

Annex 1 - NGPC Resolution 2015.10.18.NG02
GAC Advice – Buenos Aires Communiqué 24 June 2015: Actions and Updates
18 October 2015

	GAC Register #	GAC Advice	Action/Update
GAC Advice (Buenos Aires Communiqué – June 2015)			
1. SAFEGUARDS (Part 1)	2015-06-24 gTLD Safeguards	The GAC recommends that the NGPC create a list of commended public interest commitment (PIC) examples related to verification and validation of credentials for domains in highly regulated sectors to serve as a model. These public interest commitments could demonstrate a best practice for other gTLD registry operators. For example the PIC for .bank appears to have taken steps to provide confidence to consumers that they can rely on the bona fide of the Registrants listed. Relevant stakeholders should be identified and encouraged to devise a set of PICs that work well for the protection of public interests in each of the new gTLDs related to highly regulated sectors.	<p>ICANN is in the process of creating a list of the Public Interest Commitments (PICs) included the Registry Agreements for the TLDs associated with “highly regulated” industries as identified in the NGPC’s implementation framework of the GAC’s Category 1 Safeguard advice. ICANN anticipates publishing this information on its website. Additionally, the NGPC acknowledges that various industry-led efforts are currently underway to establish a set of initiatives and best practices regarding registry standards of behaviour in online operations. Industry-led initiatives have focused on using a form of “trust mark” that signals to end-users that the website they are engaging with has been vetted by impartial, independent third party evaluators. The NGPC continues to monitor the progress being made in the community on these matters.</p> <p>With respect to identifying relevant stakeholders and encouraging them to devise a set of PICs that work well for the protection of public interests in new gTLDs related to “highly regulated” sectors, the NGPC notes that on 30 September 2015, the NGPC sent to the GNSO and the ALAC a proposal from a community member to establish a highly-regulated string PICs review committee. In that letter, the NGPC noted that consistent with ICANN’s bottom-up multistakholder model, the proposal might be considered by the GNSO and the ALAC.</p>

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2. SAFEGUARDS (Part 2)	2015-06-24 gTLD Safeguards	The GAC recommends that the ICANN community creates a harmonised methodology to assess the number of abusive domain names within the current exercise of assessment of the New gTLD Program.	<p>The NGPC notes that the ICANN community is considering the issue of abusive domain names as part of the current exercise of assessing the New gTLD Program. Specifically, as part of its Affirmation of Commitments with the U.S. Department of Commerce, ICANN has committed to conducting a regular review of how the New gTLD Program has impacted competition, consumer choice and consumer trust in the Domain Name System. The Competition, Consumer Choice and Consumer Trust (CCT) Review is comprised of metrics recommended by an Implementation Advisory Group, and adopted by the Board. These metrics include, but are not limited to, the items below related to abusive domain names:</p> <ul style="list-style-type: none"> • Number of reported data security breaches. • Quantity and relative incidence of Domain Takedowns. • Quantity and relative incidence of spam from domains in new gTLDs, and relative incidence of fraudulent transactions caused by phishing sites in new gTLDs. • Quantity and relative incidence of detected phishing sites using new gTLDs. • Quantity and relative incidence of detected botnets and malware distributed using new gTLDs, and incidence of sites found to be dealing in or distributing identities and account information used in identity fraud. • Number of complaints to police agencies alleging fraud or misrepresentation based on – or traced to – domain names.

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3. SAFEGUARDS (Part 3)	2015-06-24 gTLD Safeguards	The GAC recommends that the NGPC clarifies its acceptance or rejection of Safeguard advice. It would be useful to develop a straightforward scorecard on all elements of GAC Safeguard advice since the Beijing 2013 GAC Communiqué in order to clarify what elements of GAC advice have been implemented, what remains a work in progress, and what has not been accepted for Implementation. In any instances of complete or partial rejection of the Advice, the GAC urges the NGPC to clarify the milestones intended to be followed in order to seek a potentially “mutually acceptable solution” as mandated by ICANN’s Bylaws.	The NGPC has prepared an overall summary scorecard outlining the elements of the GAC’s safeguard advice since the April 2013 Beijing Communiqué, and the actions that the NGPC has taken to address the safeguard advice. The summary scorecard, which is titled “GAC Safeguard Advice re: the New gTLD Program (18 October 2015)” is provided at the following: https://www.icann.org/en/system/files/files/resolutions-new-gtld-annex-2-18oct15-en.pdf
4. COMMUNITY PRIORITY EVALUATION	2015-06-24 Community Priority Evaluation	The GAC continues to keep under review the community application process for new gTLDs, noting that it does not appear to have met applicant expectations. The GAC looks forward to seeing the report of the ICANN Ombudsman on this matter following his current inquiry and will review the situation at its meeting in Dublin.	The NGPC acknowledges that the GAC continues to keep under review the community application process for new gTLDs. As alluded to by the GAC, at the 20 January 2015 meeting of the ICANN Board Governance Committee (BGC), the BGC authorized the Ombudsman to proceed with his “own motion” investigation regarding issues of fairness around the transparency of the Community Priority Evaluation (CPE) process and applicants’ ability to provide materials to the panel conducting the CPE process. The NGPC notes that the Ombudsman published his report on 13 October 2015, which is available for review at the following: https://omblog.icann.org/ .

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5. IGO PROTECTIONS	2015-06-24 Protection for Inter-Governmental Organisations (IGOs)	<p>Consistent with previous GAC advice in previous Communiqués regarding protection for IGO names and acronyms at the top and second levels, the GAC takes note of the progress made by the informal “small group” towards developing mechanisms in line with previous GAC advice, and calls upon the small group to meet in the near term with a view towards developing a concrete proposal for these mechanisms before the next ICANN meetings in Dublin; and welcomes the preventative protections that remain in place until the implementation of permanent mechanisms for protection of IGO names and acronyms at the top and second levels.</p>	<p>On 16 July 2015, the “small group” of representatives of IGOs, the GAC and the NGPC met and outlined a draft proposal for dealing with the protection of IGO acronyms (the “Proposal”). The Proposal will be circulated to the GAC and the GNSO for review and consideration.</p> <p>As previously discussed, on 30 April 2014 the Board took action requesting additional time to consider certain GNSO consensus policy recommendations that differ from advice from the GAC to the Board with respect to protections for IGO names and acronyms, among other things. Subject to additional input received from the relevant parties about the Proposal, it is anticipated that the Board will need to consider whether or not to adopt the Proposal and to address any remaining open consensus policy recommendations from the GNSO on the topic.</p>