies under ICANN.

In addition to the above core responsibilities, the ccNSO may also engage in other activities authorized by its members, including: seeking to develop voluntary best practices for ccTLD managers, assisting in skills building within the global community of ccTLD managers, and enhancing operational and technical cooperation among ccTLD managers.

Section 2. ORGANIZATION

The ccNSO shall consist of (i) ccTLD managers that have agreed in writing to be members of the ccNSO (see Section 4(2) of this Article) and (ii) a ccNSO Council responsible for managing the policy-development process of the ccNSO.

Section 3. ccNSO COUNCIL

1. The ccNSO Council shall consist of (a) three ccNSO Council members selected by the ccNSO members within each of ICANN's Geographic Regions in the manner described in Section 4(7) through (9) of this Article; (b) three ccNSO Council members selected by the ICANN Nominating Committee; (c) liaisons as described in paragraph 2 of this Section; and (iv) observers as described in paragraph 3 of this Section.
2. There shall also be one liaison to the ccNSO Council from each of the following

organizations, to the extent they choose to appoint such a liaison: (a) the Governmental Advisory Committee; (b) the At-Large Advisory Committee; and (c) each of the Regional Organizations described in Section 5 of this Article. These liaisons shall not be members of or entitled to vote on the ccNSO Council, but otherwise shall be entitled to participate on equal footing with members of the ccNSO Council. Appointments of liaisons shall be made by providing written notice to the ICANN Secretary, with a notification copy to the ccNSO Council Chair, and shall be for the term designated by the appointing organization as stated in the written notice. The appointing organization may recall from office or replace its liaison at any time by providing written notice of the recall or replacement to the ICANN Secretary, with a notification copy to the ccNSO Council Chair.

3. The ccNSO Council may agree with the Council of any other ICANN Supporting Organization to exchange observers. Such observers shall not be members of or entitled to vote on the ccNSO Council, but otherwise shall be entitled to participate on equal footing with members of the ccNSO Council. The appointing Council may designate its observer (or revoke or change the designation of its observer) on the ccNSO Council at any time by providing written notice to the ICANN Secretary, with a notification copy to the ccNSO Council Chair.

4. Subject to the provisions of the Transition Article of these Bylaws: (a) the regular term of each ccNSO Council member shall begin at the conclusion of an ICANN annual meeting and shall end at the conclusion of the third ICANN annual meeting thereafter; (b) the regular terms of the three ccNSO Council members selected by the ccNSO members within each ICANN Geographic Region shall be staggered so that one member's term begins in a year divisible by three, a second member's term begins in the first year following a year divisible by three, and the third member's term begins in the second year following a year divisible by three; and (c) the regular terms of the three ccNSO Council members selected by the Nominating Committee shall be staggered in the same manner. Each ccNSO Council member shall hold office during his or her regular term and until a successor has been selected and qualified or until that member resigns or is removed in accordance with these Bylaws.

5. A ccNSO Council member may resign at any time by giving written notice to the ICANN Secretary, with a notification copy to the ccNSO Council Chair.

6. ccNSO Council members may be removed for not attending three consecutive meetings of the ccNSO Council without sufficient cause or for grossly inappropriate behavior, both as determined by at least a 66% vote of all of the members of the ccNSO Council.

7. A vacancy on the ccNSO Council shall be deemed to exist in the case of the death, resignation, or removal of any ccNSO Council member. Vacancies in the positions of the three members selected by the Nominating Committee shall be filled for the unexpired term involved by the Nominating Committee giving the ICANN Secretary written notice of its selection, with a notification copy to the ccNSO Council Chair. Vacancies in the positions of the ccNSO Council members selected by ccNSO members shall be filled for the unexpired term by the procedure described in Section 4(7) through (9) of this Article.

8. The role of the ccNSO Council is to administer and coordinate the affairs of the ccNSO (including coordinating meetings, including an annual meeting, of ccNSO members as described in Section 4(6) of this Article) and to manage the development of policy recommendations in accordance with Section 6 of this Article. The ccNSO

Council shall also undertake such other roles as the members of the ccNSO shall decide from time to time.

9. The ccNSO Council shall make selections to fill Seats 11 and 12 on the Board by written ballot or by action at a meeting; any such selection must have affirmative votes of a majority of all the members of the ccNSO Council then in office. Notification of the ccNSO Council's selections shall be given by the ccNSO Council Chair in writing to the ICANN Secretary, consistent with Article VI, Sections 8(4) and 12(1).

10. The ccNSO Council shall select from among its members the ccNSO Council Chair and such Vice Chair(s) as it deems appropriate. Selections of the ccNSO Council Chair and Vice Chair(s) shall be by written ballot or by action at a meeting; any such selection must have affirmative votes of a majority of all the members of the ccNSO Council then in office. The term of office of the ccNSO Council Chair and any Vice Chair(s) shall be as specified by the ccNSO Council at or before the time the selection is made. The ccNSO Council Chair or any Vice Chair(s) may be recalled from office by the same procedure as used for selection.

11. The ccNSO Council, subject to direction by the ccNSO members, shall adopt such rules and procedures for the ccNSO as it deems necessary, provided they are consistent with these Bylaws. Rules for ccNSO membership and operating procedures adopted by the ccNSO Council shall be published on the Website.

12. Except as provided by paragraphs 9 and 10 of this Section, the ccNSO Council shall act at meetings. The ccNSO Council shall meet regularly on a schedule it determines, but not fewer than four times each calendar year. At the discretion of the ccNSO Council, meetings may be held in person or by other means, provided that all ccNSO Council members are permitted to participate by at least one means described in paragraph 14 of this Section. Except where determined by a majority vote of the members of the ccNSO Council present that a closed session is appropriate, physical meetings shall be open to attendance by all interested persons. To the extent practicable, ccNSO Council meetings should be held in conjunction with meetings of the Board, or of one or more of ICANN's other Supporting Organizations.

13. Notice of time and place (and information about means of participation other than personal attendance) of all meetings of the ccNSO Council shall be provided to each ccNSO Council member, liaison, and observer by e-mail, telephone, facsimile, or a paper notice delivered personally or by postal mail. In case the notice is sent by postal mail, it shall be sent at least 21 days before the day of the meeting. In case the notice is delivered personally or by telephone, facsimile, or e-mail it shall be provided at least seven days before the day of the meeting. At least seven days in advance of each ccNSO Council meeting (or if not practicable, as far in advance as is practicable), a notice of such meeting and, to the extent known, an agenda for the meeting shall be posted.

14. Members of the ccNSO Council may participate in a meeting of the ccNSO Council through personal attendance or use of electronic communication (such as telephone or video conference), provided that (a) all ccNSO Council members participating in the meeting can speak to and hear one another, (b) all ccNSO Council members participating in the meeting are provided the means of fully participating in all matters before the ccNSO Council, and (c) there is a reasonable means of verifying the identity of ccNSO Council members participating in the

meeting and their votes. A majority of the ccNSO Council members (i.e. those entitled to vote) then in office shall constitute a quorum for the transaction of business, and actions by a majority vote of the ccNSO Council members present at any meeting at which there is a quorum shall be actions of the ccNSO Council, unless otherwise provided in these Bylaws. The ccNSO Council shall transmit minutes of its meetings to the ICANN Secretary, who shall cause those minutes to be posted to the Website as soon as practicable following the meeting, and no later than 21 days following the meeting.

Section 4. MEMBERSHIP

1. The ccNSO shall have a membership consisting of ccTLD managers. Any ccTLD manager that meets the membership qualifications stated in paragraph 2 of this Section shall be entitled to be members of the ccNSO. For purposes of this Article, a ccTLD manager is the organization or entity responsible for managing an ISO 3166 country-code top-level domain and referred to in the IANA database under the current heading of "Sponsoring Organization", or under any later variant, for that country-code top-level domain.
2. Any ccTLD manager may become a ccNSO member by submitting an application to a person designated by the ccNSO Council to receive applications. Subject to the provisions of the Transition Article of these Bylaws, the application shall be in writing in a form designated by the ccNSO Council. The application shall include the ccTLD manager's recognition of the role of the ccNSO within the ICANN structure as well as the ccTLD manager's agreement, for the duration of its membership in the ccNSO, (a) to adhere to rules of the ccNSO, including membership rules, (b) to adhere to ICANN bylaws as they apply to ccTLDs, and (c) to pay ccNSO membership fees established by the ccNSO Council under Section 7(3) of this Article. A ccNSO member may resign from membership at any time by giving written notice to a person designated by the ccNSO Council to receive notices of resignation. In the absence of designation by the ccNSO Council of a person to receive applications and notices of resignation, they shall be sent to the ICANN Secretary, who shall notify the ccNSO Council of receipt of any such applications and notices.
3. Neither membership in the ccNSO nor membership in any Regional Organization described in Section 5 of this Article shall be a condition for access to or registration in the IANA database. Membership in the ccNSO is independent of any individual relationship a ccTLD manager has with ICANN or the ccTLD manager's receipt of IANA services.
4. The Geographic Regions of ccTLDs shall be as described in Article VI, Section 5 of these Bylaws. For purposes of this Article, managers of ccTLDs within a Geographic Region that are members of the ccNSO are referred to as ccNSO members "within" the Geographic Region, regardless of the physical location of the ccTLD manager. In cases where the Geographic Region of a ccNSO member is unclear, the ccTLD member should self-select according to procedures adopted by the ccNSO Council.
5. Each ccTLD manager may designate in writing a person, organization, or entity to represent the ccTLD manager. In the absence of such a designation, the ccTLD manager shall be represented by the person, organization, or entity listed as the administrative contact in the IANA database.
6. There shall be an annual meeting of ccNSO members, which shall be coordinated

by the ccNSO Council. Annual meetings should be open for all to attend, and a reasonable opportunity shall be provided for ccTLD managers that are not members of the ccNSO as well as other non-members of the ccNSO to address the meeting. To the extent practicable, annual meetings of the ccNSO members shall be held in person and should be held in conjunction with meetings of the Board, or of one or more of ICANN's other Supporting Organizations.

7. The ccNSO Council members selected by the ccNSO members from each Geographic Region (see Section 3(1)(a) of this Article) shall be selected through nomination, and if necessary election, by the ccNSO members within that Geographic Region. At least 90 days before the end of the regular term of any ccNSO-member-selected member of the ccNSO Council, or upon the occurrence of a vacancy in the seat of such a ccNSO Council member, the ccNSO Council shall establish a nomination and election schedule, which shall be sent to all ccNSO members within the Geographic Region and posted on the Website.

8. Any ccNSO member may nominate an individual to serve as a ccNSO Council member representing the ccNSO member's Geographic Region. Nominations must be seconded by another ccNSO member from the same Geographic Region. By accepting their nomination, individuals nominated to the ccNSO Council agree to support the policies committed to by ccNSO members.

9. If at the close of nominations there are no more candidates nominated (with seconds and acceptances) in a particular Geographic Region than there are seats on the ccNSO Council available for that Geographic Region, then the nominated candidates shall be selected to serve on the ccNSO Council. Otherwise, an election by written ballot (which may be by e-mail) shall be held to select the ccNSO Council members from among those nominated (with seconds and acceptances), with ccNSO members from the Geographic Region being entitled to vote in the election through their designated representatives. In such an election, a majority of all ccNSO members in the Geographic Region entitled to vote shall constitute a quorum, and the selected candidate must receive the votes of a majority of those cast by ccNSO members within the Geographic Region. The ccNSO Council Chair shall provide the ICANN Secretary prompt written notice of the selection of ccNSO Council members under this paragraph.

10. Policies shall apply to ccNSO members by virtue of their membership to the extent, and only to the extent, that the policies (a) have been developed through the ccPDP as described in Section 6 of this Article, and (b) have been recommended as such by the ccNSO to the Board, and (c) are adopted by the Board as policies, provided that such policies do not conflict with the law applicable to the ccTLD manager which shall, at all times, remain paramount. In addition, such policies shall apply to ICANN in its activities concerning ccTLDs.

11. A ccNSO member may provide a declaration to the ccNSO Council stating that (a) implementation of the policy would require the member to breach custom, religion, or public policy (not embodied in the applicable law described in paragraph 10 of this Section), and (b) failure to implement the policy would not impair DNS operations or interoperability, giving detailed reasons supporting its statements. After investigation, the ccNSO Council will provide a response to the ccNSO member's declaration. If there is a ccNSO Council consensus disagreeing with the declaration, which may be demonstrated by a vote of 14 or more members of the ccNSO Council, the response shall state the ccNSO Council's disagreement with the declaration and the reasons for disagreement. Otherwise, the response shall state the ccNSO Council's

agreement with the declaration. If the ccNSO Council disagrees, the ccNSO Council shall review the situation after a six-month period. At the end of that period, the ccNSO Council shall make findings as to (a) whether the ccNSO members' implementation of the policy would require the member to breach custom, religion, or public policy (not embodied in the applicable law described in paragraph 10 of this Section) and (b) whether failure to implement the policy would impair DNS operations or interoperability. In making any findings disagreeing with the declaration, the ccNSO Council shall proceed by consensus, which may be demonstrated by a vote of 14 or more members of the ccNSO Council.

Section 5. REGIONAL ORGANIZATIONS

The ccNSO Council may designate a Regional Organization for each ICANN Geographic Region, provided that the Regional Organization is open to full membership by all ccNSO members within the Geographic Region. Decisions to designate or de-designate a Regional Organization shall require a 66% vote of all of the members of the ccNSO Council and shall be subject to review according to procedures established by the Board.

Section 6. ccNSO POLICY-DEVELOPMENT PROCESS AND SCOPE

1. The scope of the ccNSO's policy-development role shall initially be as stated in Annex C to these Bylaws; any modifications to the scope shall be recommended to the Board by the ccNSO by use of the procedures of the ccPDP, and shall be subject to approval by the Board.
2. In developing global policies within the scope of the ccNSO and recommending them to the Board, the ccNSO shall follow the ccNSO Policy-Development Process (ccPDP). The ccPDP shall initially be as stated in Annex B to these Bylaws; modifications shall be recommended to the Board by the ccNSO by use of the procedures of the ccPDP, and shall be subject to approval by the Board.

Section 7. STAFF SUPPORT AND FUNDING

1. Upon request of the ccNSO Council, a member of the ICANN staff may be assigned to support the ccNSO and shall be designated as the ccNSO Staff Manager. Alternatively, the ccNSO Council may designate, at ccNSO expense, another person to serve as ccNSO Staff Manager. The work of the ccNSO Staff Manager on substantive matters shall be assigned by the Chair of the ccNSO Council, and may include the duties of ccPDP Issue Manager.
2. Upon request of the ccNSO Council, ICANN shall provide administrative and operational support necessary for the ccNSO to carry out its responsibilities. Such support shall not include an obligation for ICANN to fund travel expenses incurred by ccNSO participants for travel to any meeting of the ccNSO or for any other purpose. The ccNSO Council may make provision, at ccNSO expense, for administrative and operational support in addition or as an alternative to support provided by ICANN.
3. The ccNSO Council shall establish fees to be paid by ccNSO members to defray ccNSO expenses as described in paragraphs 1 and 2 of this Section, as approved by the ccNSO members.
4. Written notices given to the ICANN Secretary under this Article shall be permanently retained, and shall be made available for review by the ccNSO Council

on request. The ICANN Secretary shall also maintain the roll of members of the ccNSO, which shall include the name of each ccTLD manager's designated representative, and which shall be posted on the Website.

ARTICLE X: GENERIC NAMES SUPPORTING ORGANIZATION, Section 3. GNSO COUNCIL

1. Subject to the provisions of the Transition Article of these Bylaws, the GNSO Council shall consist of two representatives selected by each of the Constituencies described in Section 5 of this Article, and three persons selected by the ICANN Nominating Committee. No two representatives selected by a Constituency shall be citizens of the same country or of countries located in the same Geographic Region. There may also be two liaisons to the GNSO Council, one appointed by each of the Governmental Advisory Committee and the At-Large Advisory Committee from time to time, who shall not be members of or entitled to vote on the GNSO Council, but otherwise shall be entitled to participate on equal footing with members of the GNSO Council. The appointing Advisory Committee shall designate its liaison (or revoke or change the designation of its liaison) on the GNSO Council by providing written notice to the Chair of the GNSO Council and to the ICANN Secretary. The GNSO Council may also have observers as described in paragraph 9 of this Section.

[Paragraphs 2-8 are unchanged.]

9. The GNSO Council may agree with the Council of any other ICANN Supporting Organization to exchange observers. Such observers shall not be members of or entitled to vote on the GNSO Council, but otherwise shall be entitled to participate on equal footing with members of the GNSO Council. The appointing Council shall designate its observer (or revoke or change the designation of its observer) on the GNSO Council by providing written notice to the Chair of the GNSO Council and to the ICANN Secretary.

ARTICLE XI: ADVISORY COMMITTEES, Section 2. SPECIFIC ADVISORY COMMITTEES

4. At-Large Advisory Committee

[Paragraphs 4(a)-(e) are unchanged.]

f. Subject to the provisions of the Transition Article of these Bylaws, the At-Large Advisory Committee may designate ~~a~~ non-voting liaisons to each of the ccNSO Council and the GNSO Council.

[Paragraphs 4(g)-(j) are unchanged.]

ARTICLE XX: TRANSITION ARTICLE, Section 4. COUNTRY-CODE NAMES SUPPORTING ORGANIZATION

[Note: This entire Section 4 of Article XX is revised from the former text. For ease of display, the deletion of the old text and the addition of the new text of this Section is not redlined.]

1. Upon the enrollment of thirty ccTLD managers (with at least four within each

Geographic Region) as members of the ccNSO, written notice shall be posted on the Website. As soon as feasible after that notice, the members of the initial ccNSO Council to be selected by the ccNSO members shall be selected according to the procedures stated in Article IX, Section 4(8) and (9). Upon the completion of that selection process, a written notice that the ccNSO Council has been constituted shall be posted on the Website. Three ccNSO Council members shall be selected by the ccNSO members within each Geographic Region, with one member to serve a term that ends upon the conclusion of the first ICANN annual meeting after the ccNSO Council is constituted, a second member to serve a term that ends upon the conclusion of the second ICANN annual meeting after the ccNSO Council is constituted, and the third member to serve a term that ends upon the conclusion of the third ICANN annual meeting after the ccNSO Council is constituted. (The definition of "ccTLD manager" stated in Article IX, Section 4(1) and the definitions stated in Article IX, Section 4(4) shall apply within this Section 4 of Article XX.)

2. After the adoption of Article IX of these Bylaws, the Nominating Committee shall select the three members of the ccNSO Council described in Article IX, Section 3(1) (b). In selecting three individuals to serve on the ccNSO Council, the Nominating Committee shall designate one to serve a term that ends upon the conclusion of the first ICANN annual meeting after the ccNSO Council is constituted, a second member to serve a term that ends upon the conclusion of the second ICANN annual meeting after the ccNSO Council is constituted, and the third member to serve a term that ends upon the conclusion of the third ICANN annual meeting after the ccNSO Council is constituted. The three members of the ccNSO Council selected by the Nominating Committee shall not take their seats before the ccNSO Council is constituted.

3. Upon the ccNSO Council being constituted, the At-Large Advisory Committee and the Governmental Advisory Committee may designate one liaison each to the ccNSO Council, as provided by Article IX, Section 3(2)(a) and (b).

4. Upon the ccNSO Council being constituted, the Council may designate Regional Organizations as provided in Article IX, Section 5. Upon its designation, a Regional Organization may appoint a liaison to the ccNSO Council.

5. Until the ccNSO Council is constituted, Seats 11 and 12 on the New Board shall remain vacant. Promptly after the ccNSO Council is constituted, the ccNSO shall, through the ccNSO Council, make selections of Directors to fill Seats 11 and 12 on the New Board, with terms to conclude upon the commencement of the next regular term specified for each of those Seats in Article VI, Section 8(1)(d) and (f) of the New Bylaws, and shall give the ICANN Secretary written notice of its selections.

6. Until the ccNSO Council is constituted, the delegate to the Nominating Committee established by the New Bylaws designated to be selected by the ccNSO shall be appointed by the Transition Board or New Board, depending on which is in existence at the time any particular appointment is required, after due consultation with members of the ccTLD community. Upon the ccNSO Council being constituted, the delegate to the Nominating Committee appointed by the Transition Board or New Board according to this Section 4(9) then serving shall remain in office, except that the ccNSO Council may replace that delegate with one of its choosing within three months after the conclusion of ICANN's annual meeting, or in the event of a vacancy. Subsequent appointments of the Nominating Committee delegate described in Article VII, Section 2(8)(c) shall be made by the ccNSO Council.

Annex B: ccNSO Policy-Development Process (ccPDP)

The following process shall govern the ccNSO policy-development process ("PDP").

1. Request for an Issue Report

An Issue Report may be requested by any of the following:

- a. *Council.* The ccNSO Council (in this Annex B, the "Council") may call for the creation of an Issue Report by an affirmative vote of at least seven of the members of the Council present at any meeting or voting by e-mail.
- b. *Board.* The ICANN Board may call for the creation of an Issue Report by requesting the Council to begin the policy-development process.
- c. *Regional Organization.* One or more of the Regional Organizations representing ccTLDs in the ICANN recognized Regions may call for creation of an Issue Report by requesting the Council to begin the policy-development process.
- d. *ICANN Supporting Organization or Advisory Committee.* An ICANN Supporting Organization or an ICANN Advisory Committee may call for creation of an Issue Report by requesting the Council to begin the policy-development process.
- e. *Members of the ccNSO.* The members of the ccNSO may call for the creation of an Issue Report by an affirmative vote of at least ten members of the ccNSO present at any meeting or voting by e-mail.

Any request for an Issue Report must be in writing and must set out the issue upon which an Issue Report is requested in sufficient detail to enable the Issue Report to be prepared. It shall be open to the Council to request further information or undertake further research or investigation for the purpose of determining whether or not the requested Issue Report should be created.

2. Creation of the Issue Report and Initiation Threshold

Within seven days after an affirmative vote as outlined in Item 1(a) above or the receipt of a request as outlined in Items 1 (b), (c), or (d) above the Council shall appoint an Issue Manager. The Issue Manager may be a staff member of ICANN (in which case the costs of the Issue Manager shall be borne by ICANN) or such other person or persons selected by the Council (in which case the ccNSO shall be responsible for the costs of the Issue Manager).

Within fifteen (15) calendar days after appointment (or such other time as the Council shall, in consultation with the Issue Manager, deem to be appropriate), the Issue Manager shall create an Issue Report. Each Issue Report shall contain at least the following:

- a. The proposed issue raised for consideration;
- b. The identity of the party submitting the issue;
- c. How that party is affected by the issue;

d. Support for the issue to initiate the PDP;

e. A recommendation from the Issue Manager as to whether the Council should move to initiate the PDP for this issue (the "Manager Recommendation"). Each Manager Recommendation shall include, and be supported by, an opinion of the ICANN General Counsel regarding whether the issue is properly within the scope of the ICANN policy process and within the scope of the ccNSO. In coming to his or her opinion, the General Counsel shall examine whether:

- 1) The issue is within the scope of ICANN's mission statement;
- 2) Analysis of the relevant factors according to Article IX, Section 6(2) and Annex C affirmatively demonstrates that the issue is within the scope of the ccNSO;

In the event that the General Counsel reaches an opinion in the affirmative with respect to points 1 and 2 above then the General Counsel shall also consider whether the issue:

- 3) Implicates or affects an existing ICANN policy;
- 4) Is likely to have lasting value or applicability, albeit with the need for occasional updates, and to establish a guide or framework for future decision-making.

In all events, consideration of revisions to the ccPDP (this Annex B) or to the scope of the ccNSO (Annex C) shall be within the scope of ICANN and the ccNSO.

f. In the event that the Manager Recommendation is in favor of initiating the PDP, a proposed time line for conducting each of the stages of PDP outlined herein (PDP Time Line).

g. If possible, the issue report shall indicate whether the resulting output is likely to result in a policy to be approved by the ICANN Board. In some circumstances, it will not be possible to do this until substantive discussions on the issue have taken place. In these cases, the issue report should indicate this uncertainty. Upon completion of the Issue Report, the Issue Manager shall distribute it to the full Council for a vote on whether to initiate the PDP.

3. Initiation of PDP

The Council shall decide whether to initiate the PDP as follows:

- a. Within 21 days after receipt of an Issue Report from the Issue Manager, the Council shall vote on whether to initiate the PDP. Such vote should be taken at a meeting held in any manner deemed appropriate by the Council, including in person or by conference call, but if a meeting is not feasible the vote may occur by e-mail.
- b. A vote of ten or more Council members in favor of initiating the PDP shall be required to initiate the PDP provided that the Issue Report states that the issue is properly within the scope of the ICANN mission statement and the ccNSO Scope. In the event that the Issue Report states it is not properly within the scope of the ICANN mission statement or the ccNSO Scope, then a vote of twelve or more Council

members in favor of initiating the PDP shall be required to initiate the PDP.

4. Decision Whether to Appoint Task Force; Establishment of Time Line

At the meeting of the Council where the PDP has been initiated (or, where the Council employs a vote by e-mail, in that vote) pursuant to Item 3 above, the Council shall decide, by a majority vote of members present at the meeting (or voting by e-mail), whether or not to appoint a task force to address the issue. If the Council votes:

- a. In favor of convening a task force, it shall do so in accordance with Item 7 below.
- b. Against convening a task force, then it shall collect information on the policy issue in accordance with Item 8 below.

The Council shall also, by a majority vote of members present at the meeting or voting by e-mail, approve or amend and approve the PDP Time Lineset out in the Issue Report.

5. Composition and Selection of Task Forces

a. Upon voting to appoint a task force, the Council shall invite each of the Regional Organizations (see Article IX, Section 6) to appoint two individuals to participate in the task force (the "Representatives"). Additionally, the Council may appoint up to three advisors (the "Advisors") from outside the ccNSO and, following formal request for GAC participation in the Task Force, accept up to two Representatives from the Governmental Advisory Committee to sit on the task force. The Council may increase the number of Representatives that may sit on a task force in its discretion in circumstances that it deems necessary or appropriate.

b. Any Regional Organization wishing to appoint Representatives to the task force must provide the names of the Representatives to the Issue Manager within ten (10) calendar days after such request so that they are included on the task force. Such Representatives need not be members of the Council, but each must be an individual who has an interest, and ideally knowledge and expertise, in the subject matter, coupled with the ability to devote a substantial amount of time to the task force's activities.

c. The Council may also pursue other actions that it deems appropriate to assist in the PDP, including appointing a particular individual or organization to gather information on the issue or scheduling meetings for deliberation or briefing. All such information shall be submitted to the Issue Manager in accordance with the PDP Time Line.

6. Public Notification of Initiation of the PDP and Comment Period

After initiation of the PDP, ICANN shall post a notification of such action to the Website and to the other ICANN Supporting Organizations and Advisory Committees. A comment period (in accordance with the PDP Time Line, and ordinarily at least 21 days long) shall be commenced for the issue. Comments shall be accepted from ccTLD managers, other Supporting Organizations, Advisory Committees, and from the public. The Issue Manager, or some other designated Council representative shall review the comments and incorporate them into a report (the "Comment Report") to be included in either the Preliminary Task Force Report or the Initial Report, as applicable.

7. Task Forces

a. *Role of Task Force.* If a task force is created, its role shall be responsible for (i) gathering information documenting the positions of the ccNSO members within the Geographic Regions and other parties and groups; and (ii) otherwise obtaining relevant information that shall enable the Task Force Report to be as complete and informative as possible to facilitate the Council's meaningful and informed deliberation.

The task force shall not have any formal decision-making authority. Rather, the role of the task force shall be to gather information that shall document the positions of various parties or groups as specifically and comprehensively as possible, thereby enabling the Council to have a meaningful and informed deliberation on the issue.

b. *Task Force Charter or Terms of Reference.* The Council, with the assistance of the Issue Manager, shall develop a charter or terms of reference for the task force (the "Charter") within the time designated in the PDP Time Line. Such Charter shall include:

1. The issue to be addressed by the task force, as such issue was articulated for the vote before the Council that initiated the PDP;
2. The specific time line that the task force must adhere to, as set forth below, unless the Council determines that there is a compelling reason to extend the timeline; and
3. Any specific instructions from the Council for the task force, including whether or not the task force should solicit the advice of outside advisors on the issue.

The task force shall prepare its report and otherwise conduct its activities in accordance with the Charter. Any request to deviate from the Charter must be formally presented to the Council and may only be undertaken by the task force upon a vote of a majority of the Council members present at a meeting or voting by e-mail. The quorum requirements of Article IX, Section 3(14) shall apply to Council actions under this Item 7(b).

c. *Appointment of Task Force Chair.* The Issue Manager shall convene the first meeting of the task force within the time designated in the PDP Time Line. At the initial meeting, the task force members shall, among other things, vote to appoint a task force chair. The chair shall be responsible for organizing the activities of the task force, including compiling the Task Force Report. The chair of a task force need not be a member of the Council.

d. *Collection of Information.*

1. *Regional Organization Statements.* The Representatives shall each be responsible for soliciting the position of the Regional Organization for their Geographic Region, at a minimum, and may solicit other comments, as each Representative deems appropriate, including the comments of the ccNSO members in that region that are not members of the Regional Organization, regarding the issue under consideration. The position of the Regional Organization and any other comments gathered by the

Representatives should be submitted in a formal statement to the task force chair (each, a "Regional Statement") within the time designated in the PDP Time Line. Every Regional Statement shall include at least the following:

- (i) If a Supermajority Vote (as defined by the Regional Organization) was reached, a clear statement of the Regional Organization's position on the issue;
- (ii) If a Supermajority Vote was not reached, a clear statement of all positions espoused by the members of the Regional Organization;
- (iii) A clear statement of how the Regional Organization arrived at its position(s). Specifically, the statement should detail specific meetings, teleconferences, or other means of deliberating an issue, and a list of all members who participated or otherwise submitted their views;
- (iv) A statement of the position on the issue of any ccNSO members that are not members of the Regional Organization;
- (v) An analysis of how the issue would affect the Region, including any financial impact on the Region; and
- (vi) An analysis of the period of time that would likely be necessary to implement the policy.

2. *Outside Advisors.* The task force may, in its discretion, solicit the opinions of outside advisors, experts, or other members of the public. Such opinions should be set forth in a report prepared by such outside advisors, and (i) clearly labeled as coming from outside advisors; (ii) accompanied by a detailed statement of the advisors' (a) qualifications and relevant experience and (b) potential conflicts of interest. These reports should be submitted in a formal statement to the task force chair within the time designated in the PDP Time Line.

e. *Task Force Report.* The chair of the task force, working with the Issue Manager, shall compile the Regional Statements, the Comment Report, and other information or reports, as applicable, into a single document ("Preliminary Task Force Report") and distribute the Preliminary Task Force Report to the full task force within the time designated in the PDP Time Line. The task force shall have a final task force meeting to consider the issues and try and reach a Supermajority Vote. After the final task force meeting, the chair of the task force and the Issue Manager shall create the final task force report (the "Task Force Report") and post it on the Website and to the other ICANN Supporting Organizations and Advisory Committees. Each Task Force Report must include:

1. A clear statement of any Supermajority Vote (being 66% of the task force) position of the task force on the issue;
2. If a Supermajority Vote was not reached, a clear statement of all positions espoused by task force members submitted within the time line

for submission of constituency reports. Each statement should clearly indicate (i) the reasons underlying the position and (ii) the Regional Organizations that held the position;

3. An analysis of how the issue would affect each Region, including any financial impact on the Region;

4. An analysis of the period of time that would likely be necessary to implement the policy; and

5. The advice of any outside advisors appointed to the task force by the Council, accompanied by a detailed statement of the advisors' (i) qualifications and relevant experience and (ii) potential conflicts of interest.

8. Procedure if No Task Force is Formed

a. If the Council decides not to convene a task force, each Regional Organization shall, within the time designated in the PDP Time Line, appoint a representative to solicit the Region's views on the issue. Each such representative shall be asked to submit a Regional Statement to the Issue Manager within the time designated in the PDP Time Line.

b. The Council may, in its discretion, take other steps to assist in the PDP, including, for example, appointing a particular individual or organization, to gather information on the issue or scheduling meetings for deliberation or briefing. All such information shall be submitted to the Issue Manager within the time designated in the PDP Time Line.

c. The Council shall formally request the Chair of the GAC to offer opinion or advice.

d. The Issue Manager shall take all Regional Statements, the Comment Report, and other information and compile (and post on the Website) an Initial Report within the time designated in the PDP Time Line. Thereafter, the Issue Manager shall, in accordance with Item 9 below, create a Final Report.

9. Comments to the Task Force Report or Initial Report

a. A comment period (in accordance with the PDP Time Line, and ordinarily at least 21 days long) shall be opened for comments on the Task Force Report or Initial Report. Comments shall be accepted from ccTLD managers, other Supporting Organizations, Advisory Committees, and from the public. All comments shall include the author's name, relevant experience, and interest in the issue.

b. At the end of the comment period, the Issue Manager shall review the comments received and may, in the Issue Manager's reasonable discretion, add appropriate comments to the Task Force Report or Initial Report, to prepare the "Final Report". The Issue Manager shall not be obligated to include all comments made during the comment period, nor shall the Issue Manager be obligated to include all comments submitted by any one individual or organization.

c. The Issue Manager shall prepare the Final Report and submit it to the Council chair within the time designated in the PDP Time Line.

10. Council Deliberation

a. Upon receipt of a Final Report, whether as the result of a task force or otherwise, the Council chair shall (i) distribute the Final Report to all Council members; (ii) call for a Council meeting within the time designated in the PDP Time Line wherein the Council shall work towards achieving a recommendation to present to the Board; and (iii) formally send to the GAC Chair an invitation to the GAC to offer opinion or advice. Such meeting may be held in any manner deemed appropriate by the Council, including in person or by conference call. The Issue Manager shall be present at the meeting.

b. The Council may commence its deliberation on the issue prior to the formal meeting, including via in-person meetings, conference calls, e-mail discussions, or any other means the Council may choose.

c. The Council may, if it so chooses, solicit the opinions of outside advisors at its final meeting. The opinions of these advisors, if relied upon by the Council, shall be (i) embodied in the Council's report to the Board, (ii) specifically identified as coming from an outside advisor; and (iii) accompanied by a detailed statement of the advisor's (a) qualifications and relevant experience and (b) potential conflicts of interest.

11. Recommendation of the Council

In considering whether to make a recommendation on the issue (a "Council Recommendation"), the Council shall seek to act by consensus. If a minority opposes a consensus position, that minority shall prepare and circulate to the Council a statement explaining its reasons for opposition. If the Council's discussion of the statement does not result in consensus, then a recommendation supported by 14 or more of the Council members shall be deemed to reflect the view of the Council, and shall be conveyed to the Members as the Council's Recommendation. Notwithstanding the foregoing, as outlined below, all viewpoints expressed by Council members during the PDP must be included in the Members Report.

12. Council Report to the Members

In the event that a Council Recommendation is adopted pursuant to Item 11 then the Issue Manager shall, within seven days after the Council meeting, incorporate the Council's Recommendation together with any other viewpoints of the Council members into a Members Report to be approved by the Council and then to be submitted to the Members (the "Members Report"). The Members Report must contain at least the following:

- a. A clear statement of the Council's recommendation;
- b. The Final Report submitted to the Council; and
- c. A copy of the minutes of the Council's deliberation on the policy issue (see Item 10), including all the opinions expressed during such deliberation, accompanied by a description of who expressed such opinions.

13. Members Vote

Following the submission of the Members Report and within the time designated by the PDP Time Line, the ccNSO members shall be given an opportunity to vote on the Council

Recommendation. The vote of members shall be electronic and members' votes shall be lodged over such a period of time as designated in the PDP Time Line (at least 21 days long).

In the event that at least 50% of the ccNSO members lodge votes within the voting period, the resulting vote will be employed without further process. In the event that fewer than 50% of the ccNSO members lodge votes in the first round of voting, the first round will not be employed and the results of a second round of voting, conducted after at least thirty days notice to the ccNSO members, will be employed irrespective of whether 50% of the ccNSO members lodge votes. In the event that more than 66% of the votes received at the end of the voting period shall be in favor of the Council Recommendation, then the recommendation shall be conveyed to the Board in accordance with Item 14 below as the ccNSO Recommendation.

14. Board Report

The Issue Manager shall within seven days after a ccNSO Recommendation being made in accordance with Item 13 incorporate the ccNSO Recommendation into a report to be approved by the Council and then to be submitted to the Board (the "Board Report"). The Board Report must contain at least the following:

- a. A clear statement of the ccNSO recommendation;
- b. The Final Report submitted to the Council; and
- c. the Members' Report.

15. Board Vote

a. The Board shall meet to discuss the ccNSO Recommendation as soon as feasible after receipt of the Board Report from the Issue Manager, taking into account procedures for Board consideration.

b. The Board shall adopt the ccNSO Recommendation unless by a vote of more than 66% the Board determines that such policy is not in the best interest of the ICANN community or of ICANN.

1. In the event that the Board determines not to act in accordance with the ccNSO Recommendation, the Board shall (i) state its reasons for its determination not to act in accordance with the ccNSO Recommendation in a report to the Council (the "Board Statement"); and (ii) submit the Board Statement to the Council.

2. The Council shall discuss the Board Statement with the Board within thirty days after the Board Statement is submitted to the Council. The Board shall determine the method (e.g., by teleconference, e-mail, or otherwise) by which the Council and Board shall discuss the Board Statement. The discussions shall be held in good faith and in a timely and efficient manner, to find a mutually acceptable solution.

3. At the conclusion of the Council and Board discussions, the Council shall meet to affirm or modify its Council Recommendation. A recommendation supported by 14 or more of the Council members shall be deemed to reflect the view of the Council (the Council's "Supplemental Recommendation"). That Supplemental Recommendation shall be

conveyed to the Members in a Supplemental Members Report, including an explanation for the Supplemental Recommendation. Members shall be given an opportunity to vote on the Supplemental Recommendation under the same conditions outlined in Item 13. In the event that more than 66% of the votes cast by ccNSO Members during the voting period are in favor of the Supplemental Recommendation then that recommendation shall be conveyed to Board as the ccNSO Supplemental Recommendation and the Board shall adopt the recommendation unless by a vote of more than 66% of the Board determines that such policy is not in the best interest of the ICANN community or of ICANN.

4. In the event that the Board does not accept the ccNSO Supplemental Recommendation, it shall state its reasons for doing so in its final decision ("Supplemental Board Statement").

5. In circumstances where

(i) the Board determines not to accept a ccNSO Supplemental Recommendation, and

(ii) the opinion of the General Counsel pursuant to Item 2.e. was that the issue was within the scope of the ccNSO pursuant to the ccNSO's Scope,

then the Board shall not be entitled to set policy on the issue addressed by the recommendation and the status quo shall be preserved until such time as the ccNSO shall, under the ccPDP, make a recommendation on the issue that is deemed acceptable by the Board.

16. Implementation of the Policy

Upon adoption by the Board of a ccNSO Recommendation or ccNSO Supplemental Recommendation, the Board shall, as appropriate, direct or authorize ICANN staff to implement the policy.

17. Maintenance of Records

With respect to each ccPDP for which an Issue Report is requested (see Item 1), ICANN shall maintain on the Website a status web page detailing the progress of each ccPDP, which shall provide a list of relevant dates for the ccPDP and shall also link to the following documents, to the extent they have been prepared pursuant to the ccPDP:

- a. Issue Report;
- b. PDP Time Line;
- c. Comment Report;
- d. Regional Statement(s);
- e. Preliminary Task Force Report;
- f. Task Force Report;

- g. Initial Report;
- h. Final Report;
- i. Members' Report;
- j. Board Report;
- k. Board Statement;
- l. Supplemental Members' Report; and
- m. Supplemental Board Statement.

In addition, ICANN shall post on the Website comments received in electronic written form specifically suggesting that a ccPDP be initiated.

Annex C: The Scope of the ccNSO

This annex describes the scope and the principles and method of analysis to be used in any further development of the scope of the ccNSO's policy-development role. As provided in Article IX, Section 6(2) of the Bylaws, that scope shall be defined according to the procedures of the ccPDP.

The scope of the ccNSO's authority and responsibilities must recognize the complex relation between ICANN and ccTLD managers/registries with regard to policy issues. This annex shall assist the ccNSO, the ccNSO Council, and the ICANN Board and staff in delineating relevant global policy issues.

Policy areas

The ccNSO's policy role should be based on an analysis of the following functional model of the DNS:

1. Data is registered/maintained to generate a zone file,
2. A zone file is in turn used in TLD name servers.

Within a TLD two functions have to be performed (these are addressed in greater detail below):

1. Entering data into a database (Data Entry Function) and
2. Maintaining and ensuring upkeep of name-servers for the TLD (Name Server Function).

These two core functions must be performed at the ccTLD registry level as well as at a higher level (IANA function and root servers) and at lower levels of the DNS hierarchy. This mechanism, as RFC 1591 points out, is recursive:

There are no requirements on sub domains of top-level domains beyond the requirements on higher-level domains themselves. That is, the requirements in this memo are applied recursively.

In particular, all sub domains shall be allowed to operate their own domain name servers, providing in them whatever information the sub domain manager sees fit (as long as it is true and correct).

The Core Functions

1. Data Entry Function (DEF):

Looking at a more detailed level, the first function (entering and maintaining data in a database) should be fully defined by a naming policy. This naming policy must specify the rules and conditions:

(a) under which data will be collected and entered into a database or data changed (at the TLD level among others, data to reflect a transfer from registrant to registrant or changing registrar) in the database.

(b) for making certain data generally and publicly available (be it, for example, through Whois or nameservers).

2. The Name-Server Function (NSF)

The name-server function involves essential interoperability and stability issues at the heart of the domain name system. The importance of this function extends to nameservers at the ccTLD level, but also to the root servers (and root-server system) and nameservers at lower levels.

On its own merit and because of interoperability and stability considerations, properly functioning nameservers are of utmost importance to the individual, as well as to the local and the global Internet communities.

With regard to the nameserver function, therefore, policies need to be defined and established. Most parties involved, including the majority of ccTLD registries, have accepted the need for common policies in this area by adhering to the relevant RFCs, among others RFC 1591.

Respective Roles with Regard to Policy, Responsibilities, and Accountabilities

It is in the interest of ICANN and ccTLD managers to ensure the stable and proper functioning of the domain name system. ICANN and the ccTLD registries each have a distinctive role to play in this regard that can be defined by the relevant policies. The scope of the ccNSO cannot be established without reaching a common understanding of the allocation of authority between ICANN and ccTLD registries.

Three roles can be distinguished as to which responsibility must be assigned on any given issue:

- Policy role: i.e. the ability and power to define a policy;
- Executive role: i.e. the ability and power to act upon and implement the policy; and
- Accountability role: i.e. the ability and power to hold the responsible entity accountable for exercising its power.

Firstly, responsibility presupposes a policy and this delineates the policy role. Depending on the issue that needs to be addressed those who are involved in defining and setting the policy need to be determined and defined. Secondly, this presupposes an executive role defining the power to implement and act within the boundaries of a policy. Finally, as a counter-balance to the executive role, the accountability role needs to be defined and determined.

The information below offers an aid to:

1. delineate and identify specific policy areas;
2. define and determine roles with regard to these specific policy areas.

This annex defines the scope of the ccNSO with regard to developing policies. The scope is limited to the policy role of the ccNSO policy-development process for functions and levels explicitly stated below. It is anticipated that the accuracy of the assignments of policy, executive, and accountability roles shown below will be considered during a scope-definition ccPDP process.

Name Server Function (as to ccTLDs)

Level 1: Root Name Servers
Policy role: IETF, RSSAC (ICANN)
Executive role: Root Server System Operators
Accountability role: RSSAC (ICANN), (US DoC-ICANN MoU)

Level 2: ccTLD Registry Name Servers in respect to interoperability
Policy role: ccNSO Policy Development Process (ICANN), for best practices a ccNSO process can be organized
Executive role: ccTLD Manager
Accountability role: part ICANN (IANA), part Local Internet Community, including local government

Level 3: User's Name Servers
Policy role: ccTLD Manager, IETF (RFC)
Executive role: Registrant
Accountability role: ccTLD Manager

Data Entry Function (as to ccTLDs)

Level 1: Root Level Registry
Policy role: ccNSO Policy Development Process (ICANN)
Executive role: ICANN (IANA)
Accountability role: ICANN community, ccTLD Managers, US DoC, (national authorities in some cases)

Level 2: ccTLD Registry
Policy role: Local Internet Community, including local government, and/or ccTLD Manager according to local structure
Executive role: ccTLD Manager
Accountability role: Local Internet Community, including national authorities in some cases

Level 3: Second and Lower Levels
Policy role: Registrant
Executive role: Registrant
Accountability role: Registrant, users of lower-level domain names

Questions concerning the layout, construction and functionality of this site

should be sent to webmaster@icann.org.

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