

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)第十八次會議報告書

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出席<網際網路名稱與號碼指配機構>第十八次會議報告書

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出國類別: 其他

出國地區: 義大利

出國期間: 民國 93 年 02 月 28 日 -民國 93 年 03 月 07 日

報告日期: 民國 93 年 04 月 07 日

分類號/目: H6/電信 H6/電信

關鍵詞:

內容摘要: 「網際網路名稱與號碼指配機構」(ICANN)第十八次會議暨其「政府諮詢委員會」(GAC)會議於九十三年二月二十九日至三月六日在義大利羅馬舉行, ICANN 係目前負責全球網際網路域名系統管理、IP 位址分配暨指派及根伺服器系統管理之國際機構, 下設理事會、位址支援組織、同屬性名稱支援組織、國碼名稱支援組織、根伺服器系統諮詢委員會、網路安全及穩定諮詢委員會、政府諮詢委員會、一般會員諮詢委員會、技術聯絡人小組等組織。本次會議我國係由行政院秘書處、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, 會議討論重點包括 ICANN 組織章程有關國碼名稱支援組織之修正、ccTLD 委任暨管理原則修正、GAC 改革、國際化域名(Internationalized Domain Name, IDN)、WIPO II、WHOIS 資料庫、IPv6 等議題。

本文電子檔已上傳至出國報告資訊網

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## 壹、前言

「網際網路名稱與號碼指配機構」(ICANN)第十八次會議暨其政府諮詢委員會(GAC)會議於九十三年三月二日至六日及二月二十九日至三月三日在義大利羅馬舉行。本次會議我國係由行政院秘書處、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。

會議討論重點包括 ICANN 組織章程有關國碼名稱支援組織(ccNSO)之修正、ccTLD 委任暨管理原則修正、GAC 改革、國際化域名(Internationalized Domain Name, IDN)、WIPO II、WHOIS、IPv6 等議題。本報告書首先就 ICANN 組織現況作一簡介，再報告本次會議重要議題及內容。

### ICANN 簡介

ICANN 係一全球性、非營利、共識導向的國際性機構(International corporation)，1998年10月成立於美國加州，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)、通訊協定參數及通訊埠(Protocol Parameters and Port)之協調、域名系統(DNS)之管理、IP<sup>1</sup>位址之分配暨指派及根伺服器系統(root server system)之管理，以維持全球網際網路運作之穩定性、可靠性及安全性為其主要宗旨。

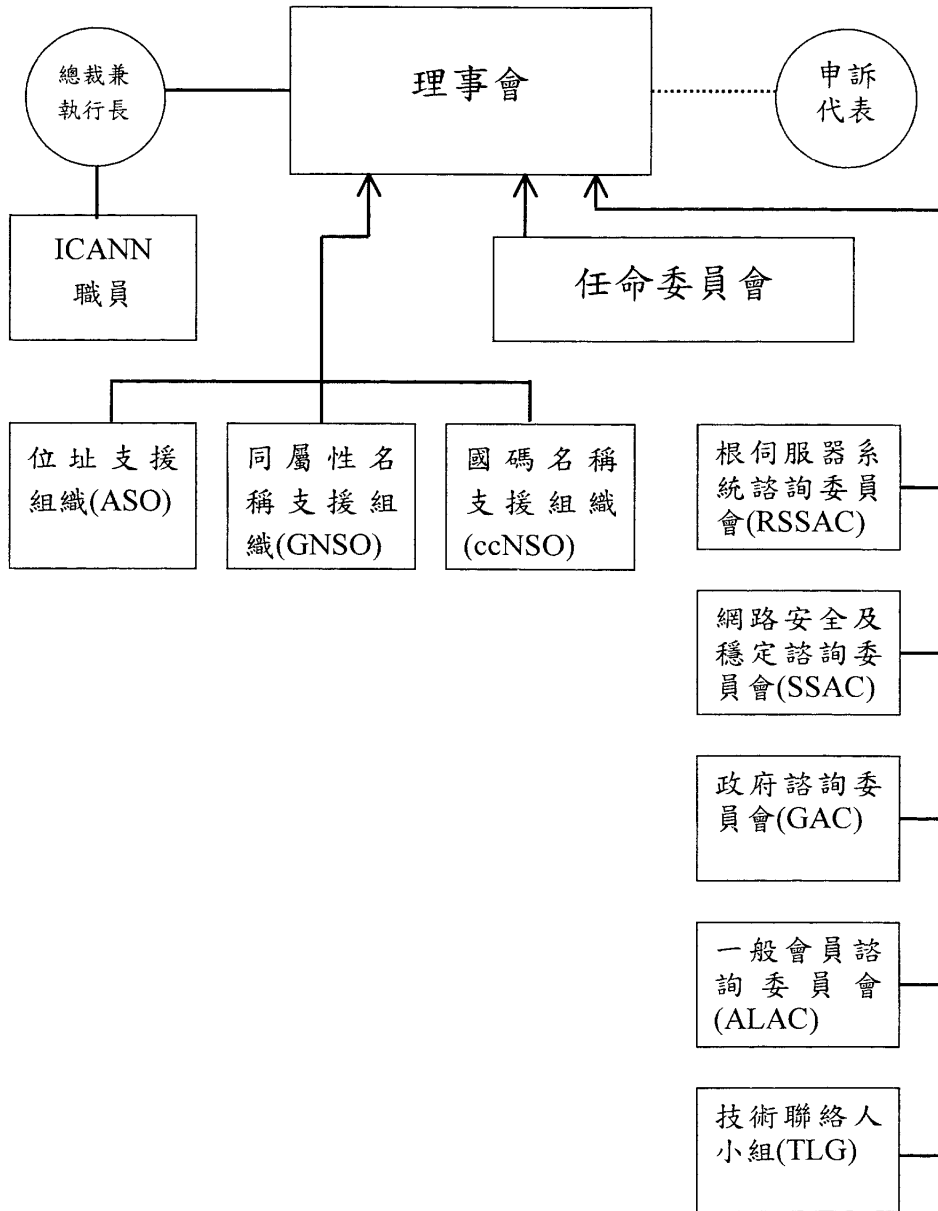
#### (一) ICANN 組織架構圖

ICANN 下設有理事會 (Board of Directors)、三個支援組織 (Supporting Organization, SO)、四個諮詢委員會 (Advisory Committee, AC) 及技術聯絡人小組 (Technical Liaison Group, TLG) 等，其組織架構圖如下：

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<sup>1</sup> 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 上之電腦位址得以確定，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。

# ICANN 組織架構圖



## (二) ICANN 組成單位之功能

### 1. 理事會

依 2002 年 12 月 15 日 ICANN 通過之新版組織章程，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。目前理事會成員共有十八位，分別為：

- 1) Vint Cerf (USA) – 理事主席
- 2) Alejandro Pisanty (Mexico) – 理事副主席
- 3) Thomas Niles (USA)
- 4) Tricia Drakes (UK)
- 5) Ivan Moura Campos (Brazil)
- 6) Lyman Chapin (USA)
- 7) Njeri Rionge (USA)
- 8) Mouhamet Diop (Senegal)
- 9) Veni Markovski (Bulgaria)
- 10) Hagen Hultsch (German)
- 11) Michael Palage (USA)
- 12) Hualin Qian (China)
- 13) Steve Crocker – 網路安全及穩定諮詢委員會聯絡人
- 14) Roberto Gaetano – 一般會員諮詢委員會聯絡人
- 15) Francisco A. Jesus Silva – 技術聯絡人小組聯絡人

16) John Klensin – 網際網路工程任務小組聯絡人

17) Mohamed Sharil Tarmizi – 政府諮詢委員會聯絡人

18) Paul Twomey – ICANN 總裁兼執行長

## 2. 支援組織

各支援組織 (Supporting Organization) 均有其特定之功能，為 ICANN 在各專責領域之主要政策建議來源及諮詢單位，目前 ICANN 下設有三個支援組織：

- 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 與各區域網際網路登記註冊管理機構(RIR)洽簽之 MoU 所設立之組織。目前按區域所設立之 RIR，分別有負責北美洲區域之 ARIN、歐洲區域之 RIPE NCC、拉丁美洲區域之 LACNIC、亞洲區域之 APNIC 及非洲區域之 AFRNIC。一般 RIR 基本的位址分配政策係依區域需要及視未來一年內位址可能的可能情形來分配位址區塊(Address Block)。
- 2) 國碼名稱支援組織(ccNSO)：ccNSO 負責向 ICANN 提出有關 ccTLD(諸如：.us, .uk, .it, .tw, .cn, .jp, .hk 等)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。該組織業於於本次會議期間(九十三年三月一日)宣布正式成立。
- 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 gTLD 登記註冊管理機構、智慧財產權團體、商業團體、學術機構及消費者團體所組成，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、國際論壇承認之經濟體、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 第十八次會議

### 一、會議時間、地點及議程

- (一) 時間：九十三年三月二日至三月六日
- (二) 地點：義大利羅馬
- (三) 議程：詳 ICANN 網站 <http://www.icann.org/meetings/rome/>

### 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，如政府諮詢委員會等，僅述重要會議決議如下：

#### (一) 政府諮詢委員會(GAC)

政府諮詢委員會(GAC)於 2004 年 2 月 29 日至 3 月 3 日在義大利羅馬召開會議，出席成員包括來自 44 個會員及 8 個觀察員之代表。

GAC 瞭解會員與代表希望 GAC 之工作能夠在組織化、完善管理、適時、可預測及透明化之環境下執行。此外亦應加強資源及工作方法以善盡 GAC 對 ICANN 之公共政策諮詢角色。

GAC 歡迎喀麥隆、克羅埃西亞、Djibouti、印尼、立陶宛、巴勒斯坦、及烏克蘭等觀察員之首次出席會議。

GAC 知悉 ICANN 網站之大幅改進，並對其多語言資訊之提供表示歡迎。希望 ICANN 能在這方面繼續努力。

#### 討論事項

##### 1.ICANN 與 GAC 工作計畫 2004-2005

GAC 對目前 ICANN 社群及理事會所討論之議題非常重視，並作出下列決議。

##### 1.1 GAC 工作小組之作業方法

GAC 將就工作小組之範圍、目標及工作方法提出說明文件。

義大利代表 Stefano Trumpy 自願草擬。

## 1.2 GNSO 工作小組(WG1)

整合原來之 gTLD 及 Whois 工作小組，設立 GNSO 工作小組，WG1 之新郵件 reflector 及線上討論區自 2004 年 3 月 3 日開始啟用。

GNSO 工作小組將於吉隆坡會前依優先順序處理 GNSO 三個任務小組所提 Whois 問卷並與 GNSO Whois 任務小組充分交換意見。

## 1.3 ccTLD 工作小組(WG4)

會中就 WG4 所提 ccTLD 委任暨管理原則 2004 年 2 月 12 日版修正草案進行討論，該工作小組將對該草案作最後修正，並於三月底提出正式 GAC 文件。該草擬工作由英國代表 Martin Boyle 自願負責。相關時程如下：

### a) 羅馬會議結束—2004 年 3 月 31 日(三週)

由 WG4 提出最後修正草案以供討論，GAC 會員可分別開始徵詢其國內網際網路社群及 ccTLD 管理者之意見，並於吉隆坡會議提出各自之立場。徵詢期將持續至今年 7 月吉隆坡會前。

### b) 2004 年 4 月 1 日—2004 年 4 月 30 日(四週)

此期間 GAC 會員可就關切事項文稿(含舉例)之重大議題發表意見，藉此讓會員得以瞭解部分國家可能有的關切重點，並在其諮詢國內意見時，針對該等重點特別進行分析。

### c) 2004 年 7 月 18 日(吉隆坡會議)

會中可能先請四月間就重大議題提出意見之會員簡報或簡述其觀點，繼而就文件展開細部討論。

### d) 吉隆坡會後

預計吉隆坡會議可通過該文件，並交 ccNSO 及其他相關單位表示意見。

相關意見希能於今年 12 月開普頓會前提出，俾利於會中討論相關建議。而在吉隆坡會議前之寬裕徵詢期亦期望可減少對該文件之爭辯，並於開普頓會議順利通過該文件。

#### 1.4 IPv6 工作小組(WG6)

新召集人為日本籍之 Takuya Miyoshi，有關 IPv6 準備議題訂於吉隆坡會議提出，並可能與其他 ICANN 社群聯合簡報。

#### 1.5 GAC 組織架構及財務(WG7)

該工作小組在新加坡主席 Valerie D'Costa 之主持下，召開為時半天的會議，所作下列結論，其後均獲 GAC 支持：

該工作小組決定建議大會將以下工作列為目前工作重點：

- a) 比較研究其他國際組織之柔性合作模式，以及適用 GAC 之可行性。
- b) 進一步探求洽簽非拘束性 MoU 作為向 GAC 會員籌措經費基礎之可行性。
- c) 訂出 GAC 秘書處職掌，並據以研議分散式秘書處事宜。

此外有關指派常任召集人之議題亦提交 GAC 主席。該工作小組未來應就吉隆坡會議相關計畫提出進度報告，然鑒於有廣泛研究之必要，預期在開普頓會中才會有一較全面之報告。

## 2.修訂 GAC 運作原則

GAC 會員於去年 10 月迦太基會議決議修訂 GAC 運作原則，所提修訂草案業於 2003 年 9 月發送會員。

鑒於該修正動議業於迦太基會議獲所有出席會員支持(無棄權或聲明不同意見者)，主席裁決採認之。ITU 聲明相關決議不代表 ITU 立場。

會議繼而就草案內容進行討論，除 Principle 17 Bis、Article X Bis, Principle 54 等三條款外，其餘大致獲會員接受。GAC 同意緩議相關對 GAC 有長期影響並需進一步考量之條款。

相關修正文字及說明將載於 GAC 網站之會員專區，主席表

示秘書處將採電子投票方式徵詢會員對修正條文之立場。

### 3. 國碼名稱支援組織(ccNSO)

GAC 對於 ccNSO 之成立表示歡迎，並期望其能發展成為代表全球 ccTLD 社群之組織。

### 4. GAC 國碼頂級域名委任暨管理原則

GAC 對 ccTLD 委任暨管理原則修改工作之進展表示瞭解，訂於下次吉隆坡會議充分討論後，將文件公開徵詢相關利害關係團體意見。

### 5. WIPO II

GAC 知悉 WIPO II 聯合工作小組擬於 2004 年 3 月底前提出一份期中報告予 ICANN 理事會，促該小組能重視執行議題，並於吉隆坡會前向理事會提出實際執行之選擇方案。

### 6. 同屬性名稱支援組織(GNSO)活動

GAC 聽取 GNSO 評議會有關 Whois 政策制定程序(PDP)及相關活動現況。鑒於相關 GNSO 待決議題之重要性，GAC 特新成立一工作小組討論相關議題，並將儘力配合 GNSO 評議會所訂時程。

### 7. IPv6

GAC 瞭解各方在 IPv6 準備工作所作之諸多努力，但亦體認要做的還很多。

GAC 期望持續與相關 ICANN 所屬組織對話，並要求理事會重視 IPv6 議題。

### 8. 區域性推廣

GAC 決定繼續推動對開發中國家及 GAC 會員數偏低地區之推廣活動，未來將在秘書處之適當協助下由 GAC 會員直接進行接觸、並廣續於吉隆坡及開普頓舉辦區域論壇。

### 9. 域名系統安全及根伺服器系統

GAC 與根伺服器管理者討論根伺服器組織及管理情形，進而對根伺服器運作之多樣性、健全、及可靠性有進一步瞭解，包括利用 ANYCAST 技術佈建根伺服器映射(MIRROR)站。

#### 10. 副主席選舉

會中無異議通過瑞典籍之 Ms. Lena Carlsson 連任 GAC 副主席，任期自羅馬會議結束起算。並感謝巴西、肯亞籍兩位卸任副主席之貢獻。

另決議將依 GAC 運作原則規定重新開放提名選舉其他兩位副主席。有關提名消息，秘書處將於近期公布，並可能採取線上秘密投票。新任副主席應於吉隆坡會議就任，提名期間訂於 2004 年 4 月 19 日開始之兩週，若有兩位以上之候選人，秘書應發送投票單，其效期自 2004 年 5 月 3 日起，為期四週。

GAC 下次會議訂於 2004 年 7 月 19 日至 23 日在馬尼拉吉隆坡舉行。

#### (二) 國家碼頂級域名(country code Top Level Domain; ccTLD) 會議

ccTLD Rome Meeting 分二日(3 月 1~2 日)舉行，討論 GAC Principles、WHOIS、IDN、Regional TLD/ccTLD Updates、IANA Function 與 ccTLD 的未來發展等議題。針對 2004 年 2 月版本的 GAC Principles，會中由 GAC Working Group 提出簡報說明修訂的 GAC Principles 草案，其指出主要的意見在於穩定有效的 IANA Function、GAC Principles 的協商的機制與 ICANN 與 ccTLD 的關係等。

這次會議中特別安排半天時間邀請 Regional Organization 如 CETRE, APTLD, LACTLD 等以及七個 ccTLD(含台灣)做區域發展報告以及討論。會議報告請見 <http://www.wwtld.org/meetings/ccTld/20040302.Rome-documents.html>。

WHOIS 的討論中則提出了美國的 WHOIS 立法提案 (Fraudulent Online Identity Sanctions Act, FOISA)，其目的在於協助執法機關能夠追查網路上的犯罪或侵權行為。該法未將不實資訊視為犯罪行為，也不處罰 gTLD 或 ccTLD 如其資料庫中含有不

實資訊，也將不限制 registries 或 registrars 須檢驗 WHOIS 資料。然而對於已發生的侵權或犯罪行為的情形下，如提供不實的 WHOIS 資料將會加重處罰。然該法案仍在初期階段，未來將會有進一步說明。

在 IANA 的討論中，各與會代表支持 IANA 改為 Key-based asymmetric encryption(非對稱式的電子加密認證)。ICANN CEO Dr. Paul Twomey 更強調 IANA 是要加強 Business Rule 的定義，否則將來即使有了較為自動化的 delegation / re-delegation 流程，仍然難避免弊端產生。

另外，針對未來 ccTLD 的會議在會中亦有討論，CENTR (Council of European National Top Level Domain Registries)認為將由各 Regional TLD 來籌辦，CENTR 也將協助提供適當人選協助其他區域進行會議籌備工作。

### (三) 一般會員諮詢委員會 (ALAC) 會議

ICANN 一般會員委員會這次著重於 RALO (Regional At-Large Organization)/ ALS (At-Large Structure)的發展進度追縱。其中 RALO 的部分，歐洲以及非洲區均會在下一次吉隆坡會議之前成立，而亞洲、北美洲、拉丁美洲區則因為參與程度不夠，尚未成形。亞洲的部分有我國 NII 產業發展協進會以及 ISOC-TW 的兩件 ALS 申請案，另外中國大陸也有 AtLarge@China 的申請，日本則仍在觀望中，日本政府則撥款研究參與 ALS 的方式。另外 ALAC 一向對 GNSO 的事務甚為關心。這次則著重於未來新的 gTLD 的評選工作，邀請了評選小組成員做簡報。另外討論了 WHOIS 和 WSIS 相關議題。

### (四) 世界資訊社會高峰會(W SIS)研討會

會議首先由亞洲網路研究機構代表 Izumi Aizu 簡報 WSIS 發展近況，繼而由與會代表討論未來工作方向。ICANN 總裁 Paul Twomey 及理事會主席 Vint Cerf 均出席該會議，和與會人員就相關議題進行面對面溝通。ICANN 表明 ICANN 僅在全球網際網路營運上扮演協調的機制，WSIS 對於網路治理議題不應該把壓力都放在 ICANN 上，由於幾乎所有與會者都支持目前 ICANN 這

種公私部門合作的基調，預期未來 WSIS 與 ICANN 對於網際網路管理的爭議，勢必還有一番辯論。

#### (五) ICANN 理事會會議

經過討論，ICANN 理事會做出下列決議：

根據 ICANN 與 VeriSign 簽署之 .net 註冊管理協議規定，ICANN 必須於協議期滿前一年，經由公開透明的程序指定 .net 註冊管理的繼任經營者。理事會決議授權總裁展開相關程序以於今年 6 月 30 日前完成繼任經營者之指派。

通過與 VeriSign 就候補名單服務(Waiting List Service; WLS)所達成之協商結果，並授權總裁及總法律顧問於徵得美國商務部之核可後，修改與 VeriSign 之域名註冊管理協議以准其提供 WLS。

任命 Jean-Jacques Damlamian 擔任 2004 年度「提名委員會」的主席，任期至 ICANN 的 2004 年年度會議結束之時，同時任命衝突委員會 (Conflicts of Interest Committee) 新成員：Lyman Chapin(主席)、Michael Palage、Hualin Qian，以及 Njeri Rionge。

會中對 ccNSO 於 3 月 1 日宣布正式成立之消息表示歡迎及認可，決議將 ICANN 組織章程有關國碼名稱支援組織(ccNSO)之修正條文說明置於 ICANN 網站，公開徵求意見，並訂於下次理事會議討論。自 2002 年 3 月起，在 ICANN「發展暨改革委員會」(ERC)的領導之下，ICANN 社群即針對 ICANN 程序以及組織結構之改革展開密集的討論，其中一個重點即「國碼名稱支援組織」(ccNSO)的設立。ccNSO 創設小組(Launching Group)於 2004 年 3 月 1 日宣布成立 ccNSO。依據章程規定，ccNSO Council 之成員應於成立通知後儘快選出 (Article IX, Section 4(8) & (9))，有關該選舉程序，Launching Group 將與 ccNSO 會員協商之後刊登。

### 肆、檢討與建議

- 一、鑒於網路治理議題之日益受各國重視，我國除應持續積極參與 ICANN 及 GAC 相關會議及討論，亦應注意其他相關國際組織及網

際網路社群對該議題之討論情形，俾掌握國際最新發展情勢。

- 二、本次 GAC 會前，電信總局特就 GAC 未來組織架構方案與外交部及 TWNIC 進行溝通，形成共識後，於 GAC 大會提出我國建議。由於網際網路相關議題牽涉日廣，為擴大我國實質參與及貢獻，未來可比照此模式，彙集相關單位專業意見，以收集思廣益之效。
- 三、ccNSO 已於 ICANN 羅馬會議期間(3 月 1 日)正式成立，相關 ccNSO Council 選舉辦法草案亦已於 3 月 8 日出爐，如依照草案進行，Council 選舉將於 4 月中展開，我方宜儘早規劃相關參選事宜。

## 伍、附件

- 一、ICANN GAC 會議公報
- 二、ICANN 理事會報告
- 三、GAC 運作原則修正草案



附件一

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*ICANN GAC* 公報

## 附件一、ICANN GAC 公報



### **Governmental Advisory Committee**

Rome, 5 March 2004

### **GAC Communiqué – Rome, Italy 29 February - 3 March 2004.**

#### **I. INTRODUCTION**

The Governmental Advisory Committee (GAC) of the Internet Corporation for Assigned Names and Numbers (ICANN) met in Rome, 29 February - 3 March, 2004. The participating GAC Members comprised representatives from 44 Members and 8 Observers.

The GAC recognises that its growing membership and new representatives expect that our work, on behalf of our Members, will be conducted in a structured, managed, timely, predictable and transparent environment. It is also necessary for GAC that Members strengthen their resources and working methods to fulfil its public policy role with respect to ICANN.

The GAC welcomed the presence of several new observers participating for the first time: Cameroun, Croatia, Djibouti, Indonesia, Lithuania, Palestine and Ukraine.

The GAC also welcomed the membership of Estonia, Sao Tome é Principe and Senegal, who have joined the GAC since the Carthage meeting.

The Governmental Advisory Committee expressed warm thanks to the Government of Italy and the organisers for hosting the meeting in Rome.

The GAC also noted that ICANN has made substantial improvements to its Website and welcomes the initiative by ICANN to provide information on ICANN in several languages. The GAC encourages continued effort by ICANN in this respect.

## **II.MATTERS DISCUSSED**

### **1.The ICANN and GAC Work Programme, 2004-2005**

The GAC has taken good note of the issues currently under consideration in the ICANN community, and by the Board, and welcomes the intention of the Board to prioritise and schedule the principle actions.

### **2.ccNSO**

The GAC welcomed the formation of the ccNSO and looks forward to the new organisation continuing to evolve as a body that represents the global ccTLD community.

### **3.GAC Principles for the delegation and administration of Country Code Top Level Domains.**

The GAC noted the work done and progress made on updating its ccTLD Principles. The GAC will engage in a full discussion in Kuala Lumpur, after which the document will be put forward for consultations with all relevant stakeholders.

#### **4. WIPO II**

The GAC notes the intention of the joint WIPO II Working Group to present an interim report to the ICANN Board before the end of March 2004. The GAC urges the Working Group to turn its attention to the implementation issues and to present the Board with options for actual implementation, if possible by the Kuala Lumpur meeting.

#### **5. GNSO activities**

The GAC was briefed by the GNSO Council and given an update on the current activities, including the status of the Whois policy development process (PDP). In recognition of the significance of the issues pending before the GNSO, the GAC formed a new working group to specifically address the GNSO issues. The GAC will endeavour to meet the ambitious schedule presented by the GNSO Council.

#### **6. IPv6**

The GAC acknowledges that much work has been done towards readiness for, and migration to, IPv6 and recognises that more work needs to be done.

The GAC looks forward to continuing the dialogue with the constituencies concerned. The GAC asks the Board to keep due attention to IPv6.

## **7.Regional Outreach**

The GAC confirmed the priority of communicating effectively with countries that are not presently GAC Members. The GAC noted that the Rome Regional Forum had given rise to significant participation and had generated substantial relevant information that will be made generally available.

The GAC thanked all those from the Internet Community who contributed to the preparation and realisation of the Regional Forum.

## **8.DNS Security and Root Server System**

The GAC met with several of the root server managers. A discussion took place about the organisation and management of root servers which gave the GAC members a better insight into the diversity, robustness and reliability aspects of root server operations, including the deployment of root-server mirror sites via Anycast.

The security and stability of the Internet is a matter of great importance and the GAC welcomed the presentation from the Chair of the SSAC and the opportunity to engage in dialogue.

## **9.Election of Vice Chairs**

The re-election of Lena Carlsson, Sweden, as GAC Vice Chair was unanimously confirmed.

The GAC also thanked the two outgoing Vice Chairs: Vanda Scartezini, Brazil and Michael Katundu, Kenya.

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The GAC warmly thanks all those among the ICANN community who have contributed to the dialogue with GAC in Rome.

The next GAC meeting will be during the period of the ICANN Kuala Lumpur meeting, 19-23 July 2004.

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Rome, 5 March 2004

## 附件二

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# ICANN 理事會決議報告

## 附件二、ICANN 理事會決議報告

### Resolutions Adopted at Rome ICANN Board Meeting

*Regular Meeting of the Board, Rome, Italy*

*6 March 2004*

#### **.net Registry Agreement Expiration Date and Initial Procedure for Designating Successor Registry Operator**

Whereas, Section 5.1 of the .net Registry Agreement entered into between ICANN and VeriSign on 25 May 2001 provides that the agreement will expire no later than 30 June 2005 <<http://www.icann.org/tlds/agreements/verisign/registry-agmt-net-25may01.htm>>;

Whereas, Section 5.2 of the .net Registry Agreement obligates ICANN to adopt an open, transparent procedure for designating a successor Registry Operator by no later than one year prior to the end of the agreement, which would be 30 June 2004;

Resolved, [04.18] that in order to prepare for the designation of a transparent procedure by 30 June 2004, the Board authorizes the President to take steps to initiate the process as specified in Section 5.2 of the .net Registry Agreement for designating a successor operator for the .net registry, including referrals and requests for advice to the GNSO and other relevant committees and organizations as appropriate.

#### **WLS Negotiations with VeriSign**

Whereas, on 21 March 2002, VeriSign, Inc., the operator of the .com and .net registries, requested amendments to the registry agreements for those top-level domains to allow it to conduct a twelve-month trial of a proposed wait-listing service (WLS) to be offered through accredited registrars. A subsequent community consultation process prompted both strong opposition and support for the proposal from various segments of the community; <<http://www.icann.org/bucharest/vgrs-wls-proposal-20mar02.pdf>>

Whereas, on 23 August 2002, ICANN's Board adopted Resolution 02.100, authorizing the President and General Counsel to conduct negotiations on behalf of ICANN toward an agreement to make appropriate revisions to the .com and .net registry agreements between



ICANN and VeriSign to provide for the offering of a wait-listing service as proposed by VeriSign, with six specified conditions developed based on the feedback from the community consultations; <<http://www.icann.org/minutes/minutes-23aug02.htm#02.100>>

Whereas, on 16 October 2002, VeriSign wrote to ICANN requesting reconsideration of the conditions specified by Resolution 02.100; <<http://www.icann.org/committees/reconsideration/verisign-request-16oct02.htm>>

Whereas, on 2 June 2003, ICANN's Board adopted Resolutions 03.79 and 03.80, partially granting VeriSign's request for reconsideration by revising the conditions under which ICANN would consent to modifying VeriSign's registry agreements to allow for the offering of WLS; <<http://www.icann.org/minutes/minutes-02jun03.htm>>

Whereas, on 26 January 2004, ICANN's General Counsel wrote to VeriSign to document the conclusion of negotiations concerning the conditions on VeriSign's proposed offering of WLS; <<http://www.icann.org/correspondence/jeffrey-to-lewis-26jan04.pdf>>

Whereas, .com and .net are unique among gTLDs under contract with ICANN in that Amendment 3 to the Memorandum of Understanding between the U.S. Department of Commerce and ICANN <<http://www.icann.org/general/amend3-jpamou-25may01.htm>> contains special provisions requiring DOC approval of material amendments to the 25 May 2001 .com, .net and .org registry agreements entered into between ICANN and VeriSign.

Whereas Amendment 3 to the MoU provides that "ICANN will not enter into any material amendment of, or substitution for, said agreements, nor will said agreements be assigned by ICANN, without prior approval of the DOC.";

Resolved, [04.19] the Board approves the results of negotiations with VeriSign concerning its WLS proposal, authorizes the President and General Counsel to seek U.S. Department of Commerce approval to amend the VeriSign registry agreements to permit the offering of WLS, and authorizes the President to enter into the necessary and appropriate amendments with VeriSign if and when approved by the Department of Commerce.

### **Appointment of Nominating Committee Chair**

Whereas, Article VII, Section 2(1) of the Bylaws calls for the non-voting Chair of the Nominating Committee to be appointed by the ICANN Board;

Whereas, the Board Governance Committee has recommended that Jean-Jacques Damlamian be appointed to chair the 2004 Nominating Committee, and Mr. Damlamian has indicated a willingness to so serve;

Resolved, [04.20] that Mr. Damlamian is appointed as Chair of the 2004 Nominating Committee, to serve until the conclusion of the ICANN annual meeting in 2004 or until his earlier resignation, removal, or other disqualification from service;

Resolved further, [04.21] that the President provide support by ICANN and other sources to the Nominating Committee as determined, in consultation with the Chair of the committee, to be appropriate for the discharge of its functions.

### **Board Committee Appointments**

Resolved [04.22], that the following members are hereby appointed to the Conflicts of Interest Committee: Lyman Chapin (Chair), Michael Palage, Hualin Qian, and Njeri Rionge.

Resolved [04.23] to forward to the Board Governance Committee the requests of the Reconsideration and Conflicts Committees to add one additional member to each of those committees.

### **Recommendation from the Reconsideration Committee Regarding RC04 1**

Resolved [04.24] that based on the Reconsideration Committee's Recommendation RC 04-1, the Board hereby recommends that staff pay due attention to the Bylaws' transparency provisions, and urges staff to dedicate necessary resources to ensure compliance with the prescribed timelines for the posting of preliminary reports.

### **Formation of the Country-Code Names Supporting Organization (ccNSO)**

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, one important goal of the 2002 ICANN reform process was development of a

Country-Code Names Supporting Organization (ccNSO);

Whereas, the Board resolved [03.106] to adopt the amendments to the bylaws shown in Appendix A to these minutes;

Whereas, the Board resolved that there be a ccNSO Launching Group, with the authority to solicit additional ccTLD managers to join with the members of such Launching Group to eventually comprise the ccNSO, to be deemed constituted once thirty members joined [03.109], and the authority to establish a schedule and procedures for the selection of the initial ccNSO Council [03.110]; and

Whereas, the Board 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;

Whereas, the ccNSO Launching Group announced on 1 March 2004 the formation of the ccNSO, with participation of over 30 ccTLD managers with at least four within each Geographic Region.

Whereas, in accordance with the ICANN Bylaws Article XX, Transition Article (the Article) the ccNSO is now constituted.

Whereas, the ccNSO Launching Group statement is posted to the ICANN Website pursuant to Section 4 (1) of the Article.

Whereas, in addition to posting, the statement is also being formally communicated to the ICANN Board, Staff, and the ICANN community.

Whereas, pursuant to the Article, as soon as feasible after this notification, 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) of the Bylaws.

Whereas, the ccNSO Launching Group will post the election procedures to begin this process after consultation with the members of the ccNSO, and looks forward to completing its work as set forth under the Article.

Whereas, the ccNSO Launching Group has provided to staff additional language changes of the ccNSO Bylaws for clarification purposes, and staff has reviewed and approved the additional ccNSO Bylaws

Resolved, [04.25] the Board recognizes and warmly welcomes the announcement of the constituted ccNSO as posted on 1 March 2004;

Resolved, [04.26] the Board requests that staff post the proposed clarifications to the ccNSO Bylaws on the ICANN Website for public comment;

Resolved, [04.27] the Board agrees to consider those proposed ccNSO Bylaws during the next Board Meeting.

Resolved, [04.28] the Board warmly thanks the ccNSO Launching Group for their hard work and looks forward to having the ccNSO Council meet at the next ICANN meeting.

### **In Memory of Hans Kraaijenbrink**

Whereas, the ICANN Board mourns the loss of its former member and colleague, Hans Kraaijenbrink, who passed away 5 November 2003;

Whereas, Hans served as an ICANN director from the creation of ICANN in 1998 until June 2003;

Whereas, Hans played a key role in the evolution and reform of ICANN seeking always to balance the interests and principles of many constituencies. Hans was always ready to serve when asked. His vision and determination will be sorely missed;

Whereas, we were most fortunate to be able to work with him over the past 5 years, and have offered our collective condolences to all of his friends and family. We hope that those close to him will be sustained in this sad time by the love of family and friends who knew and valued him as a friend and colleague;

Whereas, Hans played an important role in the Evolution and Reform Committee's work, in particular in the forming of the ccNSO, where his spirit, humor and dedication made working enjoyable, while making key contributions to this organization;

Whereas, we can be sure Hans would have been pleased to learn of the formal formation of ICANN's ccNSO on 1 March 2004.

Whereas, we have suffered a great loss, but celebrate Hans' life.

Resolved [04.29], that the following Vale be read into the record.

VALE

HANS KRAAIJENBRINK

It is with great sadness that the ICANN community learned of the passing of Hans. One of ICANN's first Board members, appointed in 1998, he was also one of its most enduring supporters.

Active from the start, he was instrumental in the organization's development, including its recent reform. A key participant on the Evolution Reform Committee, Hans worked with Alejandro Pisanty, Lyman Chapin and Nii Quaynor, to guide the organization towards reform. His tireless efforts show with production of new Bylaws for ICANN as well as new ccNSO bylaws, and the ongoing work with the RIRs.

Reform would not have happened without him. Hans was a great source of wisdom, an able negotiator, a firm defender standing on principles. His dedication to making ICANN work was endless - he believed in it, and his work and dedication reflected this. Following reform, he worked to improve the Board and staff processes, by Chairing the Governance Committee.

His tireless dedication for ICANN took many dimensions, a difficult mission in the face of big companies, special interests, clueless organizations and foes. Those who disagreed with him still admired his intelligence and iron will, even if they failed to appreciate the commitment and the reason that assisted him, as well as the joy with which he embarked on this journey.

He had a wicked sense of humour, given away only by the sparkle in his eye. He loved fine wine, food and good company. He treated his colleagues at ICANN, and the staff, with respect and equality – viewing himself as a team member, who happened to also sit on the Board, not to mention be incredibly active and respected in other international fora.

His untimely and sudden death is a great loss to the Internet community, and to ICANN. He was deprived of the opportunity to see the fruits of the hard work to which he still looked forward to commit renewed efforts. We will seek to fulfill his hopes and expectations for ICANN.

The Board, management and staff of ICANN send our deepest condolences to his partner, family and friends. Our dear friend and colleague Hans will be deeply missed by all who knew him during his all too short lifetime.

Vale Hans, our dear friend and colleague, vale.

### **Thanks to Elisabeth Porteneuve**

A Resolution in appreciation and thanks to Elisabeth Porteneuve.

Whereas:

Elisabeth has been a member of several distinguished organizations related to Internet activities including being the founding member and Vice President of the French Chapter of the Internet Society at its origin in 1996.

She also served as Counsel to General Director of AFNIC, (Association Française pour le Nommage Internet en Coopération) France, and Network Department Manager at CNRS (CETP laboratory).

Elisabeth participated as a country code representative in the International Forum on the White Paper, in 1998; the process that led to the creation of ICANN.

Elisabeth hosted the "Paris Draft" group working on the DNSO proposal at the end of January 1999, attended the founding meeting of ccTLD constituency of the DNSO in 1999, and contributed to its organization as one of the 7 founding constituencies of the DNSO.

Elisabeth has dedicated thousand of hours serving as the first ICANN/DNSO Secretariat between 1999 and 2001. She is the author of a concept and design of the electronic vote by email that was used by the DNSO/GNSO Council and some constituencies. She

managed the first election process for the DNSO which included the election of 3 board members.

After the country code managers initiated an effort to form their own Supporting Organization, Elisabeth lent both her energy and leadership to the formation of the ccNSO and also continued to support the new GNSO as a liaison.

Elisabeth has participated in an ad hoc group consisting of ccTLD members and also on the ICANN Security and Stability committee regarding updates to the ccTLD name servers in the IANA database.

Elisabeth served as a member of the ICANN Internationalized Domain Names (IDN) Committee since November 2001.

Elisabeth was elected a member of the Board of Directors of CENTR (Council of European National Top level domain Registries) at its inception in 1999 and also served on different committees and working groups, including serving as the chairperson of the CENTR IANA Working Group.

Elisabeth has traveled more than 320,000 kilometers or 8 times around the world, in the course of her work for ICANN.

We note with gratitude and affection the deep commitment and inevitable helpfulness with which Elisabeth greeted all members of our community. We will miss her ebullient personality and the enthusiasm that she brings to all that she does.

Therefore it is resolved [04.30] that:

The ICANN Board formally recognizes Elisabeth's service and outstanding contributions to the ccTLDs, ICANN, and the wider Internet community and that the Board expresses its good wishes to Ms Porteneuve for continued success in her future role and the hope that she will continue to make herself available for consultation in ICANN matters in the future.

#### **Thanks to Rome Meeting Hosts**

Whereas, ICANN has successfully completed its March 2004 ICANN meeting in Rome;

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 [04.31]:

The ICANN Board expresses its deep appreciation and thanks, on its own behalf and on behalf of all participants, to our hosts, Claudio Corbetta and Franco Denoth from Register.it S.p.A., DADA Group and IIT-CNR, respectively.

The Board also extends its thanks to all sponsors of the meeting, including Alitalia, Basic Fusion, DADA, Fashion District, Fastweb, InfoCamere, Italiatour, LogicBoxes, Nameintelligence, McArthurGlen, New.net, Olitalia, .Org, Radio 24, Seeweb srl, Tiko, Tuonome.it, VeriSign, and Web.com.

The Board thankfully acknowledges the hard work of the staff of the Register.it S.p.A., DADA Group and IIT-CNR, particularly Chiara Ronchetti and Giovanni Seppia.

We would like to acknowledge the effort made by the staff of the Melia Roma Aurelia Antica hotel to meet all of our many requests.

The Board expresses its great appreciation to the ICANN staff present here in Rome; Laura Brewer; and Terri Darrenougue and the rest of the ICANN staff for their dedicated efforts in ensuring the smooth operation of the meeting.

ICANN's Board of Directors met on 31 October 2003 in Carthage, Tunisia.



## 附件三

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# *GAC*運作原則修正草案

附件三、GAC 運作原則修正草案

**INTERNET CORPORATION FOR ASSIGNED NAMES AND  
NUMBERS**

**Governmental Advisory Committee (GAC)**

**Operating Principles Rev 6.3–AMENDMENTS adopted Rome, 3 March  
2004**

*{All Articles and Principles have been renumbered on the basis of the  
amendments adopted.}*

**Accredited Representative for GAC Member: \_\_\_\_\_**

**Each GAC Member that was not present at the Rome meeting is invited  
either to complete the ballot in this box, or to proceed to the distinct  
ballot boxes under each Article of the Operating Principles.**

**Agree to all the proposed amendments:**

Yes:No:Abstain:

Whereas:

**Whereas # 5, 6, & 7 amended.**

For:Against:Abstain:

1. The functions and responsibilities of the Internet Assigned Numbers Authority (IANA) have been transferred to a new private not for profit corporation, the Internet Corporation for Assigned Names and Numbers (ICANN).
2. ICANN's functions and responsibilities affect the functioning of the global Internet.
3. ICANN's Articles of Incorporation establish that the corporation shall operate for the benefit of the Internet community as a whole and shall pursue the charitable and public purposes of lessening the burdens of government and promoting the global public interest in the operational stability of the Internet by performing and co-ordinating functions associated with the technical management of Internet names and addresses.
4. a) The Articles of Incorporation and Bylaws establish that ICANN shall carry out its activities in conformity with relevant principles of international law and applicable international conventions and local law.  
  
b) ICANN is committed to carrying out its activities based on the principles of stability, competition, private bottom-up coordination, and representation.

*{The following amendments are to bring the Operating Principles into line with the ICANN Bylaws 2002.}*

**5. ICANN's Bylaws, Article XI Advisory Committees, Section 2.1**

**provide a Governmental Advisory Committee.**

- 6. The Governmental Advisory Committee should consider and provide advice to ICANN on the activities of ICANN, as they relate to concerns of governments and where they may affect public policy issues.**

**The Advice of the Governmental Advisory Committee on public policy matters shall be duly taken into account by ICANN, both in the formulation and adoption of policies.**

- 7. The GAC commits itself to implement efficient procedures in support of ICANN and to provide thorough and timely advice and analysis on relevant matters of concern with regard to government and public interests.**

Considering that:

<b>Considerings 1-4:No amendments.</b>
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1. The Internet naming and addressing system is a public resource that must be managed in the interests of the global Internet community;
2. The management of Internet names and addresses must be facilitated by organisations that are global in character.
3. ICANN's decision making should take into account public policy objectives including, among other things:
  - secure, reliable and affordable functioning of the Internet,

including uninterrupted service and universal connectivity;

- the robust development of the Internet, in the interest of the public good, for government, private, educational, and commercial purposes, world wide;
- transparency and non-discriminatory practices in ICANN's role in the allocation of Internet names and address;
- effective competition at all appropriate levels of activity and conditions for fair competition, which will bring benefits to all categories of users including, greater choice, lower prices, and better services;
- fair information practices, including respect for personal privacy and issues of consumer concern; and
- freedom of expression.

4. Country code top level domains are operated in trust by the Registry for the public interest, including the interest of the Internet community, on behalf of the relevant public authorities including governments, who ultimately have public policy authority over their ccTLDs, consistent with universal connectivity of the Internet.

## **ARTICLE I – SCOPE OF THE GOVERNMENTAL ADVISORY COMMITTEE**

<b>Article I – No amendments</b>
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**Principle 1**

The Governmental Advisory Committee (GAC) shall consider and provide advice on the activities of ICANN as they relate to concerns of governments, multinational governmental organisations and treaty organisations, and distinct economies as recognised in international fora, including matters where there may be an interaction between ICANN's policies and various laws and international agreements and public policy objectives.

**Principle 2**

The GAC shall provide advice and communicate issues and views to the ICANN Board. The GAC is not a decision making body. Such advice given by the GAC shall be without prejudice to the responsibilities of any public authority with regard to the bodies and activities of ICANN, including the Supporting Organisations and Councils.

**Principle 3**

The GAC shall report its findings and recommendations in a timely manner to the ICANN Board through the Chair of the GAC.

**Principle 4**

The GAC shall operate as a forum for the discussion of government and other public policy interests and concerns.

### **Principle 5**

The GAC shall have no legal authority to act for ICANN.

## **ARTICLE II – MEETINGS**

<b>Principles 7 &amp; 11 Amended</b>
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For:Against:Abstain:
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### **Principle 6**

The GAC shall meet at least once annually; notwithstanding this designated annual meeting, the GAC shall meet as appropriate.

### **Principle 7**

**A meeting may be convened on the initiative of the Chair, at the request of a Member or at the request of the ICANN Board. In the latter two cases, the request must be concurred in by one third (1/3) of the Current Membership.**

*{The previous provision – providing for the ICANN Board to convene the GAC - has never been invoked.}*

### **Principle 8**

Face-to-face meetings of the GAC shall be convened by the Chair, by a notice issued not less than twenty-eight (28) calendar days prior to the date set for the meeting. This notice may be issued electronically, via telefacsimile, or via airmail.<sup>2</sup>

### **Principle 9**

Online and electronic meetings of the GAC shall be convened by the Chair, by a notice issued not less than ten (10) calendar days prior to the date set for the meeting. This notice may be issued electronically, via telefacsimile, or via airmail.

### **Principle 10**

An emergency meeting of the GAC may be convened by the Chair, by a notice issued not less than ten (10) calendar days prior to the date set for the meeting. This notice may be issued electronically, via telefacsimile, or via airmail.

### **Principle 11**

**In addition to face-to-face meetings, meetings and discussions may be conducted online via secure communications. “Online” includes electronic mail and web-based communications, and teleconferences.**



*{Clarification of Principle 9 that deals with notice period for online and electronic meetings, this Principle now clearly states that the term “meeting” includes online meeting.}*

### **ARTICLE III- AGENDA**

<b>Article III – No amendments</b>
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#### **Principle 12**

A proposed agenda for the meeting shall be communicated to Members prior to the meeting.

#### **Principle 13**

Requests for items to be placed on the agenda of a forthcoming meeting shall be communicated to the Secretariat of the GAC in writing, either via electronic mail, telefacsimile or airmail.

### **ARTICLE IV – MEMBERSHIP**

<b>Principles 14, 15, &amp; 16 Amended</b>
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For:Against:Abstain:

*{Amendment to accommodate the situation where the Accredited Representative is unable to attend meetings in person, by providing for an Alternative Representative. Also to permit the appointment of more than one Adviser, should the need arise.}*

#### **Principle 14**

**Members of the GAC shall be national governments, multinational governmental organisations and treaty organisations, and public authorities, each of which may appoint one representative and one alternate representative to the GAC. The accredited representative of a Member may be accompanied by advisers. The accredited representative must hold a formal official position with the Member's public administration.**

**The term 'official' includes a holder of an elected governmental office or a person who is employed by such government, public authority or multinational governmental or treaty organisation, and whose primary function with such government, public authority or organisation is to develop or influence governmental or public policies.**

#### **Principle 15**

**Membership is open to all national governments. Membership is also open to distinct economies as recognised in international fora, multinational governmental organisations and treaty organisations, on the invitation of the GAC through the Chair.**

## **Principle 16**

**Representatives of governments and other public authorities, Members of GAC, have voting rights. Representatives of International Organisations and entities other than public authorities participate fully in the GAC and its Committees and Working Groups <sup>3</sup>, as Observers, but do not have voting rights.**

## **Principle 17**

Those who constitute the Current Membership are defined as those Members from whom the Chair has received formal notification of the name and contact details of their accredited representative. The list of current Members shall be updated regularly and be posted online.

*{Principle 17 bis, providing for the withdrawal of Membership from lapsed members, was not adopted in the Rome meeting.}*

## **ARTICLE V – OBSERVERS**

<b>Article V – No amendments</b>
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## **Principle 18**

Representatives of invited, non-member public authorities and other relevant entities may attend meetings of the GAC as observers, at the discretion of the Chair.

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## ARTICLE VI – REPRESENTATION

### Article VI – Principle 19 & 20 amended

For:Against:Abstain:

*{Reference to the Alternate Representative has been added, consistent with Principle 14 to allow the Alternate Representative to act instead of the Accredited representative in these circumstances should the need arise.}*

#### Principle 19

**If a Member’s accredited representative, or alternate representative, is not present at a meeting, then it shall be taken that the Member government or organisation is not represented at that meeting. Any decision made by the GAC without the participation of a Member’s accredited representative shall stand and nonetheless be valid.**

#### Principle 20

**In consideration of the GAC’s commitment to efficiency, there shall be no attendance or voting by proxy. Members may only be represented at meetings, both face-to-face and electronic, by their accredited representative, or designated alternate representative.**

**ARTICLE VII – CHAIR, VICE CHAIRS, OTHER OFFICERS AND  
COMMITTEES**

**Article VII – Title amended. Old Principles 21 & 29 deleted.  
New Principles 21, 22, 23, 26 & 27 amended.**

For:Against:Abstain:

*{Amendments to provide for the terms of the Chair and Vice Chairs, and to bring the Operating Principles into line with current GAC practice, including the creation of Working Groups.}*

**Principle 21**

**If the GAC moves to require additional officers other than the Chair, then up to three (3) Vice-Chairs shall be elected from among the Members. To the extent possible, the Vice-Chairs should appropriately reflect the geographic and development diversity of the membership. The Chair shall hold office for a term of two (2) years, renewable once. The Vice-Chairs shall hold office for a term of one (1) year and may be re-elected, however no person may serve as Vice-Chair for more than two consecutive terms.**

**Principle 22**

**The GAC Chair and Vice Chairs shall be elected by the Members of the GAC from among the representatives of governments and other public**

**authorities, Members of GAC, pursuant to procedures outlined under Article IX (Election of Office Holders) of these Operating Principles The elections of the Chair and Vice Chairs will be concurrent, as provided for in Principle 34.**

### **Principle 23**

**The GAC may designate other officers as necessary. Such officers include GAC-ICANN Liaisons, Convenors of Working Groups. Representatives of Observers may hold offices other than the Chair and Vice Chairs.**

### **Principle 24**

The Chair shall normally participate in the proceedings as such and not as the representative of a Member, in which case the Member may accredit another representative. The Chair may, however, at any time request permission to act in either capacity. The Vice Chairs shall participate in the proceedings as representatives of a Member.

### **Principle 25**

If the Chair is absent from any meeting or part thereof, one of the three (3) Vice-Chairs shall perform the functions of the Chair. If no Vice-Chairs were elected or if no Vice-Chair is present the GAC shall elect an interim Chair for that meeting or that part of the meeting.

### **Principle 26**

**If the Chair can no longer perform the functions of the office, the GAC shall designate one of the Vice-Chairs referred to in Principle 21 of these Operating Principles to perform those functions pending election of a new Chair in pursuant to procedures outlined under Article IX (Election of Chair and Vice Chairs) of these Operating Principles. If no Vice-Chair was elected, the GAC shall elect an interim Chair to perform those functions pending the election of a new Chair.**

**Principle 27**

**The Chair may propose to the GAC the creation of Working Groups to address relevant matters of concern with regard to government and public interest. Accredited Representatives may designate experts to serve on such working groups.**

**ARTICLE VIII – POWERS OF THE CHAIR**

**Article VIII – No amendments. Principles re-numbered.**

**Principle 28 (Previously 30)**

In addition to exercising the power conferred elsewhere by these Principles, the Chair shall declare the opening and closing of each meeting, shall direct the discussion, accord the right to speak, submit questions for decisions, announce decisions, rule on points of order and, subject to these rules, have

control of the proceedings. The Chairperson may also call a speaker to order if the remarks of the speaker are not relevant.

**Principle 29**

The Chair, with the consent of the meeting, may limit the time allowed to each speaker.

**Principle 30**

The Chair shall not normally have voting power; however in the event of a tie, the Chair shall have a casting vote.

**ARTICLE IX – ELECTION OF CHAIR AND VICE CHAIRS**

**Amendments to Title. Old Principle 33 Deleted. New Principles 31 & 35 amended. All Principles re-numbered.**

For:Against:Abstain:

*{Amendments to align as much as possible, the terms of office and election schedules for Chair and Vice Chairs.}*

**Principle 31**

**Elections for the Chair shall take place during the final three (3)**



**calendar months of every second year, beginning with the final three (3) calendar months in the second year following the first election. Elections for the Vice Chairs shall take place during the final three (3) calendar months of each year.**

**The results of each election shall formally be advised at the first meeting of the year following each election, and shall take effect from the end of that meeting.**

### **Principle 32**

For elections, the candidate with the most votes shall be elected to the position that he or she has stood for.

### **Principle 33**

Nominations for candidates to elected positions shall be circulated at least four (4) weeks prior to the final three (3) calendar months of each election year.

### **Principle 34**

For elections, votes shall be taken by ballot. This includes the taking of votes in person, by airmail ballots or ballots transmitted by telegraph, electronic mail or facsimile. The method of ballot shall be determined by a majority vote by roll call or by the raising of cards by the voting Member's representatives present at the meeting at which the decision as to the method of ballot was taken.

### **Principle 35**

*{The elections undertaken to date have all resulted in the nominations being confirmed by acclamation. It is therefore proposed that this possibility be reflected in the Operating Principles.}*

**If votes are to be taken in person, then ballot papers shall be distributed to Members' representatives at that meeting, and a ballot box placed in the conference room. However, the representative, or alternate representative, of any Member may request, or the Chair may suggest, that a vote be taken by the raising of cards, by roll call or in the event of a single candidate, by acclamation.**

### **Principle 36**

If votes are to be taken by airmail ballots or ballots transmitted by telegraph, electronic mail or telefacsimile, then ballot papers shall be distributed to Members' representatives present at the meeting, and a notice shall be sent to each Member. The notice shall contain such information as the Chair considers necessary and a clear statement of the question to which each Member shall be requested to answer "yes" or "no", or in the case of an election a clear statement to which each Member shall be requested to indicate preference for one (1) candidate to be elected to the nominated position.

### **Principle 37**

If votes are taken by airmail ballots or ballots transmitted by telegraph, electronic mail or telefacsimile, the Chair shall determine the date and hour

by which votes must be received. The time-limit shall be set at no later than 30 days after the date the notice is sent. Any Member from whom a vote has not been received within such time-limit shall be regarded as not voting.

### **Principle 38**

Members entitled to participate in a vote by airmail ballots or ballots transmitted by telegraph, electronic mail or telefacsimile are those which are Members at the time of the decision to submit the matter in question to a vote.

### **Principle 39**

Where the taking of votes for elections is by airmail ballots or ballots transmitted by telegraph, electronic mail or telefacsimile, then the results of the ballot shall be formally advised at the first meeting in the year following the election, and shall take effect from the end of that meeting.

## ARTICLE X – CONDUCT OF BUSINESS

### Principle 40 Amended

For:Against:Abstain:

### Principle 40

**One third of the representatives with voting rights shall constitute a quorum at any meeting. A quorum shall only be necessary for any meeting at which a decision or decisions must be made. The GAC may conduct its general business face-to-face or online.**

*{The Rome meeting considered that a quorum of one third is more realistic than the current quorum of one half, bearing in mind that nearly all GAC decisions are taken by consensus and in future may also be taken on-line, thus associating all Members. Consequently it will be exceptional for a face-to-face meeting to have decisions before it that must be made.}*

A Member may initiate an online discussion of a question by forwarding to the Chair a request for the opening of an online discussion on a specific topic. The GAC Secretariat will initiate this discussion and all Members may post their contributions during a period of time established by the Chair, the period of which is to be no longer than sixty (60) calendar days. At the end of this discussion period, the Chair will summarise the results of the discussion and may forward the results to the ICANN Board. Nothing in this Principle overrides the decision making processes set out elsewhere in these Operating Principles.

### Principle 41

Representatives of Members shall endeavour, to the extent that a situation permits, to keep their oral statements brief. Representatives wishing to develop their position on a particular matter in fuller detail may circulate a written statement for distribution to Members.

**Principle 42**

Representatives should make every effort to avoid the repetition of a full debate at each meeting on any issue that has already been fully debated in the past and on which there appears to have been no change in Members' positions already on record.

**Principle 43**

In order to expedite the conduct of business, the Chair may invite representatives who wish to express their support for a given proposal to show their hands, in order to be duly recorded in the records of the GAC as supporting statements; thus only representatives with dissenting view or wishing to make explicit points or proposals would actually be invited to make a statement. This procedure shall only be applied in order to avoid undue repetition of points already made, and will not preclude any representative who so wishes from taking the floor.

## **[ARTICLE X BIS – THE SECRETARIAT**

*{Replaces Principle 29}*

**Article X Bis was not agreed at Rome and was referred to Working Group 7, Structure and Finance for further consideration.**

### **Principle nn**

The Secretariat of the Governmental Advisory Committee shall undertake such administrative, coordination, liaison and research activities as shall be necessary for the efficient functioning of the GAC. The Secretariat shall facilitate communications among the GAC Chair, Vice Chairs, other Officers, the GAC Membership and with ICANN.

The Secretariat participates in all GAC meetings.

### **Principle nn+1**

The Secretariat shall comprise the Head of Secretariat and such other staff as are necessary for its work.

### **Principle nn+2**

The Secretariat shall act at the request of, and under the authority of, the Chair and Vice Chairs.

### **Principle nn+3**

The Secretariat shall be financed by such means as shall be agreed by the GAC Members.]

## **ARTICLE XI – PROVISION OF ADVICE TO THE ICANN BOARD**

**Articles XI - XIII – No amendments**

### **Principle 44**

Advice from the GAC to the ICANN Board shall be communicated through the Chair.

### **Principle 45**

The GAC shall work to achieve consensus; however, where consensus is not possible, the Chair shall convey the full range of view expressed by Members to the ICANN Board.

### **Principle 46**

The GAC may deliver advice on any other matter within the functions and responsibilities of ICANN, at the request of the ICANN Board or on its own initiative. The ICANN Board shall consider any advice from the GAC prior

to taking action.

## **ARTICLE XII – RECORDS**

### **Principle 47**

Records of the meetings of the GAC shall be in the form of Executive Minutes.

## **ARTICLE XIII – PUBLICITY OF MEETINGS**

### **Principle 48**

The meetings of the GAC shall ordinarily be held in private. The Chair may decide that a particular meeting, or part of a particular meeting, should be held in public.

### **Principle 49**

After a private meeting has been held, the Chair may issue a communiqué to the Media, such communiqué having been approved by the GAC beforehand.<sup>4</sup>

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## ARTICLE XIV – REVISION

*Article XIV: Proposed amendments not adopted in Rome, pending further consideration.*

*Principles re-numbered*

### **Principle 50**

The GAC may decide at any time to revise these Operating Principles or any part of them.

### **Principle 51**

A Member or Members may move for these Operating Principles to be open to revision. If so moved, the Chair shall call for the movement to be seconded. If so seconded, then the Chair shall call for a vote to support the resolution. The deciding vote may, by ballot, by the raising of cards, or by roll call, and shall constitute a simple majority of the Members. If so resolved in favour of a revision of these Operating Principles, then the proposal shall sit for consultation for a period of sixty (60) days. Following the sixty days, the Chair shall call for a vote for or against the proposal. The deciding vote may be taken by ballot, by the raising of cards, or by roll call, and shall be a simple majority of the Members.

## ARTICLE XV – GENERAL PROVISIONS

**Article XV – No amendments.**

**Principle 52**

Whenever there is a difference in interpretation between the principles set out in these Operating Principles and ICANN’s Articles of Incorporation and Bylaws, ICANN’s Articles of Incorporation and Bylaws shall prevail.

