

**Draft Resolutions**  
14 March 2002

**Resolution on ALSC Report and At Large**

Whereas the issue of how to create mechanisms for meaningful participation and representation for individual users has been a subject of debate in the ICANN community since ICANN's creation;

Whereas various proposals failed to achieve broad consensus support in the community, notwithstanding repeated efforts to achieve that end, in part because of widely divergent views and fundamentally different perspectives about the expected or desired results of various approaches within the ICANN community;

Whereas at its Cairo meeting on 10 March 2000 the Board concluded that, given these impediments, it should initiate a comprehensive study of the concept, structure, and processes relating to a proposed At Large membership;

Whereas at its Yokohama meeting on 16 July 2000 the Board adopted bylaws to enable the election of five directors through regional online elections, and to create a committee to study the At Large concept;

Whereas the At Large Study Committee ("ALSC") was chartered in January 2001 to undertake a comprehensive study of the concept, structure and processes relating to an ICANN At Large membership, and has worked diligently to that end, for which the Board and the ICANN community are extremely grateful;

Whereas in resolution 01.125 the Board accepted the ALSC Final Report and Recommendations, dated November 5, 2001, as a basis for further discussion by the Board and the ICANN community, and that discussion has in fact continued since that time;

Whereas the Board believes that the At Large community properly defined embraces the full range of Internet users, including not only individual users, but also academic institutions, small businesses, non-commercial entities of various kinds, including consumer groups, and various other non-governmental organizations, all of which have a legitimate interest in, and a need for workable mechanisms for informed participation in, the ICANN policymaking process;

Whereas the Board perceives a broad consensus throughout the ICANN community around the core ALSC recommendations relating to the desirability of an At Large mechanism to enable outreach and informed participation by Internet users, and specifically for individual users;

Whereas, in particular, the Board perceives a broad consensus that (a) all Internet users have a significant stake in ICANN's activities, (b) it is critical that all Internet users have the opportunity to meaningfully participate in

ICANN policymaking, and (c) the general public interest must be represented in the ICANN policymaking process and on its Board;

Whereas the Board strongly endorses the ALSC's observation that a structure for informed participation by individual users is required and, in order to be most effective, should be built on sustainable local Internet community institutions, rather than attempting to engineer global top-down structures that lack local roots;

Whereas the ALSC has solicited expressions of interest from many Internet organizations, a number of which could credibly form the initial nucleus of a regionally-based At Large entity with the objective of educating and facilitating the meaningful involvement of Internet users (and particularly individual users) in ICANN's policymaking activities through bottom-up, self-organized, and self-sustaining local Internet community institutions;

Whereas the Board wishes to move forward with energy and enthusiasm to build a meaningful structure for informed participation by the full range of Internet users, and seeks avenues to achieve these objectives that are bottom-up, self-organized, and self-sustaining;

Whereas the Board has concluded that the structural and procedural implementation of the principles stated above can most effectively be developed in the context of broader ICANN reforms such as those proposed in the President's Report delivered to the Board on 24 February 2002, and currently the subject of intense discussion throughout the ICANN community;

Whereas the Board agrees with the reservations expressed in the ALSC Final Report about the validity and practicality of global online elections, and appreciates the very considerable effort undertaken by the ALSC to identify an electoral process that would reduce (if not eliminate) those problems, but remains concerned about the fairness, representativeness, validity and affordability of global online elections among an easily captureable pool of self-selected and largely unverifiable voters;

Whereas the Board is not persuaded that global elections are the only or the best means of achieving meaningful public representation or the informed participation of Internet users in the ICANN process;

Therefore, it is resolved [02.\_\_\_\_] that the Board again expresses its sincere appreciation to the members of the ALSC for their hard work, sensible analysis, and useful recommendations, and to all the members of the ICANN community that participated in that process;

Resolved [02.\_\_\_\_] that ICANN should have a robust At Large mechanism for meaningful, informed participation by Internet users of the kind recommended in the ALSC report;

Resolved [02.\_\_\_\_] that the Board calls upon the ICANN community to devote sustained energy to the creation of At Large structures built upon bottom-up, self-organized, local Internet community institutions and other organizations that meet the general criteria of openness, participation, and self-

sustainability, anticipating that most such entities are not ICANN-specific, but already serve their communities in broader ways; and

Resolved [02.\_\_\_] that the Board expresses the hope that its endorsement of these principles for informed Internet user participation will encourage those interested in an At Large structure to continue the creation, strengthening, or coordinating of local Internet community institutions so as to meet these basic criteria.

## **ICANN EVOLUTION AND REFORM COMMITTEE**

Whereas a Committee on Restructuring ("Committee") was established by the Board in resolution 01.132;

Whereas a more appropriate name for this Committee would be the Committee on ICANN Evolution and Reform;

Whereas the ICANN President has published a Report describing current issues facing ICANN and recommending various reforms to deal with those issues;

Whereas the ICANN staff has posted a document describing the current activities of ICANN as a contribution to the ongoing dialogue concerning ICANN's mission;

Whereas the Committee is responsible for monitoring community discussion on the full range of ICANN reform topics, and for evaluating and making recommendations to the Board concerning any specific proposals for reforming ICANN structures and procedures, including the President's Report noted above;

Whereas it is important that steady and real progress be made toward resolving the various reform issues now under discussion in the ICANN community, and that a proposed blueprint and timetable for the implementation of any such reforms be available for Board action at its Bucharest meeting in June, and for public review and comment prior to that meeting;

Therefore it is resolved [02.\_\_\_] that the name of this Board Committee is changed to the Committee on ICANN Evolution and Reform;

Resolved [02.\_\_\_] that the Committee is instructed to report to the Board its recommendations for a framework for the structure and functioning of a reformed ICANN, and a timetable for implementing that framework, no later than 31 May 2002, so that it can be considered by the Board at its upcoming meeting in Bucharest on 28 June 2002;

Resolved [02.\_\_\_] the Committee is instructed that this framework and timetable should include recommendations dealing with the following:

first and foremost, a list of essential functions of ICANN, and a proposed ;mission statement for ICANN;

the appropriate form of public-private partnership to ensure that ICANN decisionmaking takes proper account of the public interest in its activities;

meaningful participation and input from informed Internet users participating through an At Large mechanism, as described in resolution [02.\_\_\_\_];

the structured participation of all stakeholders in the organization's deliberations and decision making, and in providing input for policy that guides the decisions;

the ways the different components of any proposed structure will function together and interact;

the system of checks and balances that will ensure both the effectiveness and the openness of the organization.

the ways in and conditions under which essential components of any proposed structure that may not be able to be fully incorporated at the start of the reform process will be included when appropriate; and

a description of a proposed transition process from the current structure to any recommended new structure, including a description of how the present components of ICANN relate to the new proposed structure, and the anticipated timetable for that transition;.

Resolved [02.\_\_\_\_] that the Board strongly encourages comments and suggestions relating to ICANN evolution and reform from all stakeholders to the Committee as soon as possible, and encourages the Committee to inform the community as soon as possible of any deadlines for such input;

Resolved [02.\_\_\_\_] that the Committee should consider all input from the community through the forums established by the President and other public forums, and is encouraged to consult any parties that express themselves through such forums, or through correspondence directed to the committee's email address, where the Committee determines that it requires clarifications or further input from specific stakeholders;

Resolved [02.\_\_\_\_] that the Committee should work closely with the President and staff throughout this process; and

Resolved [02.\_\_\_\_] that the Committee is instructed to ensure that any recommendations to be considered by the Board at its meeting in Bucharest on 28 June 2002 are posted for public review and comment no later than 31 May 2002.

### **.org Reassignment**

Whereas the May 2001 .org registry agreement between VeriSign, Inc., and ICANN provides that VeriSign will cease being the registry operator for .org top-level domain as of 31 December 2002;

Whereas at its meeting in Stockholm, Sweden, on 4 June 2001, the ICANN Board referred to the ICANN Domain Name Supporting Organization (DNSO) the issues raised by the scheduled transition of the operation of the .org top-level domain from VeriSign to a new entity;

Whereas in response, the DNSO created a task force, which prepared a report that makes several recommendations, which was adopted by the DNSO Names Council on 17 January 2002;

Whereas the report was posted on the ICANN web site on 26 February 2002;

Whereas public comment on the report was received by a web-based forum and at the ICANN Public Forum held in Accra, Ghana, on 13 March 2002;

Resolved [02.\_\_\_\_] that the President is directed to cause a request for proposals for the reassignment of the .org top-level domain to be prepared (in consultation with the members of the Board) and issued, with at least thirty days allowed for applications by those proposing to become the successor operator of the .org top-level domain;

Resolved [02.\_\_\_\_] that the applications when received will be posted on the ICANN web site with a mechanism allowing public comment;

Resolved [02.\_\_\_\_] that the President is directed to cause the applications to be evaluated and a report to be posted and provided to the Board in advance of the ICANN Bucharest meeting in June 2002; and

Resolved [02.\_\_\_\_] that the President is requested to prepare and present to the Board a proposal for application fee levels based on ICANN's likely costs in connection with soliciting and reviewing the applications, making the selections, and any related costs.

### **.pro Agreement**

Whereas in resolutions 00.89 and 00.90 the Board selected seven new TLD proposals for negotiations toward appropriate agreements between ICANN and the proposing registry operators and sponsoring organizations and authorized the President and General Counsel to conduct those negotiations on behalf of ICANN;

Whereas one of the selected proposals was by RegistryPro for an unsponsored .pro TLD;

Whereas negotiations of the .pro agreement were concluded and posting of the resulting draft agreement and appendices on the ICANN web site was completed on 6 March 2002;

Whereas a web-based forum was made available for public comment and the issue was discussed at the ICANN Public Forum on 13 March 2002;

Whereas after hearing community views the Board concludes that entry of the negotiated agreement would be in the interest of the Internet community;

Resolved [02.\_\_\_\_], that the President is authorized to enter the .pro registry agreement, with any minor corrections as the President determines are consistent with the intention of the agreement as posted; and

Further resolved [02.\_\_\_\_], that the President is authorized to implement the agreement once it is signed, including by accrediting registrars for the .pro top-level domain (in that regard, registrars already accredited and in good standing for .aero, .biz, .com, .info, .name, .net, or .org may be accredited for .pro without additional qualifying procedures upon entering an accreditation agreement that the President determines is consistent with the existing accreditation agreement for .aero, .biz, .com, .info, .name, .net, and .org).

### **Approval of Security Committee Charter**

Whereas, in resolution 01.117 the Board directed the President to appoint a President's standing committee on the security and stability of the Internet's naming and address allocation systems ("Security Committee") and to develop a proposed charter in collaboration with the President's standing committee and submit it to the Board for its approval;

Whereas, Dr. Stephen Crocker has been appointed as the chair of the Security Committee and the President is near finalizing the membership of the committee; Whereas, the President has, in consultation with the present members of the Security Committee developed a charter, which has been presented to the Board;

Whereas, the Board has reviewed the charter and concludes that it states an appropriate scope and mission for the committee;

Resolved [02.\_\_\_] that the Security Committee charter is approved as submitted.

### **LACNIC Application and Transition Plan**

Whereas the President has adopted a set of procedures and standards for the receipt and evaluation of applications for recognition as a regional Internet registry (RIR), as authorized by the Board in resolution 01.68;

Whereas an application for recognition, together with a detailed transition plan – including draft bylaws, policies, funding model, and staff resumes – have been submitted to ICANN by the LACNIC organization;

Whereas the President has conducted a preliminary evaluation and concluded that the application and transition plan constitute a reasonable basis for eventual recognition, while noting that some adjustments will be necessary;

Whereas APNIC, ARIN, and the RIPE NCC have communicated a joint statement praising the excellent work of the LACNIC organization, noting the close cooperation between ARIN and LACNIC, and recommending a favorable response to the application by recognizing LACNIC's accomplishments thus far and according an interim status to LACNIC;

It is:

Resolved [02.\_\_\_] that the Board gives its conditional approval to the LACNIC application for recognition and transition plan, with the expectation that the transition plan will be completed and a final application for recognition will be submitted; and

Resolved [02.\_\_\_] that the President is directed to continue working closely with LACNIC and ARIN to assist in a smooth transition and the preparation of a revised application for full recognition of LACNIC in conformance with the criteria set forth in ICP-2 and the ASO Memorandum of Understanding.

### **Independent Review Implementation**

Whereas, in resolutions 01.49 through 01.51 the Board called for the Independent Review Nominating Committee to present a slate of nine nominees meeting the requirements of the Independent Review Policy;

Whereas, the Committee has been unable to present a slate of nine nominees under the Independent Review Policy in the ten months that have passed since the call for nominations;

Whereas, the General Counsel has presented to the Board a description of the significant difficulties that have confronted the Nominating Committee and has recommended that the Board thank the committee members for their efforts and immediately begin a review of the Independent Review Policy with the goal of providing a more workable independent review mechanism;

Whereas, particularly in view of the ongoing discussions of the need for broader ICANN reforms, the Board believes that the present Independent Review Policy should be reviewed and evaluated in the larger context of ICANN reform;

Whereas, in resolution 01.132 the Board established a Committee on Restructuring, to monitor and provide reports to the Board on restructuring issues;

Resolved [02. \_\_] that the members of the Independent Review Nominating Committee are thanked for their service in attempting to carry out the extremely challenging task presented to them and the committee is excused from further service;

Further resolved [02. \_\_] that the issues concerning an independent review mechanism are referred to the Committee on Restructuring for its consideration in the context of its ultimate recommendations on ICANN evolution and reform.

### **Redemption Grace Period**

Whereas, on 14 February 2002 the ICANN staff posted a proposal to establish a Redemption Grace Period for unsponsored TLDs under which names deleted by registrars would be deactivated for thirty days, during which the registrant could redeem the name through a registrar before being subject to re-registration;

Whereas, the proposal was the topic of discussion by registrars, registry operators, and users, including at numerous meetings, through e-mail, and at the ICANN Public Forum held 13 March 2002 in Accra, Ghana;

Whereas, the commentary received has shown that some domain names are being deleted without the intention of the domain-name holder;

Whereas, the community discussions have demonstrated broad support for the general points of the Redemption Grace Period Proposal, with the recognition that several technical details must be worked out before the proposal can be implemented;



Resolved [02.\_\_\_] that the President is authorized to convene a technical steering group (including knowledgeable registry and registrar personnel) to develop a concrete proposal implementing the Redemption Grace Period Proposal, to be considered by the Board at a later meeting after posting on the ICANN web site and an opportunity for public comment.

### **Retention of Auditors**

Whereas the Audit Committee has recommended that ICANN seek to retain KPMG, LLP, to conduct an audit of ICANN's financial reports for the 2001-2002 fiscal year;

Resolved [02.\_\_\_] that the President is authorized to negotiate, in consultation with the Audit Committee, with KPMG, LLP, regarding the terms of its engagement to audit ICANN's financial reports for the 2001-2002 fiscal year;

Resolved [02.\_\_\_] that the Audit Committee is delegated authority to authorize, upon recommendation of the President, entry of an agreement with KPMG, LLP, under which the audit for the 2001-2002 fiscal year will be conducted.

### **Geographical Names in .info**

[resolution to follow]

### **Thanks**

[resolutions to follow]