

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)第十九次會議報告書

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出國地區：馬來西亞吉隆坡
出國期間：九十三年七月十六日至七月二十四日
報告日期：九十三年九月二十七日

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出席〈網際網路名稱與號碼指配機構〉(ICANN)第十九次會議報告書

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出國類別: 其他

出國地區: 馬來西亞

出國期間: 民國 93 年 07 月 16 日 -民國 93 年 07 月 24 日

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內容摘要: 「網際網路名稱與號碼指配機構」(ICANN)第十九次會議暨其政府諮詢委員會(GAC)會議於九十三年七月十七日至二十三日在義大利羅馬舉行。本次會議我國係由交通部電信總局、外交部國際組織司、台灣網路資訊中心及國家資訊基本建設(NII)產業發展協進會共同組團與會。會議討論重點包括 ccTLD 之委任及管理原則、GAC 運作原則相關條文之修訂及未來組織型態與財務來源之討論,同屬性名稱支援組織(GNSO)、位址支援組織(ASO)、WIPO II 建議、國際化域名及 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)第十九次會議暨其政府諮詢委員會(GAC)會議於九十三年七月十七日至二十三日在義大利羅馬舉行。本次會議我國係由交通部電信總局、外交部國際組織司、台灣網路資訊中心及國家資訊基本建設(NII)產業發展協進會共同組團與會。

會議討論重點包括 ccTLD 之委任及管理原則、GAC 運作原則相關條文之修訂及未來組織型態與財務來源之討論，同屬性名稱支援組織(GNSO)、位址支援組織(ASO)、WIPO II 建議、國際化域名及 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

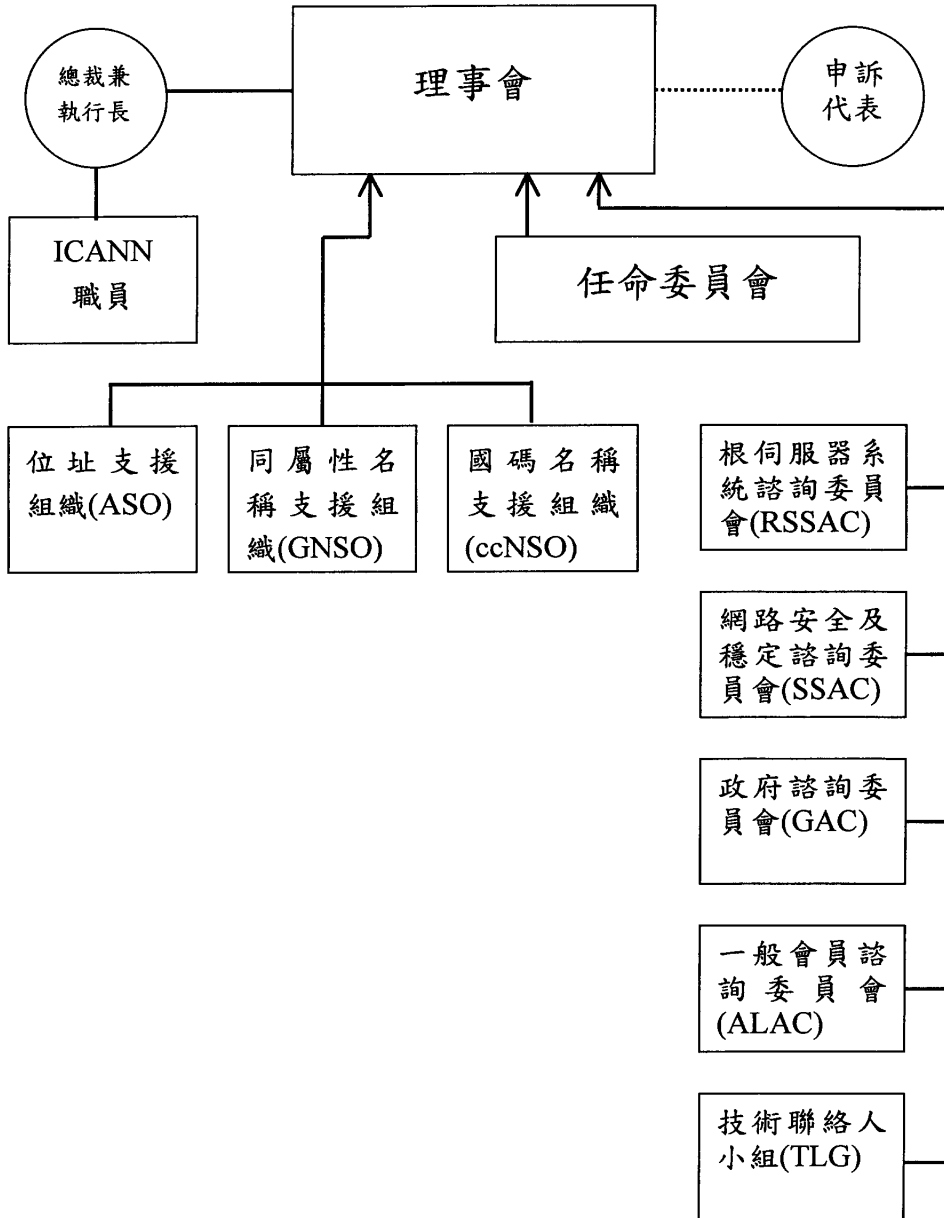
ICANN 係一全球性、非營利、共識導向的國際性機構(International corporation)，一九九八年十月成立於美國加州，負責監督原由美國政府管理之部分網際網路技術管理功能(Internet technical management functions)、通訊協定參數及通訊埠(Protocol Parameters and Port)之協調、域名系統(DNS)之管理、IP¹位址之分配暨指派及根伺服器系統(root server system)之管理，以維持全球網際網路運作之穩定性、可靠性及安全性為其主要宗旨。

(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：

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

依二〇〇二年十二月十五日 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) – 理事會主席
- 2) Alejandro Pisanty (Mexico) – 理事會副主席
- 3) Thomas Niles (USA)
- 4) Tricia Drakes (UK)
- 5) Ivan Moura Campos (Brazil)
- 6) Raimundo Beca (Chile)
- 7) Njeri Rionge (USA)
- 8) Mouhamet Diop (Senegal)
- 9) Veni Markovski (Bulgaria)
- 10) Hagen Hultzsch (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需求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。該組織業於於羅馬會議期間(九十三年三月一日)正式宣布成立。
- 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 第十九次會議

一、會議時間、地點及議程

- (一) 時間：九十三年七月十七日至二十三日
- (二) 地點：馬來西亞吉隆坡
- (三) 議程：詳 ICANN 網站 <http://www.icann.org/meetings/kualalumpur/>

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，謹簡述重要會議內容如下：

(一) 政府諮詢委員會(GAC)會議

政府諮詢委員會(GAC)於二〇〇四年七月十七日至二十日在馬來西亞吉隆坡召開會議，出席成員包括來自 48 個會員及 7 個觀察員之代表。

GAC 歡迎喀麥隆、克羅埃西亞、印尼、立陶宛、烏克蘭及斯洛伐克等新會員之加入。確認奈及利亞 Gabriel Olalere Ajayi 及墨西哥 Luis Pablo Hinojosa 兩位新任副主席之當選，並通過於二〇〇四年最後一季舉辦 GAC 主席及副主席之選舉。

討論事項

1. 與 ICANN 理事會之討論

GAC 對 ICANN 理事會所作簡報表示歡迎，尤其是 ICANN 肯定 GAC 有關公共政策建議之價值及重要性乙節。GAC 並歡迎 GAC 代表及 ICANN 成員之參與。

GAC 重申 ICANN 適時就公共政策議題徵詢 GAC 意見之重要性。

2. 與網路安全及穩定諮詢委員會(SSAC)之討論

會中 SSAC 就 .com 及 .net 網域 Wild Card 服務及域名註冊管理機構採用 DNSSEC 等議題提出報告。GAC 主席對 SSAC 主席之報告表示歡迎，尤其是涉及政策之部分。

3. 修訂 GAC 運作原則及 WG7

本次會議出席會員數共計 48，超過目前會員總數(92)之二分之一，故已達最低出席人數標準。

GAC 就「GAC 運作原則修正條文」進行逐條討論，相關修正條文詳附件。至於交 WG7 再研議之條文(Article IV, Principle 14, 15, 17 & 25; Article VII, Principle 29; Article X bis; Article XIV) 將置於 GAC 網站之會員專區及 WG7 討論區。其他 GAC 組織架構、財務暨其秘書處議題亦將由 WG7 作進一步討論。雖然時程未定，預期該小組將提出相關建議草案，俾利開普頓會中續行討論並作出決議。

有關 GAC 會員代表名單，將配合此次會議決議將政府間組織改列為觀察員。

4. GAC 國碼頂級域名(ccTLD)委任暨管理原則

GAC 持續討論「GAC ccTLD 委任暨管理原則之修正案」，並決議將若干爭議條文交工作小組再議，預期下次開普頓會議草案才會定案通過。此外會中並提出希將 ccTLD 委任暨管理「原則」及「最佳實務」之相關條文區別出來，俾利討論。現版修訂條文詳附件二。

5. 國碼名稱支援組織(ccNSO)

GAC 首度與 ccNSO 作此對話，期望未來能與 ccNSO 合作，並對 ccNSO 提出成立 GAC-ccNSO 聯絡小組之邀請表示歡迎。成員原則將包括五大地理區域之代表，其中 GAC 代表如下：Martin Boyle(英)、Pablo Hinojosa(墨西哥)、Takuya Miyoshi(日)、Thomas de Haan(挪威)、及 James Kilaba(坦尚尼亞)。

對於 ccNSO 擬廣開與 ccTLD 社群之對話，GAC 表示歡迎。並鼓勵持續招募 ccNSO 會員。

6. 同屬性名稱支援組織(GNSO)

GAC 與 GNSO 業已建立聯繫管道，並將與 GNSO 評議會定期交換資訊。短期內，GAC 將著重於 WHOIS 新政策擬定及增設頂級域名等公共政策。

7. ICANN 緊急應變計畫

依據 ICANN 總裁就美國商務部與 ICANN 洽簽之 MoU 中該要求所作回應報告，若有需要，GAC 樂於自 ICANN 五大區域各選派一 GAC 代表參加緊急應變計畫諮詢委員會。

8. 位址支援組織(ASO)

GAC 鼓勵 ASO MoU 之洽簽，並仍堅持在 ICANN 多元參與之架構下，嚴守透明化及由下而上之決策過程。

為鼓勵非洲地區之網際網路發展，GAC 支持 ICANN 早日通過 AFRINIC 之認可案，讓 AFRINIC 成為區域性網際網路註冊管理機構 (RIR)。

GAC 呼籲 ASO 與 GAC 及其他支援組織、諮詢委員會設立有效之聯絡管道，並建議 ASO 廣納會員，以涵蓋各種不同利益。

9. WIPO II 建議

GAC 重申其在里約熱內盧及蒙特婁會議 GAC 公報中所作有關 WIPO II 之建議聲明，感謝聯合工作小組之努力，並樂見期末報告之提出。

決議在 ICANN 理事會討論聯合工作小組之報告前暫不採取動作。

10. 世界資訊社會高峰會(W SIS)/網路治理工作小組(WGIG)

GAC 主席再次籲請 GAC 會員與其國內 WSIS 及 WGIG 代表保持良好聯繫，指出若干國家之 WSIS 代表不清楚該國在 GAC 之參與情形。未來之工作重點將放在訂於二〇〇四年九月在甘比亞首都班竹舉辦之非洲地區 WSIS 會議。

11. GAC 吉隆坡區域性論壇

GAC 於七月十七日舉辦一場含括國際化域名(IDN)及 IPv6 研討會之區域性論壇。

本次 ICANN 與 ISOC 合辦國際化域名 (Internationalized Domain Name ; IDN)研討會，主要是討論非英語系國家網路使用者，在瀏覽器(如 MS Internet Explorer)網址列輸入以當地文字為架構的網址時，所遭遇到的困難與挑戰。

IDN 不論在技術層面或是註冊政策上，都是 ICANN 國際化工

程中最重要的一環。該研討會由 ICANN 理事 Dr. John Klensin 主持，並邀請歐亞相關專家、IDN 服務廠商、gTLD & ccTLD 管理單位以及用戶代表發表演講，我國 TWNIC 技術組組長許乃文先生便以”IDN Whois”為題，發表 TWNIC 對於 IDN 在 Whois 系統管理以及用戶使用上所碰到的一些問題與解決之道。本次研討會也等於將所有相關 IDN RFCs 以及各項技術標準作了一個通盤介紹，並期望 ICANN 與各 gTLD & ccTLD registry 能共同推廣普及 IDN 的使用率。

在 IPv6 研討會方面，我國 TWNIC 曾董事長憲雄，亦在會中代表我國介紹 IPv6 之應用及發展。

12. 國際化域名

GAC 瞭解 IDN 之導入及發展須獲各方之合作協調，感謝 ICANN 於 7 月 21 日舉辦 IDN 研討會之倡議，讓語言、技術專家以及其他相關人員得以齊聚一堂共商佈建 IDN 之解決方案，並將語言、文化因素一併列入討論。更感謝 ICANN 在推動、加速 IDN 佈建上所作努力。

GAC 促 ICANN 確保 IDN 標準及語言對照表之建立能充分採納各方建議，尤其是使用相關語言之社群。

13. IPv6

GAC 注意到過去在推動 IPv6 所作努力、目前網際網路各系統之 IPv6 推動情形及未來努力重點。

對 ICANN 理事會之決定、修改 IANA 行政程序讓頂級域名伺服器之 IPv6 位址得以順利加入根區域(root zone)中，GAC 表示歡迎，並支持 ICANN 對佈建 IPv6 所作努力。

GAC 下次會議訂於二〇〇四年十一月二十九日至十二月二日在南非開普頓舉行。

(二) 國家碼支援組織(country code Name Support Organisation; ccNSO) 會議

ICANN ccNSO 於本次 ICANN 吉隆坡會議期間召開 ccNSO Council 成立後的第一次正式會員會議，為期二日(七月十九、二十日)。計有來自全球五大洲近四十個 ccTLD 代表(含十九個 ccNSO 會

員、十九個非會員及多位觀察員)出席本會。本次的會議代表 ccNSO 正式在 ICANN 組織架構底下運作，未來將負責向 ICANN 理事會提出國家碼網域名稱相關政策建議，扮演 ICANN 與 ccTLD 社群之間的橋樑角色。

ccNSO 於二〇〇四年 ICANN 羅馬會議期間(三月一日)達到三十個會員的成立門檻而宣佈正式成立，並於吉隆坡會議之前完成區域代表(Council Member)選舉，選出澳洲 Christopher Disspain 等十五名區域代表，Christopher Disspain 亦在本次會議中被選為臨時主席。本次 ccNSO 會議還討論多項議題，包括 ccTLD 相關最新發展概況，ICANN 與 ccTLD 社群關係及 ccNSO 本身機制設置等。

在第一次 ccNSO council 會議中，會員們特別針對責任架構、ICANN 預算、委任及再委任、WSIS 等議題，設立委員會，希望能以 ccNSO 的角色，協助 ICANN 建立與 ccTLD 管理組織之良好互動關係。其他相關訊息，請參閱 <http://ccnso.icann.org/>。

(三) 一般會員諮詢委員會 (ALAC) 會議

這次亞太區 At-Large 事務的討論，重心放在 RALO (Regional At-Large Organization)的形成上。由於這次參與的 ALS (At-Large Structure)主要集中在北亞，其他許多位於亞太其他區域的網路組織尚未正式申請成為 ALS，故 RALO 未來對於 Outreach 的活動以及能力上，就顯得格外重要。會議中現任 ALAC 代表 Tommy Matsumoto 介紹了近期 APNG 的活動，另外 ALAC 主席 Vittorio Bertola 也說明了 At-Large 在其他區域的活動概況。目前各 ALS 正研議如何在下次 ICANN 之前，將 RALO 設立起來，以建立其輔助 ICANN 在亞太區與一般用戶溝通的角色。

(四) 世界資訊社會高峰會(WSIS)研討會

會議首先由 ICANN 總裁 Dr. Paul Twomey 及聯合國網路治理工作小組秘書處執行長(Executive Coordinator)瑞士籍之 Mr. Markus Kummer 簡報。

T 總裁從 ICANN 的角度談網路治理，認為網路治理包涵甚廣，包括技術、商業、社會、應用等各層面。遠超過 ICANN 所負責者，在網域名稱系統及位址之技術協調這部分無疑是較有組織的，但在垃圾郵件(SPAM)、網路詐欺、網路課稅等超出 ICANN 職掌之範疇，

則亟需採取行動解決相關問題。ICANN 樂於提供本身在 multi-stakeholder 組織運作上之經驗供 WSIS 參考。相信此制確實有助全球網路治理問題之解決。

Mr. Kummer 則介紹 WSIS 網路治理議題及網路治理工作小組之最新進展及規劃。該小組之秘書處業於今（二〇〇四）年七月一日開始運作。有關小組成員，將自聯合國會員中選出 15-20 位代表，預定將於十月份完成小組成員之選任，隨後召開一系列內部會議及公開意見徵詢會議，計劃於二〇〇五年二月第二次籌備委員會會議提出初步報告，同年四、五月再度徵詢意見，並於二〇〇五年七月前提出正式報告。

接下來則開放與會人員自由發言，其中 Wolfgang Kleiuwachte 教授建議可仿電信基本服務及增值服務之區分方式，將根伺服器、號碼及位址等基礎建設、以及域名系統、WHOIS 和其他基礎服務 (enabling services) 劃歸基本服務，電子商務、網路犯罪與垃圾郵件之防制等則劃為增值服務。採分層管理，對基本服務政府原則不需規範或採低度管理。ICANN 理事會主席 Vint Cerf 亦發言強調分層管理概念之重要性，指出談網路治理必須考量技術上之限制，認為網路治理應著重於網路應用層面及濫用之管制。

(五) ICANN 理事會會議

經過討論，ICANN 理事會做出下列決議：

1. 正式通過 ICANN 二〇〇四—二〇〇五會計年度預算

依據 ICANN 章程 Article XVI, Section 4 規定，「ICANN 總裁最遲應於每個會計年度開始前 45 天完成 ICANN 下個會計年度的預算提案，提交 ICANN 理事會，並公布於 ICANN 網站。內容包括預估之經費來源以及預算，並應在可能的範圍內詳列實際的費用項目。該年度預算應經 ICANN 理事會正式通過，並且公布於 ICANN 網站。」

根據 ICANN 章程，ICANN 於二〇〇四年五月十七日公布其二〇〇四—二〇〇五會計年度預算提案。

該預算草案係與 ICANN 各支援團體、預算諮詢小組，以及 ICANN 理事會財務委員會經過一連串通盤的協商所編列，並於二〇〇四年七月二十一日公布修訂草案。

ICANN 理事會財務委員會審閱預算草案以及預算修訂草案後，認為照案通過最符合 ICANN 利益。

決議 [04.56]：ICANN 理事會正式通過 ICANN 2004-2005 會計年度預算案。

決議 [04.57]：授權 ICANN 總裁及工作人員持續與各支援團體合作訂出經費徵收機制及模式。

2. ICANN 理事會所屬各委員會任命人選

決議 [04.58]：正式確立下列 ICANN 理事會所屬委員會會員資格。

稽核委員會：

Raimundo Beca、Veni Markovski、Thomas Niles，以及 Njeri Rionge（主席）。

ICANN 理事會管理委員會：

Ivan Campos、Mouhamet Diop、Tricia Drakes、Hagen Hultzsich、Thomas Niles，以及 Alejandro Pisanty（主席）。

利益衝突委員會：

Raimundo Beca、Hagen Hultzsich（主席）、Michael Palage、Hualin Qian，以及 Njeri Rionge。

執行委員會：

Tricia Drakes、Hualin Qian，以及 Njeri Rionge，另外還有 ICANN 理事會主席、副主席，以及當然委員 ICANN 總裁 Paul Twomey。

財務委員會：

Ivan Campos（主席）、Tricia Drakes、Hagen Hultzsich、Thomas Niles，以及 Michael Palage。

會議委員會：

Ivan Campos、Mouhamet Diop、Veni Markovski（主席）、Michael Palage，以及 Hualin Qian。

覆議委員會：

Raimundo Beca、Tricia Drakes（主席）、Veni Markovski，以及 Njeri Rionge。

3. 網域名稱註冊管理機構(Registry)/註冊受理機構(Registrar) 要求推遲可延伸供應通訊協定 (Extensible Provisioning Protocol, 簡稱 EPP) 之實施期限

在二〇〇四年三月二十六日公布的 RFC 3730、3731、3732、3733、3734，以及 3735 要求大部分的 gTLD 登記註冊經營業者在二〇〇四年八月一日之前實施 EPP 1.0。

然而 Registry 及 Registrar 支援團體聯合要求展期。鑒於，Registry 及 Registrar 支援團體已經召開會議試圖研擬 gTLD Registry 全面實行 EPP 1.0 之共同合作計畫。

該作法有利 Registrar 之轉換與執行作業。

由該聯合要求可以看出共同合作實行計畫正在推動，而且非常可行。

核准所要求的寬限期將有助 EPP 1.0 之順利轉換以及實行，而且對 gTLD Registry、Registrar 以及登記註冊者都有利。

決議 [04.59]: ICANN 總裁以及法律總顧問已獲授權展延 gTLD Registry 實行 EPP 的期限至二〇〇四年十二月三十一日。

4. 總裁 WIPO II 工作小組建議

世界智慧財產權組織 (World Intellectual Property Organization, 簡稱 WIPO) 於二〇〇三年二月二十一日應 WIPO 會員國要求發送一封正式信函給 ICANN，傳達有關政府間國際組織名稱/縮寫以及國家名稱的兩項決定。

依 ICANN 理事會的要求，ALAC、GNSO 評議會、GAC、GNSO 的智慧財產權與商業及企業使用者支援團體紛紛提出建議與意見。

ICANN 理事會決議 [03.83] 指示 ICANN 總裁成立一囊括 GNSO、ALAC、GAC 以及 ICANN 理事會成員之工作小組，

分析執行 WIPO 建議的現實以及技術問題，尤其是 UDRP 的意涵。

在 ICANN 理事會決議 [03.84] 中進一步決議，ICANN 總裁以及法律總顧問調查並且分析 ICANN 使命與 WIPO 在二〇〇三年二月二十一日信函所提建議之法律關係，並且向依據 [03.83] 決議所組成的工作小組以及 ICANN 理事會報告調查與分析的結果。

決議 [04.60]：ICANN 理事會在此感謝主席 Jonathan Cohen 以及 WIPO II 總裁工作小組的成員準備這份報告。

決議 [04.61]：ICANN 總裁與工作人員應該著手進行調查並且分析該工作小組報告，以及法律總顧問針對 ICANN 使命與二〇〇三年二月二十一日 WIPO 信函之法律關係所提出的建議。

決議 [04.62]：經調查與分析，ICANN 總裁以及工作人員應在南非開普敦會議前向 ICANN 理事會提出建議，俾利 ICANN 理事會於會議期間就 WIPO II 的建議作出決定。

5. SSAC 就擅自變更 COM 與 NET 網域網頁指向議題提出報告

SSAC 於二〇〇四年七月九日所提出之報告，ICANN 理事會業已收悉。

該份報告係二〇〇四年七月十九日—二十三日 ICANN 吉隆坡會議討論的重點之一。

除了其他調查結果與建議之外，該份報告指出，由於 DNS wildcards 的規格以及使用有瑕疵，應針對 RFC 定義予以檢視並作必要之修正，以澄清 DNS 通訊協定綜合回應之使用，並提供相關指引。

決議 [04.63]：ICANN 理事會感謝主席 Steve Crocker 以及 SSAC 成員所提報告。

決議 [04.64]：ICANN 理事會指示總裁以及工作人員洽網際網路架構小組(IAB)確認其對 DNS wildcards 標準的解釋。

決議 [04.65]：ICANN 理事會建議在相關標準解釋確定之前，不應在 TLDs 中加入任何新的 wildcards 應用。

決議 [04.66]：ICANN 理事會建議，Registry 服務當中任何實質的改變都應該經過慎重的考慮、適當的通知、並給予社群檢視、討論，以及形成共識的機會。

6. 資訊社會世界高峰會

ICANN 理事會感謝來自 ICANN 支援團體的主辦單位舉辦該場有關資訊社會世界高峰會(World Summit on the Information Society, 簡稱 WSIS) 的研討會，尤其肯定 ALAC、企業支援團體、Registry 以及 Registrar 的倡議。

ICANN 理事會感謝 UN 網際網路治理工作小組 (WGIG) 秘書長 Markus Kummer 先生參與此次 ICANN 會議，以及他所提供之 WGIG 進展報告。

此外 ICANN 理事會亦肯定所有支援團體以及 Markus Kummer 先生對該研討會的貢獻。

ICANN 理事會體認 ICANN 參與 WSIS 討論之利益，尤其是有關 WGIG 之成立與工作內容之討論。

ICANN 理事會重申 ICANN 協助提供 UN 工作小組相關資訊，以及以技術社群、私部門、民間社團以及政府集合體的角色協調網際網路系統單一識別碼系統參數與其相關技術政策的意願。

ICANN 理事會瞭解全球許多組織團體參與網際網路之發展、創新、服務提供以及管理，並表達其在 ICANN 宗旨下與相關組織團體合作的意願。

決議 [04.67]：ICANN 理事會正視 ICANN 在必要時提供 UN 工作小組以及 WSIS 程序的參與者其使命相關資訊以及深入參與的價值。

7. 國際化網域名稱

ICANN 理事會體認在網際網路發展上方便非 ASCII 字元組的使用者使用網路資源之重要。

ICANN 理事會了解網際網路網域名稱系統的國際化必須透

過公開、非專利，而且符合網際網路現行的點對點模式之標準，並保留全球域名之唯一性。

IETF 已經正式採認定義國際化網域名稱 (IDN) 應用標準的通訊協定 RFC 3490、3491、3492 以及 3454。

在 ICANN 社群中，許多 Registry、專家以及其他相關人士多年來致力於 Registry 層面域名註冊政策之制定，例如 RFC 3743。

ICANN 理事會已要求工作小組調查並列出 IDN 相關議題以及委員會先前提出之議題。

ICANN 理事會重申以協調合作的方式來推動 IDN 技術標準的重要性，如此才不會動搖這個全球性、單一根、單一識別碼系統。

ICANN 理事會承認許多讓一般使用者得以點對點使用 IDN 的重大工作係在 ICANN 範疇之外進行，故彼此必須密切合作。

ICANN 承諾將進一步致力頂級域名 IDN 之研究，同時承諾促進 IDN 的討論管道，並且鼓勵 IDN 的推動。

決議 [04.68]: ICANN 工作人員向 ICANN 理事會以及社群報告 IDN 推動的情形以及待決議題。

決議 [04.69]: ICANN 工作人員與 Registry 及使用 IDN 的其他管理機構合作提出 IDN 可用性、成果以及其他相關經驗報告。

決議 [04.70]: 感謝 IDN 研討會之主辦單位以及與會者對研討會的重要貢獻，並且分享 IDN 實作的相關知識。

決議 [04.71]: ICANN 理事會指示 ICANN 總裁成立 IDN 總裁諮詢委員會，俾就 IDN 政策議題提供 ICANN 理事會以及 ICANN 社群相關建議，尤其是在頂級域名方面影響 IDN 實作的相關議題。

8. 指定南非開普敦為二〇〇四年年會會議地點

ICANN 章程 Article VI, Section 13 要求每屆 ICANN 年會必須在 ICANN 總部或 ICANN 理事會選定之其他適當的地點召開，只要該會議按規定在上屆年會後十四個月之內舉行。

ICANN 理事會下次會議將訂於二〇〇四年十二月五日在南非開普敦召開。

決議 [04.72]：ICANN 理事會正式指定二〇〇四年十二月五日在南非開普敦召開的會議為 ICANN 二〇〇四年年會。

9. 恭賀 ccNSO 委員會首次會議之召開

ICANN 理事會在蒙特婁會議[03.106]決議中正式通過成立 ccNSO 之 ICANN 章程增修條文。

ICANN 理事會決議 [03.108]，由 ccNSO 支援小組的九位 ccTLD 會員再徵求六位會員共組 ccNSO 籌備小組。

ICANN 理事會決議 [03.109]，籌備小組必須負責徵求其他 ccTLD 經理人參與，一旦會員滿三十位 ccNSO 即視為正式成立。

ICANN 理事會進一步決議 [03.110]，籌辦小組應有權制定第一屆 ccNSO 評議會成員之選舉時間表以及程序。

ICANN 理事會於二〇〇四年三月六日在羅馬召開 ICANN 理事會會議時認可並且熱烈歡迎於二〇〇四年三月一日宣布正式成立的 ccNSO。

ccNSO 正式通過選舉程序並且成功選出第一屆 ccNSO 評議會成員。

選舉監督人於二〇〇四年六月二十三日發布選舉報告。

ICANN 理事會知悉籌備小組於完成首屆 ccNSO 評議會選舉時間表與程序即正式完成其任務。

ICANN 理事會誠摯感謝 ccNSO 籌備小組成員的辛勤與付出。

ccNSO 評議會選出 Chris Disspain 任 ccNSO 評議會臨時主席。

ccNSO 於二〇〇四年七月二十一日在吉隆坡成功召開 ccNSO 評議會首次會議。

決議 [04.73]：ICANN 理事會向選舉監督人、Hartmut Glaser、Ken Fockler，以及 Jim Higgins 表達誠摯的謝意，感謝他們舉辦第一次 ccNSO 評議會選舉之辛勞，並恭賀 Chris

Disspain 獲選為 ccNSO 評議會臨時主席，亦恭賀 ccNSO 評議會成員(Victor Ciza; Paulos B. Nyirenda; Yann Kwok; Hirofumi Hotta; Christopher Disspain; Young Eum Lee; Bart Boswinkel; Olivier Guillard; Petr Kral; Patricio Poblete; Eduardo Santoyo; Oscar Alejandro Robles-Garay; Dotty Sparks de Blanc; Bernard Turcotte, 以及 Fernando Espana)第一次會議圓滿成功。

10. 認可 AfriNIC 的申請

AfriNIC 在落實 ICP-2 條款方面已經跨出一大步，並且進一步爭取 ICANN 初步認可及最終全面性認可。

ICANN 接獲 AfriNIC 二〇〇四年七月二十一日來函，其中表達 AfriNIC 啟動認可程序之意願。

ICANN 肯定 ICANN 社群中各組織以及個人的重要貢獻，同時籲請所有參與者繼續支持。

ICANN 理事會希 AfriNIC 未來就取得 ICANN 認可，成為正式區域網際網路登記註冊管理機構(RIR)提出進展報告。

決議 [04.74]: ICANN 理事會熱烈期待 AfriNIC 的認可申請。

決議 [04.75]: ICANN 理事會在此誠心恭賀 AfriNIC, 尤其 Adiel Akplogan 以及 AfriNIC 的理事會，向落實 ICP-2 程序以及成為 ICANN 認可之 RIR 又邁進一步。

肆、檢討與建議

- 一、鑒於 ICANN 之創立係強調民主程序，並依各方共識以解決爭端，我國宜堅持 ICANN 基本精神，除積極參與 ICANN 會議外，並應盡力爭取 2006 年亞洲區 ICANN 會議之主辦權，以表現我在 ICANN 組織中之積極貢獻度。
- 二、隨著網際網路之發展日益受到重視，GAC 會員數量正不斷快速增加，勢必將增加我國官方代表與其他國家代表對話之機會，但也將大幅提高議題討論及共識形成之複雜與困難度，因此應善用我國網際網路高

度發展與普及應用之實力，以作為我國在此國際舞台持續受到重視的最大後盾。

三、ccNSO 已於本次 ICANN 會議期間召開第一次正式會員會議，並提出多項內部行政規章討論，我國 TWNIC 亦為會員之一。鑒於 ccNSO 會員會議召開期間，部分非 ccNSO 會員亦同時舉行 ccTLD 會議，頗有對抗意味，我方宜密切注意相關後續發展，積極參與 ccTLD 社群的討論。

四、ICANN 2004-2005 預算乙案已於本次理事會中有條件通過，ICANN 總裁須繼續與其他單位聯繫協調，確認最終最適宜的財源收入機制與模式。後續發展值得持續注意觀察，以維護我國權益。

伍、附件

一、ICANN GAC 會議公報

二、ICANN 理事會決議報告

三、GAC 運作原則修正草案

四、GAC ccTLD 委任暨管理原則修正草案

附件一、**ICANN GAC** 會議公報

附件一、ICANN GAC 會議公報



Governmental Advisory Committee

Kuala Lumpur 20 July 2004

GAC Communiqué – Kuala Lumpur , Malaysia 18-20 July 2004.

I.INTRODUCTION

The Governmental Advisory Committee (GAC) of the Internet Corporation for Assigned Names and Numbers (ICANN) met in Kuala Lumpur , 18-20 July 2004. The participants comprised representatives from 48 GAC Members and 7 Observers.

The GAC welcomed new members who have applied for membership since the Rome meeting: Cameroon , Croatia , Indonesia , Lithuania , Ukraine and Slovakia.

GAC affirmed the election of two additional Vice Chairs: Professor Gabriel Olalere Ajayi , Nigeria and Luis Pablo Hinojosa , Mexico. GAC also decided to proceed to the election of Chair and Vice Chairs during the last three months of 2004.

II.MATTERS DISCUSSED

The GAC Plenary met 18-20 July 2004 and addressed the following matters:

1.Consultation with the ICANN Board

The GAC welcomed the briefings provided by the ICANN Board , which addressed current ICANN priorities and initiatives. In particular , the GAC welcomed ICANN's recognition of the value and significance of public policy input by the GAC to the ICANN community. Of particular note was ICANN's report on the development of its Contingency Plan. The GAC welcomes the participation by GAC representatives from all regions , together with members of the ICANN community , on an advisory body that would be called upon for advice and guidance.

GAC continues to attach importance to ICANN's timely requests for GAC advice on matters with public policy implications.

2.Consultation with Security Stability and Advisory Committee (SSAC)

GAC received a report from the SSAC on the redirection in the .com and .net domains and the adoption of DNSSEC in the Registries.

GAC welcomes the offer of the SSAC Chair to provide updates on these 2 issues and in particular , on the policy aspects involved.

3. GAC Principles for the Delegation and Administration of Country Code Top Level Domains (GAC ccTLD Principles)

The GAC continued its consideration of the up-dating of the GAC ccTLD Principles. Further work will be undertaken during the period up to the Cape Town meeting , when the paper will be finalised.

4. Country Code Names Supporting Organisation (ccNSO)

The GAC held a useful initial dialogue with the ccNSO , looks forward to working with the ccNSO and , in particular , welcomes the invitation to establish a GAC–ccNSO liaison group.

The GAC welcomed the intention of the ccNSO to operate in an open and inclusive manner which facilitates dialogue with all members of the ccTLD community.

The GAC encourages the ongoing extension of the ccNSO’s membership.

5. Generic Names Supporting Organisation (GNSO)

The GAC has extended its outreach and liaison with the GNSO and will engage in regular exchanges with the GNSO Council. In the near term , the GAC will focus attention on the public policy aspects related to the development of a new ‘Whois’ policy and the introduction of new top level domains.

6. Address Supporting Organisation (ASO)

The GAC encourages the conclusion of the MOU forming the Address Supporting Organisation (ASO). The GAC remains strongly committed to the principles of transparent and representative bottom-up processes within the ICANN framework of multi-stakeholder participation.

In order to further encourage the development of the Internet in the African region , the GAC supports the recognition of AFRINIC by ICANN as an RIR.

The GAC calls for the establishment of effective liaisons between the ASO and the GAC as

well as other relevant supporting organisations and advisory committees. The GAC recommends that the ASO looks to broaden its membership to include a wider spectrum of interests.

7. WIPO II Recommendations

The GAC recalls the statements it made in the GAC communiqués in the Rio de Janeiro and Montreal meetings regarding the WIPO-II recommendations. The GAC thanks the joint working group for WIPO-II Process Issues for its work and welcomes its forthcoming final report.

8. GAC Kuala Lumpur Regional Forum

GAC conducted a Regional Forum on Saturday 17 July 2004 which included workshops on IDN and IPv6:

8.1 Internationalised Domain Names (IDN)

The GAC recognises that the development and introduction of IDN requires the collaborative and coordinated efforts by various parties. The GAC appreciates the initiative by ICANN to organise the IDN workshop on 21 July 2004 to bring together the various stakeholders necessary such as linguistic experts, technical experts and other relevant parties to find acceptable solutions for IDN deployment taking into account its advice in Montevideo where the linguistic and cultural factors should be considered. In this regard, GAC appreciates and supports ICANN's efforts to promote and speed up IDN deployment.

GAC encourages ICANN to ensure that IDN standards and language tables take full account of the input from all stakeholders, including the local language communities concerned.

8.2 Internet Protocol version 6 (IPv6)

The GAC takes note of the efforts that have been made towards the migration to IPv6 , the current IPv6 status on various systems of the Internet , and future works to be done.

The GAC welcomes the ICANN Board's decision , and the subsequent revision of the administrative procedure by IANA , which allow the IPv6 addresses of TLD name servers to be added to the root zone. The GAC supports the effort of ICANN towards the deployment of IPv6.

The proceedings and presentations of the Regional Forum will be published separately by the GAC.

Given our commitment to both the World Summit on Information Society (WSIS) and ICANN processes , the GAC welcomed the ICANN Workshop on WSIS , which permitted the ICANN public-private , multi-stakeholder partnership to present its views regarding the specific role of the ICANN community in the forthcoming United Nations (UN) Working Group on Internet Governance and WSIS deliberations.

The Governmental Advisory Committee expresses warm thanks to the Government of Malaysia and the organisers for hosting the meeting in Kuala Lumpur and expresses its appreciation for the speakers who participated in the IDN and IPv6 workshops in the Regional Forum. The GAC also warmly thanks all those among the ICANN community who have contributed to the dialogue with the GAC in Kuala Lumpur.

The next GAC meetings will be in Cape Town 29 November-2 December 2004 , including the Regional Forum.

Kuala Lumpur , 20 July 2004

附件二、ICANN 理事會決議報告

附件二、ICANN 理事會決議報告

Resolutions Adopted at Kuala Lumpur ICANN Board Meeting

Regular Meeting of the Board , Rome , Italy

23 July 2004

Adoption of ICANN Budget for Fiscal Year 2004-2005

Whereas , ICANN Bylaws Article XVI , Section 4 provides that "At least forty-five (45) days prior to the commencement of each fiscal year , the President shall prepare and submit to the Board , a proposed annual budget of ICANN for the next fiscal year , which shall be posted on the Website. The proposed budget shall identify anticipated revenue sources and levels and shall , to the extent practical , identify anticipated material expense items by line item. The Board shall adopt an annual budget and shall publish the adopted Budget on the Website."

Whereas , on 17 May 2004 , in accordance with the ICANN Bylaws , ICANN posted its Proposed Budget for fiscal year 2004-05.

Whereas , the posted Proposed Budget was developed through a series of comprehensive consultations with ICANN constituencies , the Budget Advisory Group , and the ICANN Board Finance Committee.

Whereas , these consultations resulted in the Proposed ICANN Budget posted on 17 May 2004 , and the Revised Proposed Budget posted on 21 July 2004.

Whereas , the Finance Committee of the Board has reviewed the Proposed Budget and Proposed Revisions , and has found that its adoption is in the best interests of ICANN.

Resolved [04.56] , that the Board adopts the proposed budget as the annual budget of ICANN for the fiscal year 2004-2005.

Resolved [04.57] , that the President and Staff are hereby authorized to continue collaboration with the various constituencies to finalize the appropriate mechanisms and model for collecting the needed revenue levels.

Board Committee Assignments

Resolved [04.58] that membership of the following Board committees be established , to continue on the basis of the charters as presently in effect:

Audit Committee

Raimundo Beca , Veni Markovski , Thomas Niles , and Njeri Rionge (Chair).

Board Governance Committee

Ivan Campos , Mouhamet Diop , Tricia Drakes , Hagen Hultzsch , Thomas Niles , and Alejandro Pisanty (Chair).

Conflicts of Interest Committee

Raimundo Beca , Hagen Hultzsch (Chair) , Michael Palage , Hualin Qian , and Njeri Rionge.

Executive Committee

Tricia Drakes , Hualin Qian , and Njeri Rionge , along with the Board Chairman , Vice-Chairman and Paul Twomey , President of ICANN as an ex-officio member.

Finance Committee

Ivan Campos (Chair) , Tricia Drakes , Hagen Hultzsch , Thomas Niles , and Michael Palage.

Meetings Committee

Ivan Campos , Mouhamet Diop , Veni Markovski (Chair) , Michael Palage , and Hualin Qian.

Reconsideration Committee

Raimundo Beca , Tricia Drakes (Chair) , Veni Markovski , and Njeri Rionge.

Registry/Registrar Request for Extension to Implement of Extensible Provisioning Protocol

Whereas , the publication on 26 March 2004 of RFC's 3730 , 3731 , 3732 , 3733 , 3734 ,

and 3735 , obligates most gTLD registry operators to implement Version 1.0 of the Extensible Provisioning Protocol by 1 August 2004.

Whereas , the Registry and the Registrar Constituencies have jointly requested an extension of time for the implementation of EPP.

Whereas , the Registry and Registrar Constituencies have held meetings in an attempt to develop a coordinated plan for implementation of the EPP v.1 across all gTLD registries.

Whereas , such a coordinated implementation would be beneficial and ease the transition and implementation necessary for registrars.

Whereas , it is apparent from the joint request from the two constituencies that an effort to develop a coordinated implementation plan is continuing and appears likely to be successful.

Whereas , granting the requested extension would allow for a smooth transition and implementation of EPP v1.0 and would be beneficial for the entire community of gTLD registries , registrars , and registrants.

Resolved [04.59] , the President and General Counsel are authorized to issue an advisory providing an extension of all applicable gTLD registry EPP implementation deadlines to 31 December 2004.

WIPO II President's Working Group Recommendation

Whereas , the World Intellectual Property Organization (WIPO) sent ICANN a letter dated 21 February 2003 providing information about two decisions that WIPO member states requested be transmitted to ICANN: (1) concerning the names and acronyms of international intergovernmental organizations , and (2) concerning the names of countries.

Whereas , in response to an invitation from the Board , advice and comments were received from the At-Large Advisory Committee (ALAC) , the GNSO Council , the Governmental Advisory Committee (GAC) , and the Intellectual Property Interests and the Commercial and Business Users Constituencies of the GNSO.

Whereas , Board Resolution 03.83 directed the President to form a working group including participants in the GNSO , the ALAC , and the GAC as well as Board members , for the purpose of analyzing the practical and technical aspects of implementing the WIPO

recommendations , and notably the implications for the UDRP.

Whereas , it was further resolved in Board Resolution 03.84 that the President and General Counsel were directed to investigate and analyze legal aspects of the relationship between ICANN's mission and the recommendations conveyed by the 21 February 2003 letter from WIPO , and to report to the Board and to the working group formed under Resolution 03.83 on the result of that investigation and analysis.

Resolved [04.60] , the Board thanks Chair Jonathan Cohen and the members of the WIPO II President's Working Group for the preparation of this report.

Resolved [04.61] , that the President and staff should proceed to investigate and analyze the Working Group's Report and the General Counsel's advice on the legal aspects of the relationship between ICANN's mission and the 21 February 2003 WIPO letter.

Resolved [04.62] , that following the investigation and analysis , President and Staff should produce a recommendation to the Board before the Cape Town Meeting , so that the Board may make its decision on the WIPO II recommendations during that meeting.

SSAC Report on Redirection in the COM and NET Domains

Whereas the Board has received the SSAC Report on Redirection in the COM and NET Domains dated 9 July 2004.

Whereas the report was the subject of presentations and discussions at ICANN's meetings in Kuala Lumpur , 19-23 July 2004.

Whereas , among other findings and recommendations , the report indicated that "There exist shortcomings in the specification of DNS wildcards and their usage. The defining RFCs should be examined and modified as necessary with a focus on producing two results: first , clarification of the use of synthesized responses in DNS protocols; second , provision of additional guidance on the use of synthesized responses in the DNS hierarchy."

Resolved [04.63] , the Board thanks Chair Steve Crocker and the members of SSAC for the preparation of this report.

Resolved [04.64] , the Board directs the President and Staff to confirm with the Internet Architecture Board its interpretation of the standards regarding wildcards in the DNS.

Resolved [04.65], the Board recommends that until such interpretation is confirmed, no new applications of wildcards be introduced in any TLDs.

Resolved [04.66], the Board recommends that any material changes in registry services should be done in a deliberate fashion, with appropriate notice and opportunity for community review, discussion, and consensus-building.

World Summit on the Information Society

Whereas, the Board thanks the organisers from the ICANN constituencies for the coordination of the Workshop on the World Summit on the Information Society (WSIS), and particularly recognises the continued initiatives of the At-Large Advisory Committee, the Business constituency, registries and registrars.

Whereas, the Board recognises with appreciation the participation at this ICANN meeting of Mr. Markus Kummer, Executive Coordinator, Secretariat of the UN Working Group on Internet Governance (WGIG) and thanks him for the information he provided on the ongoing work of the UN Working Group and for his willingness to engage in discussions at the ICANN meeting in Kuala Lumpur.

Whereas the Board recognises the contributions of all the constituencies to the workshop, and that of Mr. Kummer.

Whereas, the Board recognises the interest of the ICANN community in the deliberations in the WSIS in general and the formation and work of the UN Working Group in particular, as well as the interest in participating in the process.

Whereas, the Board reconfirms the willingness and interest of the ICANN community to assist in the provision of detailed information to the participants of the UN Working Group and of the WSIS process on the role of, and work undertaken by, the entities of the technical community, the private sector, civil societies, and governments in the coordination of the unique parameters of the Internet's system of unique identifiers and its associated technical policies.

Whereas, the Board recognises that a great many entities around the globe participate in the development, innovation, provisioning, and governance of the many elements of the Internet; that it underlines its interest and willingness to engage in close co-operation with these entities as far as it affects ICANN's mission.

Resolved [04.67], the Board acknowledges the value of the provision to the UN Working Group as well as participants in the WSIS process, where requested, of relevant information on the ICANN mission and of any further engagements which may assist in the furtherance of the discussions in this context.

Internationalized Domain Names

Whereas, the ICANN Board recognizes that it is important that the Internet evolve to be more accessible to those who do not use the ASCII character set.

Whereas, the Board notes that the internationalization of the Internet's domain name system must be accomplished through standards that are open, non-proprietary, and fully compatible with the Internet's existing end-to-end model and that preserve globally unique naming in a universally resolvable public name space.

Whereas, the IETF has adopted a four-part protocol suite defining a standard for internationalized domain names in applications that was published as RFCs 3490, 3491, 3492, and 3454.

Whereas, a broad range of registries, experts, and other stakeholders in the ICANN community have been working hard for several years to develop registry-level registration policies, for example RFC 3743.

Whereas, the ICANN Board has had Working Groups investigate facts and identify issues that may arise concerning IDN's and these Committees have reported to the community.

Whereas, the Board reiterates the importance of implementing the technical standards for IDN's in a coordinated manner, that does not destabilize the global, single root, unique identifier system.

Whereas the Board recognises that significant work remains to be undertaken outside of ICANN's scope in order to provide end-to-end availability of IDN's to end-users and that close co-ordination of these efforts is needed.

Whereas, ICANN is committed to the further study of IDNs in the TLD space, and commits to facilitating venues in which IDN can be discussed, and encourages venues to further encourage the implementation of IDNs.

Resolved [04.68] that the ICANN staff report to the Board and community on the implementation status of IDNs and pending issues.

Resolved further [04.69] that the ICANN staff work with registries and other administrators who use IDNs to report back on usability, successes, and other relevant experiences.

Resolved [04.70] to thank the IDN Workshop organizers and participants for their important contributions to the Workshop, and sharing of knowledge on issues surrounding the implementation of IDN.

Resolved [04.71] that the Board instructs the President to establish a President's Advisory Committee on IDN, to provide the Board and ICANN community with advice on issues that relate to IDN policies, in particular issues that impact the implementation of IDN especially at the top level.

Designation of Cape Town as the 2004 Annual Meeting

Whereas, ICANN Bylaws Article VI, Section 13, requires that each annual meeting for ICANN be held at the principal office of ICANN, or any other appropriate place of the Board's time and choosing, provided such annual meeting is held within 14 months of the immediately preceding annual meeting.

Whereas, the Board will be meeting in Cape Town, South Africa on 5 December 2004.

Whereas, the Board desires to designate its meeting on 5 December 2004 as the 2004 Annual Meeting for ICANN.

Resolved [04.72] that the Board hereby designates the 5 December 2004 meeting in Cape Town, South Africa as the 2004 Annual Meeting for ICANN.

Congratulations on the Inaugural Meeting of the ccNSO Council

Whereas, the ICANN Board meeting in Montreal resolved [03.106] to adopt the amendment to the ICANN bylaws to establish the ccNSO.

Whereas the Board resolved [03.108] that the nine ccTLD members of the ccNSO Assistance

Group call for an additional six members to form the ccNSO Launching Group.

Whereas the ICANN Board resolved [03.109] that the Launching Group shall have the responsibility to solicit additional ccTLD managers and that the ccNSO shall be deemed constituted once thirty members have joined.

Whereas , the ICANN Board further resolved [03.110] that the Launching Group shall also have the authority to establish a schedule and procedures for the selection of the initial ccNSO Council.

Whereas , at the ICANN Board meeting in Rome on 6 March 2004 , the ICANN Board recognized and warmly welcomed the announcement of the constituted ccNSO as posted on 1 March 2004.

Whereas , the ccNSO adopted election procedures and held their first successful election for the ccNSO council positions.

Whereas , on 23 June 2004 , an Election report was issued by the Election Supervisors.

Whereas , the Board notes upon the completion of the schedule and procedures for the selection of the initial ccNSO Council , the Launching Group completed its responsibilities.

Whereas , the Board warmly thanks the members of the ccNSO Launching Group for their very hard work and commitment to the task.

Whereas , the ccNSO Council selected Chris Disspain as the interim Chair of the ccNSO Council.

Whereas , the ccNSO conducted its first successful Council meeting on 21 Thursday 2004 in Kuala Lumpur.

Resolved [04.73] , that the ICANN Board wishes to express their warm thanks to the Election Supervisors , Hartmut Glaser , Ken Fockler and Jim Higgins , for their hard work and effort in conducting the first ccNSO council election. Also , the ICANN Board would like to congratulate Chris Disspain on his selection as interim chair of the ccNSO Council and would also like to congratulate the ccNSO Council members , Victor Ciza; Paulos B. Nyirenda; Yann Kwok; Hirofumi Hotta; Christopher Disspain; Young Eum Lee; Bart Boswinkel; Olivier Guillard; Petr Kral; Patricio Poblete; Eduardo Santoyo; Oscar Alejandro Robles-Garay; Dotty

Sparks de Blanc; Bernard Turcotte , and Fernando Espana , on conducting its first Council meeting.

Acknowledgement of AfriNIC Application

Whereas , AfriNIC has made considerable strides towards fulfillment of the ICP-2 provisions , and appears to be on-track towards provisional , and subsequent full ICANN recognition.

Whereas , ICANN has received a letter dated 21 July 2004 from AfriNIC indicating its willingness to start the recognition process.

Whereas , ICANN recognizes the substantial contributions of many organizations and individuals in the ICANN community , and calls on all participants to continue their support.

Whereas , the Board looks forward to future AfriNIC updates on progress towards full status as an ICANN recognized Regional Internet Registry.

Resolved [04.74] , the ICANN Board enthusiastically anticipates receiving AfriNIC's application for recognition.

Further Resolved [04.75] , the Board would like to heartily congratulate AfriNIC , particularly Adiel Akplogan and the AfriNIC Board of Trustees on having reached this point in their progress towards establishment as an ICANN-recognized Regional Internet Registry through the ICP-2 process.

Thanks to Lyman Chapin

Whereas , Lyman Chapin was named to serve the ICANN Board by the Address Support Organization in October 2001 , and concluded his service in May 2004;

Whereas , Lyman served ICANN as a valuable member of the Evolution and Reform Committee and the Audit Committee , and as chair of the Conflicts and Reconsideration Committees;

Whereas , Lyman carried out his duties as Director with skill , panache , a warm sense of humor , and an unfailing sense of responsibility and adherence to principles;

Whereas ICANN benefited from his technical expertise and specific knowledge of Internet design and operation;

Therefore the Board of Directors of ICANN resolves [04.76]:

That Lyman Chapin has earned the respect and deep gratitude of the ICANN Board and constituents for his long and faithful service; and

that the Board expresses its great gratitude to Lyman Chapin 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 Sponsors and Staff

The Board also extends its thanks to all sponsors of the meeting , including Afilias; NeuLevel; Time Dotcom; VeriSign; Cisco Systems , Australia; Getronics; Multimedia Development Corporation; Malaysia dotTV; MYNIC; NEC Malaysia; NTT.MSC; PIR.ORG; TM Net; Webcc; Maxis; Astro; Caperange Wireless; and Digi Communications.

We would like to acknowledge the effort made by the staff of the Shangri-La hotel to meet all of our many requests.

The Board expresses its great appreciation to the ICANN staff present here in Kuala Lumpur; 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 Our Hosts

Whereas , ICANN has successfully completed its July 2004 ICANN meeting in Kuala Lumpur.

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 [04.77] , the ICANN Board expresses its deep appreciation and thanks , on its own behalf and on behalf of all participants , to the Malaysian Organizing Team , to our hosts , and to the Malaysian Communications and Multimedia Commission.

附件三、GAC 運作原則修正草案

附件三、GAC 運作原則修正草案

*Dedicated to preserving the central co-ordinating functions
of the global Internet for the public good.*

INTERNET CORPORATION FOR ASSIGNED NAMES AND NUMBERS (ICANN)

**GOVERNMENTAL ADVISORY COMMITTEE (GAC)
- OPERATING PRINCIPLES -**

As amended, Kuala Lumpur, 20 July 2004

Whereas:

1. The functions and responsibilities of the Internet Assigned Numbers Authority (IANA) are being transferred to a new private not for profit corporation, the Internet Corporation for Assigned Names and Numbers (ICANN).
2. ICANN's functions and responsibilities will 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.
5. ICANN's Bylaws, Article XI Advisory Committees, Section 2.1 provide for a Governmental Advisory Committee.

6. The Governmental Advisory Committee should consider and provide advice 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:

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

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

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, concurred in by one third (1/3) of the Current Membership.

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.

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, web-based communications, and teleconferences.

ARTICLE III- AGENDA

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

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 accredited representative to the GAC. The accredited representative of a Member may be accompanied by an adviser. 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 law, and multinational governmental organisations and treaty organisations, on the invitation of the GAC through the Chair, or on the invitation of the ICANN Board. In the event of a dispute about whether an entity is eligible for Membership, the dispute will be referred to the ICANN Board.

Principle 16

Accredited representatives of governments and other public authorities, Members of GAC, have voting rights. Accredited representatives of International Organisations and entities other than public authorities participate fully in the GAC and its Committees and Working Groups, 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.

ARTICLE V – OBSERVERS

Principle 18

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

ARTICLE VI – REPRESENTATION

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

Principle 21

If the GAC moves to require additional officers other than the Chair, then 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 accredited 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.

Principle 24

The Chair shall normally participate in the proceedings as such and not as the accredited 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 accredited 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 22 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 call for the creation of Committees and Working Groups to address matters that relate to concerns of governments and where they may affect public policy issues. Accredited representatives may designate advisers to serve on such committees.

Principle 28

The Secretariat of the GAC shall be provided by the services of ICANN.

ARTICLE VIII – POWERS OF THE CHAIR

Principle 29

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 30

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

Principle 31

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

Principle 32

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 three 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 33

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

Principle 34

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 35

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 Members' accredited representatives present at the meeting at which the decision as to the method of ballot was taken.

Principle 36

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 accredited 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 37

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 38

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 39

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 40

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 41

One third of the representatives of the Current Membership 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.

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 42

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 43

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 44

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 XI – PROVISION OF ADVICE TO THE ICANN BOARD

Principle 45

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

Principle 46

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 47

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 48

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

ARTICLE XIII – PUBLICITY OF MEETINGS

Principle 49

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 50

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.

ARTICLE XIV – REVISION

Principle 51

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

Principle 52

A Member or Members may move, at a meeting, 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 be by ballot, by the raising of cards, or by roll call, and shall constitute a simple majority of the Members who are present at the meeting at which it was moved for these Operating Principles to be revised. 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. At the next meeting 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 who are present at the meeting at which the vote takes place.

ARTICLE XV – GENERAL PROVISIONS**Principle 53**

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.

Kuala Lumpur, 20 July 2004

附件四、**GAC ccTLD** 委任暨管理原則修正草案

附件四、GAC ccTLD 委任暨管理原則修正草案

**Principles for Delegation and Administration of ccTLDs Presented
by Governmental Advisory Committee**

(Working document arising from the discussion at Kuala Lumpur, 18 July 2004)

<p>Preface Subject: GAC Kuala Lumpur meeting; discussion of updating the ccTLD Principles.</p> <p>The GAC discussed updating the ccTLD Principles for most of day on 18 July 2004. The meeting reviewed this document which is a parallel, side-by-side comparison of the existing text adopted by GAC in 2000 and the revised text proposed by the Working Group (WG4). A report on the discussion in KL is being prepared by the Secretariat. Meanwhile, this document indicates those paragraphs in the revised text where participants in KL raised issues or expressed dissent. The Chair decided to refer these issues back to the Working Group for further consideration.</p> <p>The paragraphs concerned are highlighted in <i>yellow italics</i>, for ease of reference.</p> <p>Please recall that the KL meeting addressed clauses 4-10 of the document. It was decided to revert to clauses 1-3 (Preamble, Objectives and Definitions) after reaching agreement on the substantive dispositions of Clauses 4-10. This version dated 30 July 2004, will be posted to the GAC Members' Area and to WG4/DISCUS</p> <p>GAC Secretariat 30 July 2004.</p>	
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<p align="center">Principles for Delegation and Administration of ccTLD's Presented by Governmental Advisory Committee</p> <p align="center">(23 February 2000)</p>	<p align="center">Principles (Guidelines) for Delegation and Administration of ccTLDs Presented by the Governmental Advisory Committee</p> <p align="center">(April 2004)</p> <p><i>Would it be possible to distinguish in the text between those statements that refer to 'Principles' and those statements that refer to 'Best Practices' - ?</i></p>
<p>PRINCIPLES FOR THE DELEGATION AND ADMINISTRATION OF COUNTRY CODE TOP LEVEL DOMAINS</p> <p>1. PREAMBLE</p> <p>In the five years since the issuance of <u>RFC 1591</u>, the Internet has evolved from a tool reserved for computer and networking research, to a global medium for commerce, education, and communication. The new realities of the Internet, including its increased importance as a vehicle for national economic growth, and the expanding and more diverse nature of the Internet community necessitated evolution in the traditional means of managing and administering Internet technical functions.</p> <p>As a result, DNS functions, including the administration of the</p>	<p>PRINCIPLES FOR THE DELEGATION AND ADMINISTRATION OF COUNTRY CODE TOP LEVEL DOMAINS</p> <p>1. PREAMBLE</p> <p>1.1. Since country code Top Level Domains were first established and in particular since <u>RFC 1591</u> was issued, the Internet has evolved from a tool primarily reserved for computer and networking research, to a global medium for commerce, education, and communication. Advances in the global information infrastructure, especially the Internet, are of crucial importance for national and global economic growth. Top Level Domains (i.e. domains in the top level of the global domain name system) play a significant role in this respect. Country code Top Level Domains have acquired an increasing part in the domain names market and are seen by some as part of the Internet identities of their country or geopolitical territory.</p> <p>1.2. The purpose of this document is to set out a general, best-practice framework for the relationship between national governments, the manager of the registry for the country code associated with that country, and the Internet Corporation for Assigned Names and Numbers (ICANN). However, the situation varies significantly between</p>

<p>DNS root server system, the development of policies for the registration and allocation of domain names, the coordination of Internet Protocols, and the delegation of Internet Protocol numbers are becoming more clearly delineated and formalised through the ICANN process. Similarly, the procedures and framework of accountability for delegation and administration of ccTLDs need to evolve into a more robust, certain, and reliable system as well.</p> <p>While evolution is needed, the principle of RFC 1591 remains sound: the manager of a ccTLD performs a public service on behalf of the relevant local community and as such the designated manager has a duty to serve this community. The designated manager also has a responsibility to the global Internet community. By 'global Internet community' we do not mean any specific legal or international entity, but rather we interpret the term to refer to all of those who are affected by, now or in the future, the operation of the relevant TLD, because such operation may impinge on more than one</p>	<p>countries: these principles are intended to help establish, not constrain or dictate, the development of the three-way relationship. Governments, ccTLD Registries and ICANN share the responsibility for ensuring a Domain Name System that is stable, secure, open, and easily accessible.</p> <p>1.3. Most policy issues related to ccTLDs are national/local and should be addressed by each ccTLD Registry in consultation with the local Internet community and including the national government, according to national law. There is a limited number of technical issues on which policy decisions should be taken globally by the ICANN Board. The basic principle is that policy should be set locally, unless it can be shown that the issue has a global impact and needs to be resolved in an international framework – the subsidiarity principle.</p> <p>1.4. Governments may wish to play an active role in the management and administration of the country code associated with their country. Any such involvement should be based on national, [and in some cases (for example where the ccTLD manager is based in another country) other countries'] laws and policies. It is recommended that governments should work with their local Internet community in deciding on how to work with the country code manager.</p> <p>1.5. The initial selection for the management of ccTLDs was by "selecting a designated manager for a domain that was able to do an equitable, just, honest, and competent job". This was a mutual recognition of rights and duties and this should remain the fundamental basis for any future selection of country code managers. There is currently a variety of legacy ccTLD situations with different legal or contractual frameworks.</p>
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<p>jurisdiction and affect the interests of individuals and entities from both within the relevant country or territory and elsewhere. This is our interpretation of the meaning of 'global Internet community' as it is used in RFC 1591.</p>	<p>2. OBJECTIVE OF THIS DOCUMENT</p> <p>2.1. This document updates the principles set out in February 2000. It takes account of experience and best practice for the delegation and administration of ccTLDs. It is intended as a framework which the different parties can use to help define the way they work together. How these principles may be used depends on local/national laws and traditions. They may contribute to clarifying the bilateral relationship between these parties. They could also contribute to the development of:</p> <ul style="list-style-type: none"> • a communication between the relevant government or public authority and ICANN about their respective roles; • a communication between the relevant government or public authority and the ccTLD Registry where this is deemed appropriate by the government and Registry concerned or provided for by national laws; and • an appropriate communication between ICANN and the ccTLD Registry <p>2.2. From a GAC perspective, the first two of these types of communications are of primary</p>
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<p>2. OBJECTIVE OF THIS DOCUMENT</p> <p>The objective of this document is to suggest principles that will assist in the development of best practice for the delegation and administration of ccTLDs. These principles are intended to contribute to the development of models of:</p> <ul style="list-style-type: none"> a communication between the relevant government or public authority and ICANN; a communication between ICANN and the delegee; and a communication between the relevant government or public authority and the delegee. 	<p>importance, since governments are directly involved. The third type often involves two private parties and is of interest to governments to the extent it affects public policy interests.</p> <p>3. DEFINITIONS</p> <p>For the purposes of this document, the following definitions apply:</p> <p>3.1 'Alternative Dispute Resolution' (or 'ADR') means any system of resolving a dispute other than by court litigation, and includes arbitration, mediation, conciliation and processes of administrative dispute resolution.</p> <p>3.2 'Communication' is any agreed and appropriate exchange between the two parties, whether written or oral.</p> <p>3.3 'Country code top level domain' or 'ccTLD' means a domain in the top level of the global domain name system assigned according to a two-letter code based on the ISO 3166-1 standard 'Codes for the Representation of Names of Countries and Their Subdivisions.'</p> <p>3.4 'Delegation' means the procedures that need to be taken by ICANN/IANA for the inclusion of a ccTLD in the DNS root upon receipt of an authoritative request.</p> <p>3.5 'Re-delegation' means the change of the person or body responsible for the administration of a ccTLD Registry effected by ICANN/IANA upon receipt of an authoritative request.</p> <p>3.6 'Authoritative request' for the purposes of this document is the request for the delegation or re-delegation concerning a ccTLD Registry addressed</p>
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<p>3. DEFINITIONS</p> <p>For the purposes of this document, the following definitions apply:</p> <p>3.1 'Alternative Dispute Resolution' (or 'ADR') means any system of resolving a dispute other than by court litigation, and includes arbitration, mediation, conciliation and processes of administrative dispute resolution.</p> <p>3.2 'Communication' should include a law, regulation, agreement, document, contract, memorandum of understanding, or any other written instrument, as appropriate.</p> <p>3.3 'Country code top level domain' or 'ccTLD' means a domain in the top level of the global domain name system assigned according to the two-letter codes in the <u>ISO 3166-1 standard</u>, 'Codes for the Representation of Names of Countries and Their Subdivisions.'</p>	<p>to ICANN/IANA by the appropriate body, according to national law, showing that the request is correctly made, authoritative and is in line with applicable law or, in the absence of such law, RFC 1591.</p> <p>3.7 'ccTLD Registry' means the entity (whether an organisation, enterprise or individual) responsible for managing and administering a ccTLD. [The Registry for a ccTLD may be the relevant government or public authority itself or an oversight body designated, authorised, supervised, recognised or accepted by the relevant government or public authority].</p> <p>3.8 'Designation' means decision by the relevant government or public authority or any other body foreseen by the national law of the country concerned on the person or body that will be the manager of the relevant ccTLD Registry according to national law, including decisions taken, recognised or accepted by relevant governments or public authorities.</p> <p>3.9 'Relevant government or public authority' means relevant national government or public authority of a distinct economy as recognised in international fora.</p> <p>3.10 'Local Internet community' means the local community in the country associated with the country code, [including the national government]. This definition is specific to the purposes identified in this document and not broader.</p> <p>4. ROLE OF ccTLD REGISTRY</p> <p>[4.1 The ccTLD Registry is a trustee for the delegated ccTLD, and has a duty to serve {the residents of the relevant country or territory as well as} the global Internet community.</p>
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<p>3.4 'Delegation' means delegation by ICANN/IANA of responsibility for administration of a TLD in the DNS root.</p> <p>3.5 'Deegee' means the organisation, enterprise or individual designated by the relevant government or public authority to exercise the public trust function of a ccTLD and consequently recognised through a communication between ICANN and the designated entity for that purpose. The deegee for a ccTLD may be the relevant government or public authority itself or an oversight body designated by the relevant government or public authority, inasmuch as the administrative and management functions for a ccTLD may be contracted out by the deegee to another party and hence not performed by the deegee itself.</p> <p>3.6 'Designation' means designation by the relevant government or public authority of the deegee.</p> <p>3.7 'DNS' means domain name system.</p> <p>3.8 'ICANN' means the Internet Corporation for Assigned Names</p>	<p><i>However the delegation itself cannot be sub-contracted, sub licensed or otherwise traded without the agreement of the relevant government or public authority</i></p> <p>[and appropriate enforcement by ICANN/IANA].</p> <p>4.2. In performing their functions ccTLD Registries are subject to applicable national law <i>{and in particular data protection legislation and principles.}</i></p> <p><i>4.3. Any intellectual property rights that the ccTLD Registry may have acquired as the result of delegation or any entity may have acquired as a result of the management, administration or marketing of the ccTLD, shall be taken into account and dealt with in accordance with the law of the seat of the ccTLD Registry but should not be exercised in a way to [seriously/unduly] impede re-delegation of a ccTLD Registry decided according to national law or under the circumstances described under clause 7 below. The Registry has no intellectual property rights on the country code itself.</i></p> <p>4.4 Public policy authority over the relevant ccTLD rests with the relevant government or public authority; how this authority is exercised is determined by national law.</p> <p>4.5 The ccTLD Registry should work cooperatively with the relevant government or public authority of the country or territory for which the ccTLD has been established, within the legal framework, and in line with appropriate public policy objectives of the government of the country or distinct economy concerned.</p> <p>4.6 The ccTLD Registry, and the Registry's administrative contact, should</p>
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<p>and Numbers.</p> <p>3.9 'Relevant government or public authority' means relevant national government or public authority of a distinct economy as recognised in international fora as those terms are used in the ICANN Bylaws and GAC Operating Principles.</p> <p>3.10 'Relevant local community' means the local community in the context of the ISO 3166-1 code. This definition is specific to the purposes identified in this document and not broader.</p> <p>3.11 'Top Level Domain' or 'TLD' means a domain in the top level of the global domain name system.</p> <p>4. <u>ROLE OF DELEGEE</u></p> <p>4.1 The delegee of a ccTLD is a trustee for the delegated domain, and has a duty to serve the residents of the relevant country or</p>	<p>be resident or incorporated in the territory and/or jurisdiction of the relevant government or public authority unless formally decided otherwise by the relevant government or public authority.</p> <p>4.7 The ccTLD Registries [may/are invited to/are encouraged to] participate in the ICANN Policy Development Processes through the Country Code Names Supporting Organisation (ccNSO).</p> <p>5. <u>ROLE OF GOVERNMENT OR PUBLIC AUTHORITY</u></p> <p>5.1 Every country or distinct economy with a government or public authority recognised in accordance with <i>article 3.9</i> above should be able to ask for its appropriate country code to be represented as a ccTLD in the DNS and to designate the Registry for the ccTLD concerned.</p> <p>5.2 The relevant government or public authority may wish to ensure that the ccTLD is being administered in the public interest, within the framework of its national public policy and relevant laws and regulations.</p> <p>[5.3 It is recalled that the Governmental Advisory Committee (GAC) to ICANN has previously adopted the general principle that the Internet naming system is a public resource in the sense that its functions must be administered in the public or common interest.]</p> <p>5.4 The relevant government or public</p>
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<p>territory in the context of ISO 3166-1, as well as the global Internet community (as that term is interpreted in the Preamble to this document). Its policy role should be distinguished from the management, administration and marketing of the ccTLD. These functions may be performed by the same or different entities. However the delegation itself cannot be sub-contracted, sub-licensed or otherwise traded without the agreement of the relevant government or public authority and ICANN.</p> <p>4.2 No private intellectual or other property rights should inhere in the ccTLD itself, nor accrue to the delegee as the result of delegation or to any entity as a result of the management, administration or marketing of the ccTLD.</p> <p>4.3 Tradable goods and services may arise in the performance of other management and administrative functions attached to the ccTLD.</p> <p>4.4 The delegee should recognise that ultimate public policy authority over the relevant ccTLD rests with the relevant government or public</p>	<p>authority should be able to ensure that domain names registration in the ccTLD by Registrars benefits from effective and fair condition of competition, at appropriate levels and scale of activity.</p> <p>5.5 To give effect to their public policy interests, governments or public authorities [can/may wish to] base any communication with ccTLD Registries on the terms outlined in Clause 9.</p> <p>5.6 In making a designation or acceptance for a ccTLD Registry, the government or public authority should take into consideration the importance of long term stability in the administration and management of the ccTLD and in the DNS. In most cases, such stability may be best served through the designation of an organisation or an enterprise rather than a specific individual.</p> <p>6. ROLE OF ICANN</p> <p><i>6.1 ICANN's mission [with respect to ccTLD Registries] is to co-ordinate the Internet's systems of unique identifiers, and to ensure their stable and secure operation, in particular: the allocation and assignment of the sets of unique Internet identifiers; the operation and evolution of the root name server system; and the policy development related to these technical functions.</i></p>
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<p>authority.</p> <p>4.5 The delegee should work cooperatively with the relevant government or public authority of the country or territory for which the ccTLD has been established, within the framework and public policy objectives of such relevant government or public authority.</p> <p>4.6 The delegee, and the delegee's administrative contact, should be resident or incorporated in the territory and/or jurisdiction of the relevant government or public authority. Where the delegee, administrative contact or technical contact are not resident or incorporated in the territory and/or jurisdiction of the relevant government or public authority, it should nevertheless operate in a way that is consistent with the laws and public policy of that relevant government or public authority.</p>	<p><u>7. PRINCIPLES RELATING TO DELEGATIONS AND RE-DELEGATIONS</u></p> <p><i>[7.1 Delegation and re-delegation is a national issue and should be resolved nationally and in accordance with national laws, taking into account the views of all local stakeholders and the rights of the existing ccTLD Registry. Once a final formal decision has been reached, ICANN should act promptly to delegate or re-delegate in line with clear instructions showing the basis for the decision.</i></p> <p>7.2. Where the Registry operating the country code TLD does not have a contract with its national government and works under a different jurisdiction, any</p>
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<p><u>5. ROLE OF GOVERNMENT OR PUBLIC AUTHORITY</u></p> <p>5.1 The relevant government or public authority ultimately represents the interests of the people of the country or territory for which the ccTLD has been delegated. Accordingly, the role of the relevant government or public authority is to ensure that the ccTLD is being administered in the public interest, whilst taking into consideration issues of public policy and relevant law and regulation.</p> <p>5.2 Governments or public authorities have responsibility for public policy objectives such as: transparency and non-discriminatory practices; greater choice, lower prices and better services for all categories of users; respect for personal privacy; and consumer protection issues.</p>	<p>action to re-delegate needs to take account of the legal framework in the country where the Registry is based.</p> <p>7.3 In the case of a disputed re-delegation request where the relevant country code TLD Registry is based in another country and where there is not a contract specifying which national law should apply, <i>ICANN could offer its services to try to mediate</i>. Where there is strong evidence that local stakeholders and the Internet community support the government proposal for re-delegation, ICANN should investigate alternative solutions to resolve the problem. This could include introducing a new country-code for the national registry.</p> <p>7.4 It is strongly recommended that, in the case of new delegations, particularly where a registry is based out of country, national governments and registry managers should agree on the legal framework and specific contract conditions to be used to judge any subsequent disputes or re-delegation requests.</p> <p><i>N.B. Consider in Articles 8, 9, & 10 "Accord" for "Communication/Relation".</i></p> <p><u>8. PRINCIPLES CONCERNING THE</u></p>
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<p>Considering their responsibility to protect these interests, governments or public authorities maintain ultimate policy authority over their respective ccTLDs and should ensure that they are operated in conformity with domestic public policy objectives, laws and regulations, and international law and applicable international conventions.</p> <p>5.3 It is recalled that the Governmental Advisory Committee (GAC) to ICANN has previously adopted the general principle that the Internet naming system is a public resource in the sense that its functions must be administered in the public or common interest.</p> <p>5.4 The relevant government or public authority should ensure that DNS registration in the ccTLD benefits from effective and fair condition of competition, at appropriate levels and scale of activity.</p> <p>5.5 To give effect to governments' or public authorities' public policy interests, governments or public authorities should ensure that the terms outlined in Clause 9 are included in their communications</p>	<p><u>COMMUNICATION [RELATION] BETWEEN THE RELEVANT GOVERNMENT OR PUBLIC AUTHORITY AND ICANN</u></p> <p>8.1 In cases in which there is communication between the relevant government or public authority and ICANN, concerning a re-delegation [in accordance with national law], it should include a designated point of contact within the relevant government or public authority and a person or body empowered to make authoritative requests, as well as the name and contact details of the designated or recognised ccTLD Registry and duration of this designation or recognition [where this is appropriate]. In the absence of a communication, or where there are reasons for doubt, ICANN should consult with the diplomatic authorities of the country concerned [or with the GAC] on the competent authority and appropriate contact point of the country concerned.</p> <p><u>9. PRINCIPLES CONCERNING THE COMMUNICATION [RELATION] BETWEEN THE RELEVANT GOVERNMENT OR PUBLIC AUTHORITY AND THE ccTLD REGISTRY</u></p>
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<p>with delegees.</p> <p>5.6 In making a designation for a delegee, the government or public authority should take into consideration the importance of long term stability in the administration and management of the ccTLD and in the DNS. In most cases, such stability may be best served through the designation of an organisation or an enterprise rather than a specific individual.</p> <p>6. ROLE OF ICANN</p> <p>6.1 A primary function of ICANN is to establish, disseminate, and oversee implementation of the technical standards and practices that relate to the operation of the global DNS. In this capacity, ICANN administers a range of technical Internet management functions, including:</p> <ul style="list-style-type: none"> establishment of policy for IP number block allocation; administration of the authoritative root server system; creation of policy for determining the circumstances under 	<p>9.1 Any communication between a relevant government or public authority and any newly designated Registry could include the following [provisions/issues]:</p> <p>9.1.1 Term, performance clauses, applicable law, opportunity for review and process for revocation.</p> <p>9.1.2 A commitment by the Registry to operate the ccTLD in the interest of the relevant local community and the global Internet community.</p> <p>9.1.3 Confirmation that the ccTLD is operated in trust in the public interest. and that the Registry does not acquire intellectual property rights on the country code itself.</p> <p>9.1.4 Conditions to ensure the transfer of all relevant DNS data to a nominated replacement, if, for any reason, a reassignment of delegation to a new Registry is necessary, taking all interests into account.</p> <p>9.1.5 References to ensure the safety and integrity of the registry database, including the establishment of a data escrow or mirror site policy for the registry data managed by the Registry, <i>[if this is agreed to be appropriate]. [It is recommended that the escrow agent or mirror site be mutually approved by the relevant government or public authority and the Registry and not be under the exclusive control of the Registry].</i></p> <p>9.1.6 Conditions for the efficient and effective resolution of disputes arising from domain name registration. In addition to</p>
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<p>which new TLDs would be added to the root system;</p> <p>coordination of the assignment of other Internet technical parameters as needed to maintain universal connectivity on the Internet; and</p> <p>other activities necessary to coordinate specified DNS administration functions.</p> <p>6.2 Specifically in relation to the administration and operation of ccTLDs, ICANN's role is to develop and implement policies that fulfil the provisions of Clause 10 below.</p> <p><u>7. PRINCIPLES RELATING TO DELEGATIONS</u></p> <p>7.1 Where a communication between the relevant government or public authority and the delegee is in place, when ICANN is notified by the relevant government or public authority that the delegee has contravened the terms of the</p>	<p>national judicial means, it is advised that the Registry implements dispute resolution policies that ensure that the interests of all registrants, and of third parties, including those outside their territory and in other jurisdictions, are taken into account. Dispute resolution policies should, to the greatest extent possible, follow common principles, including due regard for internationally recognised intellectual property, consumer protection and other relevant law. The Registry may consider implementing alternative dispute resolution procedures conducted online [without precluding access to court litigation [where this is deemed appropriate by the government concerned]].</p> <p>[9.2 A Registry should not sub-contract part or all of the technical operations of the ccTLD registry affecting the global stability of the DNS without ensuring that the sub-contractor has the technical qualifications required by ICANN, and informing ICANN.]</p> <p>N.B. c.f. Article 4.1</p> <p><i>[9.3 In any sub-contracting of the technical operations of the ccTLD Registry or administrative and management functions of the ccTLD, the sub-contract must state that the delegation itself is not reassigned to the sub-contractor. Any re-assignment would have to be in accordance with the provisions of Clause 7.]</i></p>
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<p>communication, or the term of the designation has expired, ICANN should act with the utmost promptness to reassign the delegation in coordination with the relevant government or public authority.</p> <p>7.2 Notwithstanding the urgent need for a communication-based regime for ccTLD designation, delegation and administration, in the absence of such communication between the relevant government or public authority and the administrator of the ccTLD, ICANN should, upon the tendering of evidence by such government or public authority that the administrator does not have the support of the relevant local community and of the relevant government or public authority, or has breached and failed to remedy other material provisions of RFC 1591, act with the utmost promptness to reassign the delegation in coordination with the relevant government or public authority.</p> <p>7.3 When ICANN notifies the relevant government or public authority that the ccTLD is being operated in a manner that threatens</p>	<p>N.B. c.f. Article 4.1</p> <p><u>10. PRINCIPLES CONCERNING THE COMMUNICATION [RELATION] BETWEEN ICANN AND THE ccTLD REGISTRY</u></p> <p>10.1 The communication between ICANN and the Registry may as a minimum contain ICANN's commitment to:</p> <p>10.1.1 maintain, or cause to be maintained, a stable, secure, authoritative and publicly available database of relevant information for each ccTLD (see below);</p> <p>10.1.2 Ensure that authoritative and accurate root zone information is generated in a timely manner from such database and contribute to the root servers' operating in stable and secure manner. Also, ensure that changes to the root zone database are made on the basis of reliable authentication procedures confirming the authority and identity of the requesting party;</p> <p>10.1.3 maintain, or cause to be maintained, authoritative records and an audit trail regarding ccTLD delegations and records related to these delegations; and</p> <p>10.1.4 Inform the Registry in a timely manner of any changes to ICANN's contact information.</p> <p>10.2 The communication between ICANN and the Registry should contain the Registry's commitment to:</p> <p>10.2.1 cause to be operated and maintained in a stable and secure manner the authoritative primary and</p>
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<p>the stability of the DNS or of the Internet, or has otherwise breached and failed to remedy other material provisions of the communication between ICANN and the delegee, as outlined in Clause 10, the relevant government or public authority should cooperate with ICANN to remedy this situation or effect the reassignment of the delegation for the ccTLD.</p> <p>7.4 With respect to future delegations or reassignment of delegations, ICANN should delegate the administration of a ccTLD only to an organisation, enterprise or individual that has been designated by the relevant government or public authority.</p> <p>7.5 Delegees should enjoy, in the execution of their responsibilities, the appropriate rights under applicable law, and should not be subject to discriminatory or arbitrary practices, policies or procedures from ICANN or the relevant government or public authority. In the event of a reassignment of delegation, registrants in the ccTLD should be afforded continued name resolution, or a reasonable period in which to transfer to another TLD.</p>	<p>secondary name servers for the ccTLD, adequate to resolve names within the ccTLD for users throughout the Internet, and any sub-domains over which they retain administrative authority [and enable any necessary technical verifications of zone files to be done in a proper, proportionate way after consulting the ccTLD community];</p> <p>10.2.2 inform ICANN in a timely manner of any changes to the ccTLD's contact information held by ICANN;</p> <p>N.B. Correlate Old 10.2.4 and New 9.1.5 also refer to old 9.1.5</p> <p>and</p> <p><i>10.2.3 Either alternative A: Set out clear conditions and parameters for payment by the ccTLD of a contribution to ICANN's cost of operation in accordance with an equitable scale, reflecting ICANN's services towards the ccTLDs, including an equitable contribution to overhead costs.</i></p> <p><i>or alternative B:</i></p> <p><i>Set out clear conditions and parameters by the ccTLD Registry of a contribution to the cost of the IANA function, which should be ring-fenced from other ICANN expenditure.</i></p> <p>10.2.4 Registries are encouraged to make a reasonable contribution towards other ICANN activities, for example towards the coordination and industry co-regulatory work and to developing outreach.</p>
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**8. PRINCIPLES CONCERNING
THE COMMUNICATION
BETWEEN THE RELEVANT
GOVERNMENT OR PUBLIC
AUTHORITY AND ICANN**

8.1 The communication between the relevant government or public authority and ICANN, as outlined in Clause 2, should include a designated point of contact within the relevant government or public authority, as well as the name and contact details of the recognised delegee and duration of this recognition. Either as part of this communication, or through a subsequent communication, the relevant government or public authority should copy to ICANN any communication established between it and the delegee, setting forth the terms and conditions of the designation and/or concerning the execution of the delegee's role and the management of the delegation.

8.2 The relevant government or public authority should communicate to ICANN how it will require the delegee to abide by the terms and conditions outlined in Clause 9 below.

8.3 Recognising ICANN's responsibilities to achieve consensus in the creation of any new generic TLDs, ICANN should avoid, in the creation of new generic TLDs, well known and famous country, territory or place names; well known and famous country, territory or regional language or people descriptions; or ISO 639 Codes for representation of languages unless in agreement with the relevant governments or public authorities.

9. PRINCIPLES CONCERNING THE COMMUNICATION BETWEEN THE RELEVANT GOVERNMENT OR PUBLIC AUTHORITY AND THE DELEGEE

9.1 The communication between the relevant government or public authority and the delegee should include the following provisions, a copy or summary of which should be forwarded to ICANN:

9.1.1 Term, performance clauses, opportunity for review and process for revocation.

9.1.2 A commitment by the delegee to operate the ccTLD

in the interest of the relevant local community and the global Internet community.

9.1.3 A recognition by the delegee that the management and administration of the ccTLD are subject to the ultimate authority of the relevant government or public authority, and must conform with relevant domestic laws and regulations, and international law and international conventions.

9.1.4 Confirmation that the ccTLD is operated in trust in the public interest and that the delegee does not acquire property rights to the ccTLD itself.

9.1.5 Conditions to ensure the transfer of all relevant DNS data to a nominated replacement, if, for any reason, a reassignment to a new delegee is necessary.

9.1.6 Conditions for the efficient and effective resolution of disputes arising from domain name registration. In so far as ccTLD registration policies allow or encourage

registrations from entities or individuals resident outside the relevant territory, then the delegee concerned should implement dispute resolution policies that ensure that the interests of all registrants, and of third parties, including those outside their territory and in other jurisdictions, are taken into account. Dispute resolution policies should, to the greatest extent possible, follow common principles, including due regard for internationally recognised intellectual property, consumer protection and other relevant law, and be implemented by all delegees. The delegee should, so far as possible, implement alternative dispute resolution procedures conducted online, without precluding access to court litigation.

9.1.7 The delegee's commitment to abide by ICANN developed policies as set forth in Clause 10.

9.1.8 Where ccTLD registration policies allow or encourage registrations from entities or individuals resident outside the

relevant territory, the delegee commits to observe all ICANN policies applicable to such ccTLDs, not otherwise provided for in Clause 10, except where the delegee is prohibited by law from, or instructed in writing by the relevant government or public authority to refrain from, implementing such other ICANN policies.

9.1.9 The above terms and conditions shall apply to delegees, including delegees who are resident and/or incorporated outside the territory of the relevant local community.

9.2 A delegee should not sub-contract part or all of the technical operations of the ccTLD registry without ensuring that the sub-contractor has the technical qualifications required by ICANN, and informing ICANN.

9.3 In any sub-contracting of the technical operations of the ccTLD registry or administrative and management functions of the ccTLD, the sub-contract must state that the delegation itself is an

exercise of a public right, not an item of property, and cannot be reassigned to a new delegee except in accordance with the provisions of Clause 7.

10. PRINCIPLES CONCERNING THE COMMUNICATION BETWEEN ICANN AND THE DELEE

10.1 The communication between ICANN and the delegee should contain ICANN's commitment to:

10.1.1 maintain, or cause to be maintained, a stable, secure, authoritative and publicly available database of relevant information for each ccTLD (see below);

10.1.2 ensure that authoritative and accurate root zone information is generated from such database and ensure that the root servers are operated in stable and secure manner;

10.1.3 maintain, or cause to be maintained, authoritative records and an audit trail regarding ccTLD delegations and records related to these

<p>delegations; and</p> <p>10.1.4 inform the delegee in a timely manner of any changes to ICANN's contact information.</p> <p>10.2 The communication between ICANN and the delegee should contain the delegee's commitment to:</p> <p>10.2.1 cause to be operated and maintained in a stable and secure manner the authoritative primary and secondary nameservers for the ccTLD, adequate to resolve names within the ccTLD for users throughout the Internet, and any sub-domains over which they retain administrative authority, and ensure that the zone file and accurate and up-to-date registration data is continuously available to ICANN for purposes of verifying and ensuring the operational stability of the ccTLD only;</p> <p>10.2.2 inform ICANN in a timely manner of any changes to the ccTLD's contact</p>	
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<p>information held by ICANN;</p> <p>10.2.3 ensure the safety and integrity of the registry database, including the establishment of a data escrow or mirror site policy for the registry data managed by the delegate. The escrow agent or mirror site should be mutually approved by the relevant government or public authority and the delegee and should not be under the control of the delegee;</p> <p>10.2.4 ensure the transfer of all relevant DNS data to a nominated replacement, if, for any reason, a reassignment to a new delegee is necessary;</p> <p>10.2.5 abide by ICANN developed policies concerning: interoperability of the ccTLD with other parts of the DNS and Internet; operational capabilities and performance of the ccTLD operator; and the obtaining and maintenance of, and public access to, accurate and up-to-date contact information for domain name</p>	
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<p>registrants; and</p> <p>10.2.6 ensure the payment of its contribution to ICANN's cost of operation in accordance with an equitable scale, based on ICANN's total funding requirements (including reserves), developed by ICANN on the basis of consensus.</p>	
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