

2013-02-28-NoticeBDMtg.doc

Directors and Liaisons,

Attached below please find the Notice of date and time for a Special Meeting of the ICANN Board of Directors:

28 February 2013 – Special Meeting of the ICANN Board of Directors - at 22:00 UTC – This Board meeting is estimated to last 1.5 hours.

Some other time zones:

28 February 2013 - 2:00 PM PST Los Angeles

28 February 2013 – 10:00 PM CEST Brussels

28 February 2013 – 5:00 PM EST Washington, D.C.

<http://www.timeanddate.com/worldclock/fixetime.html?iso=20130228T22&p1=1440&ah=1&am=30>

Adobe Connect Room:

MATERIALS - SPECIAL NOTE – MATERIALS - SPECIAL NOTE – Changes have recently been made to the materials being provided to the Board based on input from a number of sources. Materials will be provided in three different ways. You do not need to read all materials – the ones you find most useful will depend on how much information you need about the specific topic. This will hopefully make it easier to manage the materials coming to you. The materials have been collated in 3 parts on BoardVantage.

PART 1: you will find the two Board papers and a one page overview sheet for each paper. The format of the paper has been tightened up to make them shorter and more concise. Where appropriate, they will contain proposed resolutions and rationales. The overview sheet is a one page summary in which four specific questions are answered – what is the issue, why is it important, who is the decision maker and the shepherd, and next

steps.

PART 2: you will find all proposed resolutions assembled in one document and any minutes which are being presented for approval. There is a new set of minutes for your approval from the meeting on February 3, 2013.

PART 3 will include reference materials such as summaries of public comments, red-lined versions of documents, check-lists regarding PDPs and any additional analysis required. This is being provided for board members who would like to explore additional information on many of the topics.

MATERIALS -- All Materials are available on

if

you have trouble with access, please let us know and we will work with you to assure that you can use the BoardVantage Portal for this meeting.

If you have any questions, or we can be of assistance to you, please let us know.

If call information is required, it will be distributed separately

If you have any questions, or we can be of assistance to you, please let us know.

John Jeffrey

General Counsel & Secretary, ICANN

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L Land-line preferred number

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If no letter designation before the number, then it is toll-free.

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Australia		1 800 009 820	Jamaica		1 800 250 1668
Australia		1 800 036 775	Japan	L	005 31 121 467
Australia Sydney	T	+61 290 372 962	Japan	M	0066 33812579
Australia Melbourne	T	+61 399 996 500	Japan	T	+81 3 4578 9033
Australia Brisbane	T	+61 731 777 546	Jordan	T	+962 62 508 931
Austria	L	0 800 295 858	Latvia		800 2317
Austria	M	0 800 295 138	Lithuania	T	+37 052 596 069
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Bahamas		1 800 228 1852	Luxembourg	M	800 2 5920
Barbados		1 800 238 1982	Luxembourg	T	+352 20 881 255
Belgium	L	0800 79210	Macau		0800 206
Belgium	M	0800 79218	Malaysia		1 800 81 2609
Belgium	T	+32 78 480 286	Mexico		001 800 349 9456
Bermuda		1 800 258 8138	Mexico Mexico City	T	+52 554 770 7366
Bolivia		800 10 0435	Netherlands	L	0800 022 9027
Brazil	L	0800 891 1597	Netherlands	M	0800 022 3876
Brazil	M	0800 891 1598	Netherlands	T	+31 208 908 115
Brazil	T	+55 613 717 2040	Netherlands Antilles		001 800 350 3413
Brazil	new	0800 038 5045	New Zealand	L	0800 448705
Bulgaria	T	+359 3257 0122	New Zealand	M	0800 448716
Canada		1 800 550 6865	New Zealand	T	+64 99 518 127
Canada	T	+1 213 233 3193	Nicaragua		001 800 220 1828
Cayman Islands		1 800 265 9907	Norway		800 10982
Chile		123 00 204 374	Norway	T	+47 85 226 583
Chile	T	+56 25 832 230	Panama		001 800 507 1953
China (North)		10 800 712 1212	Panama	T	+507 83 65 649
China (South)		10 800 120 1212	Peru		0 800 52754
China (all)	new	400 120 0691	Peru	T	+51 17 085 661
Colombia		01 800 915 6238	Philippines		1 800 1114 0135

Costa Rica		0 800 0 121 513	Poland	L	0 0 800 121 1472
Croatia		0800 777 928	Poland	M	0 0 800 121 3744
Czech Republic		800 080 844	Poland	T	+48 223 008 915
Denmark	L	8088 7326	Portugal	L	800 812 676
Denmark	M	8088 6280	Portugal	M	800 855 226
Denmark	T	+45 89 880 470	Portugal	T	+351 308 801 082
Dominica		1 800 290 1276	Russia		8 10 8002 535 3011
Dominican Republic		1 888 751 2388	Russia	T	+7 499 650 7835
Ecuador		1 800 000 048	San Marino		800 870 329
Egypt	L	0800 000 0323	Serbia	L	0800 190 021
Egypt	new	0800 000 0417	Singapore		800 1204 162
El Salvador		800 6276	Slovakia		0800 001 113
El Salvador	T	+503 21 133 514	South Africa		0 800 99 8871
Finland		0 800 116 319	South Africa	T	+27 875 502 349
Finland		800 552 040	South Korea		0030 812 3349
France	new	0800 913 680	Spain		900 98 19 50
France		0800 90 25 56	Spain	T	+34 901 667 598
France	T	+33 975 181 806	St Kitts and Nevis		1 800 331 7871
Germany	L	0800 1016 120	St. Lucia		1 800 347 1478
Germany	M	0800 1016 124	Sweden	L	020 796 572
Greece		00 800 127 151	Sweden	M	200 439 992
Guatemala		1 800 624 0045	Sweden	T	+46 10 199 25 96
Guatemala	T	+502 23 533 502	Switzerland	L	0 800 562747
Guyana		1 800 290 1814	Switzerland	M	0 800 562734
Hong Kong		800 965184	Taiwan		00801 13774 9
Hong Kong	T	+852 58 080 242	Thailand		001 800 12 0665 129
Hungary		06 800 18420	Trinidad & Tobago		1 800 649 6068
Iceland		800 8616	Turkey Istanbul	T	+90 212 414 2697
India		000 800 001 6131	Turks & Caicos		1 800 649 6597
Indonesia		001 80 3011 3876	United Kingdom	new	0800 056 9431
Iran	T	+ 98 217 348 9942	United Kingdom		0800 032 6646
Ireland		1 800 684 009	United Kingdom	T	+44 207 099 0867
Israel		1 80 921 4355	United States		1 800 550 6865
Israel	T	+972 37631157	United States	T	+1 213 233

		3193
	Uruguay	000 413 5983265
	Venezuela	0 800 100 4704
	Vietnam	120 11046

2013-02-28-AgendaTable.docx

AGENDA – 28 February 2013 BOARD Meeting – 1.5 hours

Time, etc.	Agenda Item	Shepherd	Expected Action	Potential Conflict of Interest
<ul style="list-style-type: none"> • Assembly, Roll Call & Consent Agenda Vote – 10 mins 	1. Consent Agenda			
	1. a. Minutes: 2 February 2013 Regular Meeting of the ICANN Board	John Jeffrey	Approval	
	1. b. Arab Center for Dispute Resolution’s Proposal to Serve as UDRP Provider	Samantha Eisner	Approval	
	Item Removed From Agenda			
	1. d. Action from Board Compensation Committee	George Sadowsky	Approval	
<ul style="list-style-type: none"> • Discussion & Decision – 60 mins 	2. Main Agenda			
	2. a. New Approach to Process for ccTLD Delegation & Redelegations		Discussion	
	2. b. Redelegation of the .ML domain representing Mali	Kuo-Wei Wu	Approval	

AGENDA – 28 February 2013 BOARD Meeting – 1.5 hours

Time, etc.	Agenda Item	Shepherd	Expected Action	Potential Conflict of Interest
	2.c. Delegation of .ykp domain representing Ukraine	Kuo-Wei Wu	Approval	
	2.d. Any Other Business			

Item Removed From Agenda

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Delegation of .ykp domain representing Ukraine.....p.44-58

2013-02-28-01b-Overview-ACDR.docx

<p>What is the Issue?</p> <p>ICANN has received an application from the Arab Center for Dispute Resolution (ACDR) to serve as a UDRP Provider. ICANN currently has four UDRP providers. The ACDR’s proposal was previously posted for public comment, and the proposal was modified to address the issues raised in public comment.</p>	<p>Why Is It Important?</p> <p>The ACDR’s application to serve as a UDRP Provider met all of the elements set out in the Information Concerning Approval Process for Dispute Resolution Service Providers posted at http://www.icann.org/en/help/dndr/udrp/provider-approval-process. The approval of the ACDR will introduce a UDRP provider into a region that does not yet have a provider. The ACDR also will provide further language capacity among providers. This decision is particularly timely in light of the introduction of new gTLDs and the potential for additional UDRP filings that may occur with their introduction.</p>
<p>Who is the Decision-maker? Who is the Shepherd?</p> <p>The Board is the decision maker on this. ICANN staff worked with the ACDR on their application. Samantha Eisner, Senior Counsel, is the shepherd.</p>	<p>Next Steps?</p> <p>If approved by the Board, ICANN’s General Counsel will work with the ACDR to discuss the steps necessary for the ACDR to launch its UDRP work.</p>

2013-02-28-01b-Board-Paper-ACDR.doc

ICANN BOARD SUBMISSION NO. 2013-02-28-01b

TITLE: **ACDR's Proposal to Serve as a UDRP Provider**

PROPOSED ACTION: **For Board Action**

EXECUTIVE SUMMARY:

The Arab Center for Dispute Resolution (ACDR) is requesting to serve as an approved dispute resolution provider for the Uniform Domain Name Dispute Resolution Policy (UDRP). There are currently four UDRP providers, and the ACDR would be the fifth, and would also be the first provider located in the Middle East region. The ACDR has been working diligently with ICANN staff to address some of the concerns raised in an earlier public comment period on the application, which mainly focused on issues of uniformity among the UDRP providers. The ACDR proposal has addressed the items within its supplemental rules that created the uniformity concerns, and now fulfills the qualifications set forth in the [Information Concerning Approval Process for Dispute Resolution Service Providers](#) that is used to evaluate UDRP provider proposals.

Adding the ACDR as a provider is expected to increase the capacity for UDRP filings, and will also provide additional language expertise and choice for UDRP complainants.

The Board's options are:

- (1) Approve the proposal; or
- (2) Decline to approve the proposal. There are no apparent grounds for declination at this time.

RECOMMENDATION:

ICANN staff recommends that the Board approve the ACDR's proposal to serve as a UDRP provider.

PROPOSED RESOLUTION

Whereas, the Arab Center for Dispute Resolution (ACDR) has made application to ICANN to be approved as an UDRP provider, the application was posted for public comment on 28 September 2010. ICANN and the ACDR have taken into account

comments received, and ACDR has produced a revised proposal addressing the issues raised.

Whereas, the revised ACDR proposal meets the suggested elements as set forth in [Information Concerning Approval Process for Dispute Resolution Service Providers](#).

Resolved (2013.02.28.xx), the Board approves the application of ACDR to become a UDRP provider, and advises the General Counsel to enter into discussions with ACDR regarding the process for ACDR's provision of UDRP services.

PROPOSED RATIONALE

The Board's approval of the ACDR application brings to a close the work of the ACDR (in cooperation with ICANN staff) in working through to meet the standards and elements of the process for approval of dispute resolutions service providers. This enhances ICANN's accountability through adherence to its processes. In addition, the approval of the first UDRP provider located in the Middle East enhances ICANN's accountability to the Internet community as a whole, enhancing choice for UDRP complainants.

The ACDR's proposal was previously posted for public comment. All of the comments received were provided to ACDR for consideration. Some of the comments in opposition addressed issues such as the level of fees, which is fully within the ACDR's purview. Other commenters suggested that ICANN develop contracts with each of its UDRP providers as a means to require uniformity among providers. Contracts have never been required of UDRP providers. On the issue of uniformity among providers, however, the ACDR's proposal does two things: first, highlighted areas where risk of non-uniform conduct was perceived (such as issues with commencement dates and definitions of writings) have been modified; second, the proposal now includes an affirmative recognition that if ICANN imposes further requirements on providers, the ACDR will follow those requirements. This is a positive advancement and helps address concerns of ICANN's ability to, in the future, identify areas where uniformity of action is of its obligation to abide by ICANN modifications that could enhance uniformity among providers.

There is a minimal resource impact on ICANN as a result of this decision in assuring that ICANN staff is available to work with the ACDR in starting and maintaining its work as a provider. There is no expected impact on the security, stability or the resiliency of the DNS as a result of this decision.

This is an Organizational Administrative Function for which public comment was received.

Submitted by:	Samantha Eisner
Position:	Senior Counsel
Date Noted:	19 February 2013
Email:	Samantha.eisner@icann.org

Item Removed From Agenda

<p>What is the Issue?</p> <p>ICANN has received its first application under the GNSO Constituency Recognition Process (adopted by the Board in June 2011). The Application for Candidacy (AFC) submitted by the Cybercafé Association of India (CCAOI), seeks recognition of a new GNSO Constituency called the “Public Internet Access/Cybercafé Ecosystem (PIA/CC)” within the GNSO’s Non-Commercial Stakeholder Group (NCSG).</p>	<p>Why Is It Important?</p> <p>This is the first formal application submitted under the Board-approved process. The process includes objective eligibility criteria, encourages collaboration and puts the decisions regarding applications, in the first instance, in the hands of the communities to be directly impacted by the potential new Constituency. The NCSG of the GNSO has followed the process and has advised the Structural Improvements Committee of the Board of its determination to deny the application because the application does not meet the criteria established by the Board.</p>
<p>Who is the Decision-maker? Who is the Shepherd?</p> <p>The Structural Improvements Committee has recommended that the Board ratify the decision of the NCSG (as contemplated by the process). Ray Plzak, as Chair of the Structural Improvements Committee is the shepherd.</p>	<p>Next Steps?</p> <p>If ratified by the Board, the decision of the NCSG to deny the PIA/CC application is without prejudice. The Constituency proponents have the right to re-submit a new application. Given the degree of discussion and collaboration between the community and ICANN staff to date, staff is hopeful that the interests of cybercafés can find a home elsewhere in the GNSO or in the At-Large community.</p>

2013-02-28-01c-Board-Paper-NCSG Rejection of PIA-CC Application.doc

Item Removed From Agenda

Item Removed From Agenda

Item Removed From Agenda

2013-02-28-01d-Overview-Officer-Compensation.docx

<p>What is the Issue?</p> <p>The Board recently appointed David Olive as an Officer and now must complete the process for adopting his compensation as reasonable.</p>	<p>Why Is It Important?</p> <p>The Board resolution will help ensure that ICANN has taken all steps necessary to satisfy the IRS’s rebuttable presumption that ICANN Officers’ compensation is reasonable.</p>
<p>Who is the Decision-maker? Who is the Shepherd?</p> <p>The Board is the decision maker. The Compensation Committee has unanimously recommended Board approval. Akram Atallah is the shepherd.</p>	<p>Next Steps?</p> <p>None needed after Board approval.</p>

2013-02-28-01d-Board-Paper-Officer-Compensation.docx

ICANN BOARD SUBMISSION NO. 2013.02.28.01d

TITLE: **Officer Compensation**

PROPOSED ACTION: **For Board Approval**

EXECUTIVE SUMMARY:
Confidential Employment Matter

COMPENSATION COMMITTEE RECOMMENDATION
Confidential Employment Matter

PROPOSED BOARD RESOLUTION:

Whereas, the retention of high calibre staff is essential to ICANN's operations and ICANN desires to ensure competitive compensation for staff.

Whereas, the Board recently appointed David Olive as an ICANN Officer (see <http://www.icann.org/en/groups/board/documents/resolutions-02feb13-en.htm#1.e>).

Whereas, independent market data provided by independent compensation experts indicates that the current compensation for David Olive, ICANN's Vice President, Policy Development Support, falls within ICANN's target of the 50th to 75th percentile based on market data supplied by ICANN's independent compensation experts.

Whereas, the Compensation Committee and the full Board have confirmed that they are not conflicted with respect to the Vice President, Policy Development Support's compensation package.

Resolved (2013.02.28.xx), the Board adopts the current compensation of Officer David Olive, Vice President, Policy Development Support, as reasonable based on the market data and recommendations from the independent compensation experts.

PROPOSED RATIONALE

Attracting and retaining high calibre staff by providing a competitive compensation package is crucial to the organization. In adopting as reasonable the compensation for ICANN's Officer, David Olive, the Compensation Committee and the Board reviewed and accepted the market analysis and recommendations from the independent compensation experts, and by taking this action are confirming that they are not conflicted as to David Olive's compensation package.

This decision will have no fiscal impact on the organization or the community, and it will not have an impact on the security, stability and resiliency of the domain name system. This is an Organizational Administrative Function not requiring public comment.

Submitted by: Akram Atallah, COO for Fadi Chehadé, President and CEO

Date Noted: 20 February 2012

Email: akram.atallah@icann.org

2013-02-28-02c-Overview-ukr.doc

<p>What is the Issue?</p> <p>ICANN has received a request to delegate operation of .ukr to a new entity. It has passed through Staff evaluation and is ready for transmission to the U.S. Government for authorization.</p>	<p>Why is it important?</p> <p>ICANN reviews delegations and redelegations of ccTLDs as part of the IANA Functions. The delegation and redelegation of a TLD is one of the more critical functions that relate to Internet security and stability. The Board reviews such requests along with ICANN Staff analysis to ensure ICANN followed proper procedures.</p>
<p>Who is the decision maker?</p> <p>Under the latest guidance from the U.S. Government and the language of the IANA Functions Contract, the Board’s role is to ensure that Staff followed proper procedures.</p> <p>Generally, responsibility for shepherding such requests within the Board belongs to Kuo Wei Wu as Chair of the Board IANA Committee.</p>	<p>Next Steps</p> <p>If the Board raises no issues during its review, the request will be transmitted to the U.S. Government for implementation.</p>

2013-02-28-02c-Board-Paper-ukr.doc

ICANN BOARD PAPER NO. 2013-02-28-02c

TITLE: Delegation of the .ukr domain representing Ukraine
PROPOSED ACTION: For Board Consideration
IANA REFERENCE: 592043

EXECUTIVE SUMMARY:

ICANN has been asked to prepare a recommendation for the NTIA to authorize the delegation of the country-code top-level domain .ukr, comprised of the Fast Track approved representing Ukraine, to the Association of Telecommunication, Informatization and Internet companies “Ukrainian Network Information Center”.

The string under consideration successfully completed the Fast Track process, which deemed it an appropriate representation of Ukraine.

The proposed sponsoring organization is a non-profit organization founded in 2003 with the primary goal of administration of the address space in the Ukrainian segment of the Internet.

Sensitive Delegation Information

PROPOSED RESOLUTION:

Resolved (2013.02.28.xx), ICANN has reviewed and evaluated the request, and the documentation demonstrates the process was followed and the redelegation is in the interests of the local and global Internet communities.

PROPOSED RATIONALE:

As part of the IANA Functions, ICANN receives request to delegate and redelegate country-code top-level domains. ICANN Staff has reviewed and evaluated a delegation request for this domain and has provided a report to the ICANN Board that proper procedures were followed in that evaluation. The Board’s oversight of the process helps ensure ICANN is properly executing its

responsibilities relating to the stable and secure operation of critical unique identifier systems on the Internet and pursuant to the IANA Functions Contract. Ensuring that the process is followed adds to the accountability of ICANN. This action will have no fiscal impact on ICANN or the community, and will have a positive impact on the security, stability and resiliency of the domain name system.

This is an Organizational Administrative Function not requiring public comment.

SIGNATURE BLOCK:

Submitted by:	Kim Davies
Position:	IANA Function Liaison for Root Zone Management
Date Noted:	19 February 2013
Email:	kim.davies@icann.org

**2013-02-28-02c-Board-Paper-Reference Materials-
ukr.doc**

REFERENCE MATERIALS — BOARD PAPER NO. 2013-02-28-02c

TITLE: Delegation of the .ukr domain representing Ukraine

IANA REFERENCE: 592043

In accordance with ICANN's obligations under the IANA Functions Contract for managing the DNS Root Zone, ICANN's IANA Department receives requests to delegate, redelegate and revoke top-level domains. Per the IANA Functions Contract, ICANN shall apply existing policy frameworks in processing requests related to the delegation and redelegation of a county-code top-level domain, such as RFC 1591 and the GAC Principles, and any further clarification of these policies by interested and affected parties. If a policy framework does not exist to cover a specific instance, ICANN must consult with the interested and affected parties on any recommendation that is not within or consistent with an existing policy framework. Recommendations shall be submitted to the US Government via a Delegation and Redelegation Report.

Sensitive Delegation Information

DELEGATION AND REDELEGATION REPORT

ICANN is required to produce a “Delegation and Redelegation Report” for the US Government. This report is published in the IANA website after a request is implemented.

The proposed Delegation and Redelegation Report is attached as Exhibit A.

SIGNATURE BLOCK

Submitted by: Kim Davies
Position: IANA Function Liaison for Root Zone Management
Date Noted: 19 February 2013
Email: kim.davies@icann.org

2013-02-28-02c-Board-Paper-ukr-Exhibit-A.doc

Report on the Delegation of the .укр (“ukr”) domain representing Ukraine in Cyrillic

19 February 2013

This report is being provided under the contract for performance of the Internet Assigned Numbers Authority (IANA) function between the United States Government and the Internet Corporation for Assigned Names and Numbers (ICANN). Under that contract, ICANN performs the “IANA functions”, which include receiving delegation and redelegation requests concerning TLDs, investigating the circumstances pertinent to those requests, making its recommendations, and reporting actions undertaken in connection with processing such requests.

FACTUAL INFORMATION

Country

The “UA” ISO 3166-1 code from which the application’s eligibility derives, is designated for use to represent Ukraine.

String

The domain under consideration for delegation at the DNS root level is “укр”. This is represented in ASCII-compatible encoding according to the IDNA specification as “xn-j1amh”. The individual Unicode code points that comprise this string are U+0443 U+043A U+0440.

In Ukrainian language, the string has a meaning equivalent to “ukr” in English. Its pronunciation in English is transliterated as “ukr”. The string is expressed using the Cyrillic script.

Chronology of events

On 23 October 2003, the “Association of Telecommunication, Informatization and Internet companies ‘Ukrainian Network Information Center’” (UANIC) was created as a non-profit organization.

On 22 January 2004, the State Committee of Communication and Informatization of Ukraine and UANIC signed an agreement relating to the administration of address space in the Ukrainian segment of the Internet. According to this agreement, the Committee authorized UANIC to administer the “Ukrainian segment of the Internet”, including internationalized domain names using Cyrillic script.

On 8 April 2004, the UANIC Coordination Council (UANIC’s supervisory body which consists of the representatives from the Internet community in Ukraine) instructed the

head of the UANIC to initiate the discussions on the topic of creation and functioning of an IDN ccTLD for Ukraine.

In April 2004, UANIC joined the Cyrillic Languages Internet Names Consortium (CyrLINC). According to applicants, the goal of joining CyrLINC was to coordinate its efforts to develop system of the Multilingual Internet Names in countries that use Cyrillic languages.

On 19 May 2009, the UANIC Coordination Council initiated formal discussions with the local professional associations in the area of Internet and telecommunications on selecting the appropriate IDN ccTLD for Ukraine. Several recommendations were prepared. As a result, “укр” was proposed as the most appropriate representation of the IDN ccTLD for Ukraine in the Cyrillic script.

On 23 December 2010, UANIC applied for .укр as part of the “IDN Fast Track” process. Review by the IDN Fast Track DNS Stability Panel found that “the applied-for strings ... present none of the threats to the stability or security of the DNS identified in [the IDN Fast Track implementation plan] ... and present an acceptably low risk of user confusion”. The request for the string to represent Ukraine was subsequently approved.

In March 2011, Technical Center Internet, LLC (TCI) was founded by two local registrars: Center of Ukrainian Internet names, LLC (Ukrnames) and DMedia, LLC. TCI was created with the purpose of assisting UANIC with the technical operations of .укр.

In April 2011, UANIC and TCI entered into an agreement in which it is stated that UANIC will perform administrative tasks related to the management of the domain, while the technical side of the operations will be handled by the UANIC Technical Support (a department within UANIC comprised of the UANIC personnel as well as TCI).

On 2 December 2011, first All-Ukrainian Conference of Public Domain Registrars and Administrators UAdom took place in Kiev, Ukraine. UANIC presented information on their preparations for applying for the delegation of .укр.

On 8 June 2011, UANIC and the current .UA ccTLD manager attended a meeting, part of which was devoted to discussing UANIC’s plans for applying for the IDN ccTLD for Ukraine.

On 17 July 2012, UANIC commenced a request to ICANN for delegation of “укр” as a country-code top-level domain for Ukraine. During the next several months ICANN Staff worked with applicants on gathering the necessary information and documentation.

Proposed Sponsoring Organization and Contacts

The proposed sponsoring organization is the “Association of Telecommunication, Informatization and Internet companies ‘Ukrainian Network Information Center’” (UANIC), a non-profit organization founded in 2003 with the primary goal to carry out

“socially useful activity of administration of the address space in the Ukrainian segment of the Internet, address space in the networks based on the Internet protocol, including administration of the systems and domain name registry in .UA domain.”

The proposed administrative contact is Yuriy Honcharuk, Chief Executive Officer of UANIC. The administrative contact is understood to be based in Ukraine.

The proposed technical contact is Yuriy Kargaplov, Head of the Technical Group of UANIC.

EVALUATION OF THE REQUEST

String Eligibility

The top-level domain is eligible for delegation under ICANN policy, as the string has been deemed an appropriate representation of Ukraine through the ICANN Fast Track String Selection process, and Ukraine is presently listed in the ISO 3166-1 standard.

Public Interest

Explicit government support for the application was provided in a letter from Mykola Azarov, Prime Minister of Ukraine.

Additional support was provided in letters from the Ukrainian National Internet Association, Association “Chamber of Telecommunication of Ukraine”, All-Ukrainian Association of Computer Clubs, the TELAS Association and the Association of Participants of the Ukrainian Internet Market.

The application is consistent with known applicable local laws in Ukraine.

The proposed sponsoring organization undertakes to operate the domain in a fair and equitable manner.

Based in country

The proposed sponsoring organization is constituted in Ukraine. The proposed administrative contact is understood to be resident in Ukraine. The registry is to be operated in the country.

Stability

The application does not involve a transfer of domain operations from an existing domain registry, and therefore stability aspects relating to registry transfer have not been evaluated.

The application is not known to be contested.

Competency

The application has provided satisfactory details on the technical and operational infrastructure and expertise that will be used to operate the proposed new domain. The proposed operator is not the current manager of .UA ASCII country-code top-level domain for Ukraine.

Proposed policies for management of the domain have also been tendered.

EVALUATION PROCEDURE

ICANN is tasked with coordinating the Domain Name System root zone as part of a set of functions governed by a contract with the U.S. Government. This includes accepting and evaluating requests for delegation and redelegation of top-level domains.

A subset of top-level domains are designated for the local Internet communities in countries to operate in a way that best suits their local needs. These are known as country-code top-level domains (ccTLDs), and are assigned by ICANN to responsible trustees (known as “Sponsoring Organisations”) that meet a number of public-interest criteria for eligibility. These criteria largely relate to the level of support the trustee has from its local Internet community, its capacity to ensure stable operation of the domain, and its applicability under any relevant local laws.

Through ICANN’s IANA department, requests are received for delegating new ccTLDs, and redelegating or revoking existing ccTLDs. An investigation is performed on the circumstances pertinent to those requests, and, when appropriate, the requests are implemented and a recommendation for delegation or redelegation is made to the U.S. National Telecommunications and Information Administration (NTIA).

Purpose of evaluations

The evaluation of eligibility for ccTLDs, and of evaluating responsible trustees charged with operating them, is guided by a number of principles. The objective of the assessment is that the action enhances the secure and stable operation of the Internet’s unique identifier systems.

In considering requests to delegate or redelegate ccTLDs, input is sought regarding the proposed new Sponsoring Organisation, as well as from persons and organisations that may be significantly affected by the change, particularly those within the nation or territory to which the ccTLD is designated.

The assessment is focussed on the capacity for the proposed sponsoring organisation to meet the following criteria:

- The domain should be operated within the country, including having its sponsoring organisation and administrative contact based in the country.
- The domain should be operated in a way that is fair and equitable to all groups in the local Internet community.

- Significantly interested parties in the domain should agree that the prospective trustee is the appropriate party to be responsible for the domain, with the desires of the national government taken very seriously.
- The domain must be operated competently, both technically and operationally. Management of the domain should adhere to relevant technical standards and community best practices.
- Risks to the stability of the Internet addressing system must be adequately considered and addressed, particularly with regard to how existing identifiers will continue to function.

Method of evaluation

To assess these criteria, information is requested from the applicant regarding the proposed sponsoring organisation and method of operation. In summary, a request template is sought specifying the exact details of the delegation being sought in the root zone. In addition, various documentation is sought describing: the views of the local internet community on the application; the competencies and skills of the trustee to operate the domain; the legal authenticity, status and character of the proposed trustee; and the nature of government support for the proposal. The view of any current trustee is obtained, and in the event of a redelegation, the transfer plan from the previous sponsoring organisation to the new sponsoring organisation is also assessed with a view to ensuring ongoing stable operation of the domain.

After receiving this documentation and input, it is analysed in relation to existing root zone management procedures, seeking input from parties both related to as well as independent of the proposed sponsoring organisation should the information provided in the original application be deficient. The applicant is given the opportunity to cure any deficiencies before a final assessment is made.

Once all the documentation has been received, various technical checks are performed on the proposed sponsoring organisation's DNS infrastructure to ensure name servers are properly configured and are able to respond to queries correctly. Should any anomalies be detected, ICANN staff will work with the applicant to address the issues.

Assuming all issues are resolved, an assessment is compiled providing all relevant details regarding the proposed sponsoring organisation and its suitability to operate the relevant top-level domain.

2013-02-28-02d-Overview-ml.doc

<p>What is the Issue?</p> <p>ICANN has received a request to redelegate operation of .ML to a new entity. It has passed through Staff evaluation and is ready for transmission to the U.S. Government for authorization.</p>	<p>Why is it important?</p> <p>ICANN reviews delegations and redelegations of ccTLDs as part of the IANA Functions. The delegation and redelegation of a TLD is one of the more critical functions that relate to Internet security and stability. The Board reviews such requests along with ICANN Staff analysis to ensure ICANN followed proper procedures.</p>
<p>Who is the decision maker?</p> <p>Under the latest guidance from the U.S. Government and the language of the IANA Functions Contract, the Board's role is to ensure that Staff followed proper procedures.</p> <p>Generally, responsibility for shepherding such requests within the Board belongs to Kuo Wei Wu as Chair of the Board IANA Committee.</p>	<p>Next Steps</p> <p>If the Board raises no issues during its review, the request will be transmitted to the U.S. Government for implementation.</p>

2013-02-28-02c-Board-Paper-ml.doc

ICANN BOARD PAPER NO. 2013-02-28-02c

TITLE: Redelegation of the .ML domain representing Mali

PROPOSED ACTION: For Board Consideration

IANA REFERENCE: 601668

EXECUTIVE SUMMARY:

ICANN has been asked to prepare a recommendation for the NTIA to authorize the redelegation of the country-code top-level domain .ML, comprised of the ISO 3166-1 code representing Mali, to the Agence des Technologies de l'Information et de la Communication.

The currently manager of the domain, Société des Télécommunications du Mali (SOTELMA), a recently privatised telco, consents to the transfer. The proposed sponsoring organisation is Agence des Technologies de l'Information et de la Communication (AGETIC), a government institution, created in 2005 and tasked with managing .ML domain amongst other responsibilities.

Sensitive Delegation Information

PROPOSED RESOLUTION:

Resolved (2013.02.28.xx), ICANN has reviewed and evaluated the request, and the documentation demonstrates the process was followed and the redelegation is in the interests of the local and global Internet communities.

PROPOSED RATIONALE:

As part of the IANA Functions, ICANN receives request to delegate and redelegate country-code top-level domains. ICANN Staff has reviewed and evaluated a redelegation request for this

domain and has provided a report to the ICANN Board that proper procedures were followed in that evaluation. The Board's oversight of the process helps ensure ICANN is properly executing its responsibilities relating to the stable and secure operation of critical unique identifier systems on the Internet and pursuant to the IANA Functions Contract. Ensuring that the process is followed adds to the accountability of ICANN. This action will have no fiscal impact on ICAN or the community, and will have a positive impact on the security, stability and resiliency of the domain name system.

This is an Organizational Administrative Function not requiring public comment.

SIGNATURE BLOCK:

Submitted by: Kim Davies
Position: IANA Function Liaison for Root Zone Management
Date Noted: 11 February 2013
Email: kim.davies@icann.org

2013-02-28-02b-Board-Paper-Reference Materilas-ml.doc

REFERENCE MATERIALS — BOARD PAPER NO. 2013-02-28-02b

TITLE: Relegation of the .ML domain representing Mali to the Agence des Technologies de l'Information et de la Communication

IANA REFERENCE: 601668

In accordance with ICANN's obligations under the IANA Functions Contract for managing the DNS Root Zone, ICANN's IANA Department receives requests to delegate, redelegate and revoke top-level domains. Per the IANA Functions Contract, ICANN shall apply existing policy frameworks in processing requests related to the delegation and redelegation of a country-code top-level domain, such as RFC 1591 and the GAC Principles, and any further clarification of these policies by interested and affected parties. If a policy framework does not exist to cover a specific instance, ICANN must consult with the interested and affected parties on any recommendation that is not within or consistent with an existing policy framework.

Recommendations shall be submitted to the US Government via a Delegation and Redelegation Report.

Sensitive Delegation Information

DELEGATION AND REDELEGATION REPORT

ICANN is required to produce a “Delegation and Redelegation Report” for the US Government. This report is published in the IANA website after a request is implemented.

The proposed Delegation and Redelegation Report is attached as Exhibit A.

SIGNATURE BLOCK

Submitted by: Kim Davies
Position: IANA Function Liaison for Root Zone Management
Date Noted: 11 February 2013
Email: kim.davies@icann.org

2013-02-28-02b-Board-Paper-ml-Exhibit-A.doc

Report on the Redelegating of the .ML domain representing Mali to the Agence des Technologies de l'Information et de la Communication

11 February 2013

This report is being provided under the contract for performance of the Internet Assigned Numbers Authority (IANA) function between the United States Government and the Internet Corporation for Assigned Names and Numbers (ICANN). Under that contract, ICANN performs the "IANA functions", which include receiving delegation and redelegation requests concerning TLDs, investigating the circumstances pertinent to those requests, making its recommendations, and reporting actions undertaken in connection with processing such requests.

FACTUAL INFORMATION

Country

The "ML" ISO 3166-1 code is designated for use to represent Mali.

Chronology of events

The currently designated manager for the .ML top-level domain is Société des Télécommunications du Mali (specifically, "SOTELMA"), as described in the IANA Root Zone Database.

On 10 January 2005, Agence des Technologies de l'Information et de la Communication (AGETIC) was established by law as a public institution. Its role is to manage "research, training and promotion related to ICTs", and specifically, "is in charge of ... managing the .ML domain name".

In July 2009, SOTELMA was privatized. The applicant has stated this has necessitated the transfer of the management of .ML ccTLD.

A two-day workshop concerning the Naming Charter for Mali domain name was held in August 2011 involving a number of community participants, including representatives of SOTELMA, various government agencies, Internet Service Providers, Orange Mali, AGETIC, the Mali Association of Free Software (AMULL), the Mali Association of Intellectual Property (AMPRIT), UNESCO and CACTIC. The outcome of this meeting is reported to have selected AGETIC as the future sponsoring organization for the .ML domain.

Since December 2011, AGETIC became involved in the management of .ML ccTLD and took over responsibilities for handling all new registrations of domains under .ML ccTLD. The proposed name servers for the .ML domain commenced publishing the

contents of the zone, which continues to be maintained by SOTELMA until the redelegation is conducted.

On 9 January 2012, AGETIC commenced a request to ICANN for redelegation of the “.ML” top-level domain. A revised request was tendered in August 2012.

On 3 October 2012, ICANN received a communication from Dr. Alioune Badara Traore, the currently listed administrative contact for .ML ccTLD, stating that he does not agree with the proposed redelegation of .ML to AGETIC. During the next few weeks, ICANN staff were in communication with both current and proposed operators clarifying the position of all the involved parties. ICANN staff met with Dr. Traore and AGETIC representatives in Canada during the ICANN international meeting, and the discussion results in a commitment that Dr. Traore and AGETIC representatives would meet further in Mali during November to discuss and address their outstanding issues.

A “ML Consultative Committee” meeting was held in Mali on 1 November 2012. Representatives from various organizations were present, including the currently listed sponsoring organization, SOTELMA. The meeting decided that Dr. Traore would be appointed to the Committee as a representative of SOTELMA. ICANN staff subsequently received communication from Dr. Traore in December 2012 withdrawing his objection and agreeing to the proposed redelegation.

Proposed Sponsoring Organisation and Contacts

The proposed sponsoring organisation is the Agence des Technologies de l’Information et de la Communication, a public institution formed under Law 05-002 of 10 January 2005 “Portant Creation de l’Agence des Technologies de l’Information et de la Communication”.

The proposed administrative contact is Berthe Hawa Diakite, Head of .ML Service Management for AGETIC. The administrative contact is understood to be based in Mali.

The proposed technical contact is Adama Traore, System Engineer, AGETIC.

EVALUATION OF THE REQUEST

String Eligibility

The top-level domain is eligible for continued delegation under ICANN policy, as it is the assigned ISO 3166-1 two-letter code representing Mali.

Public Interest

Support for the application to redelegate the domain was provided by Modibo Ibrahim Touré, the Minister of Post and ICT in Mali. Additional statements in support of this redelegation were provided from the Coordination of ICT Associations and Clubs of Mali (CACTIC), Internet Society Mali, Iserv (a local IT company), and Datatech (a local ISP).

The application is consistent with known applicable local laws in Mali.

The proposed sponsoring organisation undertakes to operate the domain in a fair and equitable manner.

Based in country

The proposed sponsoring organisation is constituted in Mali. The proposed administrative contact is understood to be resident in Mali. The registry is to be operated in the country.

Stability

The request is deemed uncontested, with the currently listed sponsoring organisation consenting to the transfer.

The appropriate transfer plan has been provided. Based on the information submitted, ICANN staff evaluated stability aspects relating to registry transfer and does not see any stability issues given all parties act in accordance with the agreed upon transfer plan.

Competency

The application has provided satisfactory details on the technical and operational infrastructure and expertise that will be used to operate the .ML domain. Proposed policies for management of the domain have also been tendered.

EVALUATION PROCEDURE

ICANN is tasked with coordinating the Domain Name System root zone as part of a set of functions governed by a contract with the U.S. Government. This includes accepting and evaluating requests for delegation and redelegation of top-level domains.

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