The Internet Corporation for Assigned Names and Numbers

ICANN

22 October 2014

The Honorable Axelle Lemaire
Secretary of State for Digital
French Republic

Dear Ms. Lemaire:

Thank you for our discussion last week – I found it very productive, and long overdue. As agreed with you, I wanted to follow up on a few points.

Concerning the .WINE and .VIN gTLD applications, contracting is on hold pending further discussions between the parties. These discussions are taking place following two Cooperative Engagement Process (CEP) requests, one by the wine growing community and one by the European Commission on behalf of EU member states.[1]

The CEP is a voluntary step to narrow or resolve conflicting issues prior to filing an Independent Review Proceeding (IRP). It is a direct, party-to-party form of communication.

A number of positive meetings have taken place since the summer. The parties involved are now working on devising a mechanism which would offer protections to a reserved list of names, which would be contractually protected through ICANN's registry agreement, along with a set of rules around how those names could be distributed to parties that have interests in and the rights to them. Once they are finalized, ICANN would be charged with monitoring and ensuring compliance with these commitments.

While we should not expect this mechanism to solve issues that have not been solved in other fora over a long period, the solution being worked on should provide the protections sought by the various parties involved. This is not a trivial task and much remains to be done, but we are encouraged that there has been constructive engagement and progress. I look forward to sharing some of the detail of these latest discussions with you over the phone shortly.

As for the transition process, as you may be aware the IANA Stewardship Transition Coordination Group (ICG) has met several times since this summer. In September, they released a suggested

Los Angeles   **12025 Waterfront Drive, Suite 300**   **Los Angeles, CA 90094   USA**   **T +1 310 301 5800**   **F +1 310 823-8649**
Offices: Beijing   •   Brussels   •   Istanbul   •   Montevideo   •   Singapore   •   Washington

http://icann.org

transition timeline[2] as well as a Request for Proposals (RFP)[3], for communities interested in and/or affected by the transition of IANA stewardship from the United States NTIA to the global multistakeholder Internet community. Proposals should be submitted before or on 15 January 2015.

The parallel Review of Accountability & Governance also continues apace. This process focuses on ICANN accountability in light of its changing historical relationship with the US Government. Public comment was sought up to last week (27 September) on the proposed process for the review. A non-exhaustive inventory of ICANN's accountability efforts includes a vast number of areas, several of which you have referred to in the past: byelaws; the Affirmation of Commitments; redress mechanisms; external laws; ICANN Board selection process; and more.

Pending the outcome of the Public Comment, an Accountability & Governance Process will be underway, tasked with identifying issues for discussion or improvement. A Public Experts Group will also select up to seven Advisors to sit on the Coordination Group in order to help inform the discussion, including provide best practices and experiences from other sectors and the larger global community.

A final report on the issues identified, as well as a recommended timeframes for development or potential solutions will be, following community global consultations, submitted to the ICANN Board.

As mentioned during our call, it is crucial that we benefit from the best possible advice and ideas in this process, and so I urge you or members of your team to contribute actively.

So I would like to continue our discussion at the earliest opportunity in order to further discuss all these points. I hope that we can arrange a follow-up call within the next week if possible.

Best regards,

Fadi Chehadé
President and CEO

---

[2] Suggested Transition Process Timeline, full version here: https://www.icann.org/en/system/files/files/icg-process-timeline-graphic-10sep14-en.xlsx
[3] Full RFP is located here: https://www.icann.org/en/system/files/files/rfp-iana-stewardship-08sep14-en.pdf