

Policy Development Process (PDP) Update

New gTLD Subsequent Procedures

April 2018

UPCOMING IMPORTANT DATES

The overall PDP WG is seeking to publish its Initial Report for public comment shortly, which will include the PDPs overarching issues and Work Tracks 1-4. Feedback from the GAC and other community organizations during the public comment period will be essential to the PDP. Work Track 5, which focuses on geographic names at the top-level, has a different timeline from the other parts of the PDP and will publish an Initial Report later this year.

ISSUE

Review and recommend possible changes or adjustments to the GNSO principles, recommendations, and implementation guidance from the 2007 Final Report on the Introduction of New Generic Top-Level Domains, or possibly develop new policy recommendations.

SUMMARY

In June of 2014, the GNSO Council created the New gTLD Subsequent Procedures Discussion Group, which was focused on reflecting upon the experiences gained from the 2012 New gTLD round and identifying a recommended set of subjects that should be further analyzed in an Issue Report. It is important to note that there is existing policy from the 2007 Final Report on the Introduction of New Generic Top-Level Domains, which states that the original policy recommendations as adopted by the GNSO Council and ICANN Board have “been designed to produce a systemized and ongoing mechanism for applicants to propose new top-level domains,” meaning that those policy recommendations remain in place for subsequent rounds of the New gTLD Program unless the GNSO Council decides to modify them via a policy development process. At the ICANN53 meeting, The GNSO Council approved a motion to request that a Preliminary Issue Report be drafted by ICANN staff, basing the report on the set of deliverables developed by the Discussion Group, to further analyze issues identified and help determine if changes or adjustments are needed for subsequent new gTLD procedures.

ICANN staff completed the Preliminary Issue Report on New gTLD Subsequent Procedures, which was published for public comment on 31 August 2015, with the comment period closing on 30

October 2015. ICANN staff reviewed public comments received and adjusted the Issue Report accordingly. The Final Issue Report, along with the summary and analysis of public comments received, were submitted to the GNSO Council for its consideration on 4 December 2015 and a PDP on New gTLD Subsequent Procedures was initiated on 17 December 2015. The GNSO Council adopted the PDP WG charter during its 21 January 2016 meeting, with a call for volunteers issued on 27 January 2016. The PDP WG held its first meeting on 22 February 2016 and holds meetings on a regular basis. The PDP WG also has established four Work Track Sub Teams to address specific work items. These Sub Teams have been meeting consistently since their inception and are drafting preliminary recommendations / outcomes for community input, as well as identifying specific areas where community input is sought.

The PDP WG is aware of efforts related to New gTLDs underway within the community, particularly the Competition, Consumer Trust & Consumer Choice Review Team; the PDP WG understands that coordination with other community efforts is needed to promote comprehensive solutions and outcomes.

GAC ENGAGEMENT OPPORTUNITY STATUS



Though the PDP WG has made substantial progress in its deliberations and there are members from the GAC participating, additional individuals from the GAC are always encouraged to participate in the PDP WG. In addition, the GAC will be informed of opportunities for engagement in the process, which could include providing public comments to WG deliverables, input via communiqués, and periodic requests for input from the PDP WG to the GAC and other community groups. The PDP WG made a formal request for input from the GAC prior to ICANN56 in Helsinki and an additional request for input in regards to the remaining subjects identified in the PDP WG's Charter following ICANN58. The PDP WG also held joint sessions with the GAC at ICANN59, ICANN60, and ICANN61 where it solicited input from GAC members on topics of particular interest to GAC members, including Community Applications and Support for Applicants from Developing Countries. The PDP WG is now seeking to establish preliminary recommendations / outcomes, as well as to identify specific areas where community input is sought, which will be integrated into its Initial Report. The PDP WG is aiming to publish its Initial Report shortly.

Noting that the topic of geographic names is included in the charter of the PDP and that there is broad community interest in this topic, the PDP launched Work Track 5, devoted to this issue using a shared

leadership model with representation from the GAC and other SOs and ACs that have a stake in the issue. WT5 has agreed to its [Terms of Reference](#) and substantive deliberations are underway.

ADDITIONAL INFORMATION:

- Archived project page for the completed Discussion Group effort <http://gnso.icann.org/en/group-activities/inactive/2015/non-pdp-new-gtld>
- GNSO Council Resolution requesting Preliminary Issue Report <http://gnso.icann.org/en/council/resolutions#201507>
- Preliminary Issue Report on New gTLD Subsequent Procedures <https://www.icann.org/public-comments/new-gtld-subsequent-prelim-2015-08-31-en>
- Final Issue Report on New gTLD Subsequent Procedures - <http://gnso.icann.org/en/issues/new-gtlds/subsequent-procedures-final-issue-04dec15-en.pdf>
- GNSO Council Resolution initiating PDP - <http://gnso.icann.org/en/council/resolutions#201512>
- GNSO Council Resolution adopting PDP - <http://gnso.icann.org/en/council/resolutions#20160121-2>
- PDP WG Charter - <http://gnso.icann.org/en/issues/new-gtlds/subsequent-procedures-charter-21jan16-en.pdf>
- Active Project Page - <http://gnso.icann.org/en/group-activities/active/new-gtld-subsequent-procedures>
- PDP WG Community Wiki - <https://community.icann.org/x/RgV1Aw>

Policy Development Process Update

Next Generation Registration Directory Services (RDS) to Replace WHOIS

April 2018

Upcoming important dates

As of the end of January 2018, [49 initial points](#) of rough consensus had been reached during iterative and ongoing deliberation. Further formal and informal input opportunities are expected to occur throughout the WG's deliberations. The WG had intended to start drafting its Initial Report on phase 1 of the PDP (identifying policy requirements) within the first half of 2018; however, in anticipation of guidance from the ICANN Board with respect to how the interim model for GDPR compliance work may affect this WG, the RDS PDP WG Leadership team has decided to suspend WG meetings until it receives guidance from the GNSO Council.

Summary

In 2012, in response to the recommendations of the first WHOIS Review Team, the Board adopted a two-prong approach that simultaneously directed ICANN to (1) implement improvements to the current WHOIS system based on the [Action Plan](#) that was based on the recommendations of the WHOIS Review Team, and (2) launch a new effort, achieved through the creation of the Expert Working Group (EWG), to focus on the purpose and provision of gTLD directory services, to serve as the foundation of a Board-initiated GNSO policy development process (PDP).

The Expert Working Group's [Final Report](#) contains a proposed model and detailed principles to serve as the foundation for a PDP to support the creation of the next generation registration directory services to replace WHOIS. This [Final Report](#) contains over 160 pages of complex principles and recommendations to be considered in the GNSO PDP. In order to effectively manage the PDP on such a large scale, an informal group of Board members and GNSO councilors collaborated to develop the [framework](#) that was approved by the ICANN Board on 26 April 2015. As a result, the Board reconfirmed its request for a Board-initiated GNSO policy development process to define the purpose of collecting, maintaining and providing access to gTLD registration data, and consider safeguards for protecting data, using the recommendations in the EWG [Final Report](#) as an input to, and, if appropriate, as the foundation for a new gTLD policy. The [Preliminary Issue Report](#) was posted for public comment on 13 July 2015. The public comment forum closed on 6 September, with 13 submissions received, including input from the GAC. The [Final Issue Report](#) was submitted to the GNSO Council on 7 October 2015 and the [charter](#) for the PDP WG was adopted during the 17 November 2015 Council meeting, followed by the launch of a call for volunteers for WG participants in early January 2016. The Working Group held its first meeting on 26 January 2016 and is continuing meeting on a weekly basis up until the temporary pause in March 2018. The WG's work plan can be found here: <https://community.icann.org/x/oixlAw>. The WG developed a list of possible requirements which will serve as a basis for further deliberations. This list has been triaged to facilitate the review

and consideration of these possible requirements in conjunction with [use cases](#) that have been developed. In the meantime, the Working Group identified key concepts on fundamental questions to assist in finalizing possible requirements on the Working Group's charter questions concerning RDS users/purposes, data elements, privacy and access, starting with key concepts for a Minimum Public Data Set (MPDS). Most recently, the Working Group has been exploring use cases and purposes of RDS in further detail through the use of a number of sub-teams (for outputs produced by DTs, see <https://community.icann.org/x/p4xlAw>), using the Expert Working Group on gTLD Directory Services (EWG) Final Report as a starting point of discussion.

Additionally, the Working Group has reached out to a number of ccTLD registry operators, and sent them selected questions regarding their policies and practices on compliance with applicable privacy and data protection laws, such as the EU General Data Protection Regulation (GDPR). The [feedback being compiled](#) will be part of the Working Group deliberations on key concepts moving forward. Furthermore, the Working Group has obtained independent legal analysis on the [questions](#) that were originally developed for senior EU privacy experts who participated in ICANN58 to help inform its deliberations. The responses from both the senior EU privacy experts and independent legal counsel will supplement the feedback from the ccTLD registry operators in informing Working Group deliberations concerning the impact of data protection laws on registration data and directory services moving forward.

Engagement Opportunity Status



Following the adoption of the charter for the PDP Working Group, a call for volunteers has been distributed to form the PDP Working Group, which is open to anyone interested to participate. The WG has reached out to GNSO Stakeholder Groups and Constituencies as well as ICANN Supporting Organizations and Advisory Committees to request early input to help inform the Working Group deliberations (see <https://community.icann.org/x/pYxlAw>).

Additional Information

- RDS wiki <https://community.icann.org/display/gTLDRDS/Next-Generation+gTLD+Registration+Directory+Services+to+Replace+Whois>
- Charter for PDP WG <http://gnso.icann.org/en/drafts/whois-ng-gtld-rds-charter-07oct15-en.pdf>
- Final Issue Report <http://whois.icann.org/sites/default/files/files/final-issue-report-next-generation-rds-07oct15-en.pdf>
- Preliminary Issue Report <http://whois.icann.org/sites/default/files/files/rds-prelim-issue-13jul15-en.pdf>
- Public Comment Forum <https://www.icann.org/public-comments/rds-prelim-issue-2015-07-13-en>
- Board Resolution <https://www.icann.org/resources/board-material/resolutions-2015-04-26-en#1.f>

Policy Development Process (PDP) Update

Review of All Rights Protection Mechanisms in All gTLDs (PDP)

April 2018

Upcoming important dates

ICANN staff is currently evaluating responses to a Request for Proposal (RFP) that was launched in January 2018 for a professional survey designer to develop and launch surveys aimed at obtaining data and anecdotal input concerning the use and effectiveness of the Sunrise and Trademark Claims services currently being offered through the Trademark Clearinghouse (TMCH). The selected vendor will work with a Working Group Sub Team to finalize the survey questions, with a target date of June 2018 to issue the surveys.

In the meantime, the Working Group is continuing with its review of the Uniform Rapid Suspension dispute resolution procedure (URS). Three Sub Teams are identifying additional data needs and inquiries specifically concerning URS providers, practitioners, and related documents. Questions intended for the current URS providers and experienced URS practitioners are being finalized; following Working Group approval the questions will be sent out. One of the Sub Teams is beginning to review and analyze certain categories of URS cases, to collect various data points such as domain(s) at issue, parties, responses, panelist(s) and outcomes. A fourth Sub Team has been collecting information on additional voluntary marketplace RPMs being offered by certain registry operators and Deloitte (the TMCH provider).

The Working Group is aiming to complete an initial URS review around the ICANN62 timeframe, following which it plans to review the survey results for Sunrise and Trademark Claims and prepare preliminary recommendations for these RPMs by ICANN63.

Summary

The RPMs being reviewed in this PDP refer to those policies and processes that were developed to provide workable mechanisms for trademark owners to either prevent or remedy certain illegitimate uses of their trademarks at the second level of generic top-level domains (gTLDs). The most well-known of these RPMs is the *Uniform Dispute Resolution Policy* (UDRP), which has been an ICANN Consensus Policy since 1999. A number of additional RPMs were developed subsequently to supplement the UDRP as part of the 2012 New gTLD Program: the TMCH and the associated Sunrise and Trademark Claims services, the Uniform Rapid Suspension procedure (URS), and the Trademark Post-Delegation Dispute Resolution Procedure (TM-PDDRP).

The GNSO Council chartered this Working Group to conduct the PDP in two phases. The first focuses on the review of all RPMs that have been developed for the 2012 New gTLD Program, and the second phase addresses the review of the UDRP. The Sunrise, Trademark Claims and URS are the RPMs being reviewed in Phase One.

The Working Group's agreement on a need for substantial data collection in order to fully review the Phase One RPMs means that its completion date for Phase One is likely to be early-2019. It is important to note that the Working Group's request for resources to assist with the data gathering task is consistent with a finding of the Competition, Consumer Protection & Consumer Trust (CCT) Review Team, which noted in its [preliminary report](#) that a robust analysis of whether the RPMs have helped mitigate the issues around the protection of trademark rights following the

2012 New gTLD Program round is not currently possible due to a lack of relevant and pertinent data.

Engagement Opportunity Status



Anyone may join the WG either as a full member or a mailing list observer. The Working Group will be actively soliciting information from a number of sources on data it needs for the reviews. It welcomes participation by the GAC in its work.

Additional Information

- PDP Charter: <http://gnso.icann.org/en/drafts/rpm-charter-26feb16-en.pdf>
- WG wiki space (containing all background material, meeting transcripts and draft documents of the WG): <https://community.icann.org/x/wCWAaw>

Policy Development Process (PDP) Update

IGO & INGO Access to the Curative Rights Protection Mechanisms of the UDRP & URS

April 2018

Upcoming Important Dates

The Working Group (WG) is in the concluding stages of its work, having completed its review of all forty-six comments received (including from the GAC) to its Initial Report that had been published for public comment in late January 2017. It has considered new or additional facts, legal arguments and perspectives brought out through the public comments. The WG has been discussing various policy options that have been suggested concerning the remaining issue of IGO jurisdictional immunity, in cases where a judicial proceeding is filed by a losing registrant. The GNSO Council liaison to the WG is currently working with the WG to resolve a procedural question that was raised concerning the designation of consensus for the group's final recommendations. In this regard, the GNSO Council is expected to discuss appropriate next steps for completing the PDP work at one of its meetings before ICANN62.

Summary

This Policy Development Process (PDP) originated in a consensus recommendation from the GNSO's prior PDP Working Group on the Protection of International Organization Names in All gTLDs (IGO-INGO WG). This was for the GNSO Council to request an Issue Report, as a preceding step to a possible PDP to explore possible amendments to existing curative rights protection mechanisms, i.e. the Uniform Dispute Resolution Policy (UDRP) and the Uniform Rapid Suspension (URS) procedure, to address the specific needs of International Governmental Organizations (IGOs) and International Non-Governmental Organizations (INGOs).

Engagement Opportunity Status



On 2 June 2014 the GNSO Council [resolved](#) to initiate the PDP following its review of the [Final Issue Report](#), and on 25 June the GNSO Council [adopted](#) the charter for the PDP Working Group to be formed. On 20 January 2017 the WG [published](#) its Initial Report for public comment. As part of its preparation of its preliminary recommendations, the WG consulted an external legal expert on the question of IGO jurisdictional immunity, and reviewed the IGO Small Group Proposal that was submitted to the GAC and the GNSO Council in October 2016. The full text of the expert's legal opinion and the IGO Small Group Proposal are included as Annexes to the WG's Initial Report.

Input was received from the GAC, the United States Government and a number of IGOs during the public comment period for the Initial Report, as well as from various GNSO Stakeholder Groups and Constituencies and community members. The WG has reviewed all comments received as well as community input from ICANN59 and ICANN60. Its final recommendations are likely to include some modifications to its initial recommendations as a result of community input. At ICANN61, several WG members met with the GNSO Council liaison to the WG to provide their views on the options being considered on the remaining issue of IGO jurisdictional immunity. The general expectation is that the PDP is in its concluding stages, with next steps to be discussed with the GNSO Council.

Additional Information:

- Text of WG Initial Report: <https://gns0.icann.org/en/issues/igo-ingo-crp-access-initial-19jan17-en.pdf>
- PDP Charter (as adopted by the GNSO Council on 25 June 2014): <http://gns0.icann.org/en/drafts/igo-ingo-crp-access-charter-24jun14-en.pdf>
- Amended Charter provisions: <http://gns0.icann.org/en/council/resolutions#20150416-3>
- WG wiki space including background documents and latest updates on the WG's meetings and deliberations: <https://community.icann.org/x/37rhAg>
- Outline of the six policy options under consideration on the topic of IGO jurisdictional immunity: <http://mm.icann.org/pipermail/gns0-igo-ingo-crp/attachments/20180309/a7480dcf/AnnextoStrawManPaper-7March2018-0001.docx>.

Policy Development Process (PDP) Update

Protection of International Governmental Organization (IGO) acronyms and certain Red Cross names in all gTLDs

April 2018

Upcoming Important Dates:

There are two ongoing work tracks in relation to this PDP. First, on the Board-adopted PDP recommendations that were consistent with GAC advice, the Implementation Review Team (IRT) [published](#) the consensus policy language with two policy effective dates (one for reservation of identifiers, the other for claims notifications). Secondly, on the remaining PDP recommendations that are inconsistent with GAC advice and for which the Board has not yet taken action, the Board, GAC and GNSO Council are tracking the work and awaiting completion of the GNSO's PDP on IGO-INGO Curative Rights (covered elsewhere in this set of briefing papers).

In relation to Red Cross names, the GNSO Council [voted](#) to reconvene the original PDP Working Group in May 2017 following a request from the ICANN Board. The reconvened Working Group has met several times and has come to preliminary agreement on the international legal basis for protecting the names of the Red Cross National Societies and the International Movement. Red Cross representatives are compiling the formal and usual names of the 193 National Society names, including identifiers in their respective national languages. In parallel, staff is drafting the report to ready both deliverables for public comment. Completion of this effort targets June of 2018.

Summary:

In November 2013, the GNSO Council unanimously [adopted](#) all the consensus recommendations from its PDP Working Group regarding protections at the top and second level in all gTLDs for the names and acronyms of certain International Government Organizations (IGOs) and International Non-Government Organizations (INGOs), including the Red Cross international movement and its national societies and the International Olympic Committee (IOC).

On 30 April 2014 the Board [adopted](#) those of the GNSO's recommendations that are not inconsistent with GAC advice received on the topic. For the Red Cross, the approved identifiers were "Red Cross", "Red Crescent", "Red Crystal" and "Red Lion and Sun"; for IGOs the approved identifiers were the full names of those IGOs on the list that had been provided by the GAC in March 2013. The Board requested additional time to consider the remaining inconsistent PDP recommendations, and resolved to facilitate dialogue between the GAC, GNSO and other affected parties to resolve the differences. An Implementation Review Team under the direction of the Global Domains Division was formed to implement those recommendations adopted by the Board.

In June 2014 the Board's New gTLD Program Committee (NGPC) [requested](#) that the GNSO Council consider amending its remaining policy recommendations with respect to the nature and

duration of protection for IGO acronyms, the names and acronyms of the international Red Cross movement, and the names of 189 national Red Cross societies. The GNSO Council [responded](#) to the NGPC's request in October seeking further clarification and in January 2015 received the NGPC's [reply](#) advising that discussions remain ongoing. These Red Cross and IGO identifiers are currently protected on an interim basis via Board resolution. In 2014, a small group of IGO and GAC representatives began working with ICANN Board representatives on a proposal to reconcile the inconsistent GNSO policy recommendations and GAC advice, facilitated by ICANN staff.

The GNSO Council [wrote](#) to the Board on 31 May 2016 to follow up on certain discussions at ICANN55 in Marrakech. Following additional discussions at ICANN56 in Helsinki, the Board [responded](#) to the GNSO Council in October 2016 and forwarded the final IGO Small Group Proposal at the same time. At ICANN57 in Hyderabad, the Board proposed that the GAC and GNSO conduct a discussion, facilitated by former Board member Bruce Tonkin, to resolve the differences. An initial facilitated discussion on the topic of Red Cross protections took place in between GAC and GNSO representatives in late February 2017. At ICANN58 in March 2017, two further facilitated dialogues were held, one on the Red Cross names and acronyms and the other on IGO acronyms.

Following these facilitated sessions, the Board passed a [resolution](#) at ICANN58, requesting that the GNSO Council consider initiating the GNSO's process for amending policy recommendations not yet adopted by the ICANN Board relating to a finite, limited list of Red Cross organizational names. The GNSO Council voted to accede to the Board's request in May 2017.

Engagement Opportunity Status:



GAC members and observers are encouraged to provide feedback to as well as track the discussions that are going on in the reconvened PDP Working Group concerning Red Cross names as well as the ongoing PDP Working Group on Curative Rights.

Additional Information:

- November 2013 PDP [Working Group Final Report](#):
- <http://gns0.icann.org/en/issues/igo-ingo-final-10nov13-en.pdf>
- [January 2014 GNSO Council Recommendation Report to ICANN Board](#): <http://gns0.icann.org/en/issues/council-board-igo-ingo-23jan14-en.pdf>
- [ICANN Board Resolution of 30 April 2014](#): <https://features.icann.org/gns0-policy-recommendations-igo-ingo-protections>
- NGPC Letter of 16 June 2014: <http://gns0.icann.org/en/correspondence/chalaby-to-robinson-16jun14-en.pdf>
- GNSO Council Response of 7 October 2014 to NGPC Letter: <http://gns0.icann.org/en/correspondence/robinson-to-chalaby-disspain-07oct14-en.pdf>
- NGPC Resolution of 12 October 2014 on interim protections for the international Red Cross and national Red Cross entities: <https://www.icann.org/resources/board-material/resolutions-new-gtld-2014-10-12-en#2.d>
- NGPC Letter Response to GNSO Council of 15 January 2015: <http://gns0.icann.org/en/correspondence/chalaby-to-robinson-15jan15-en.pdf>

- GNSO Council Letter to the Chair of the ICANN Board, 31 May 2016: <https://www.icann.org/en/system/files/correspondence/gnso-council-chairs-to-crocker-31may16-en.pdf>
- Board response to the GNSO Council, enclosing IGO Small Group Proposal, 4 October 2016: <https://www.icann.org/en/system/files/correspondence/crocker-to-austin-et-al-04oct16-en.pdf>
- GAC Advice from ICANN 58 - <https://gac.icann.org/advice/itemized/2017-03-15-igo-protections>
- GAC Advice from ICANN 61 - <https://gac.icann.org/contentMigrated/icann61-gac-communicue>

New IGO-Red Cross Identifiers Discussion Group wiki space containing email archives for the group and draft documents for the proposed facilitated discussions:

<https://community.icann.org/x/eoPRAw>

Policy Development Process (PDP) Update

Privacy and Proxy Services Accreditation Issues in relation to the 2013 Registrar Accreditation Agreement and the Development of a Privacy and Proxy Services Accreditation Program by ICANN

April 2018

Upcoming Important Dates

The Privacy and Proxy Service Provider Accreditation Program Implementation Review Team (IRT) meets weekly, on Tuesdays, at 14:00 UTC. Additional information about the IRT's work is available on the ICANN community wiki, <https://community.icann.org/display/IRT/Privacy+and+Proxy+Services+Accreditation+Implementation>. Members of the GAC are invited to sign up for this IRT as active participants or as observers.

The [ICANN Board directed](#) the IRT to continue working with the Governmental Advisory Committee's Public Safety Working Group to address GAC concerns related to the accreditation of privacy and proxy service providers. The ICANN organization initiated a consultation with the PSWG for the purposes of developing a proposal for a framework that will set forth requirements for privacy and proxy service providers' responses to requests from law enforcement authorities. As of the date of this memo, PSWG and registrar members of the IRT disagree about one element of the draft law enforcement authority framework (the response time for high priority/emergency requests). If this disagreement is not resolved during the final discussion call on this topic, this item will be specifically flagged for community input during the public comment period.

The IRT is in the final stages of reviewing the draft accreditation Policy document, the draft Accreditation Agreement and the draft Applicant Guide prior to the opening of a public comment period. The IRT intends to publish these documents for the community's information in the first half of calendar year 2018.

Once the documents referenced above are posted for public comment, the IRT will consider Transfer Policy issues that were referred by the GNSO Council, pursuant to the Council's instruction to consider this topic after the items above have been published for public comment. It is expected that the Transfer Policy issue will be discussed by the IRT at ICANN61.

The project timeline, [available on the ICANN website](#), will be revisited within the IRT and updated quarterly.

The ultimate implementation date of this program (the policy and contractual effective date) will depend heavily on the amount of IRT work required in response to the public comments.

Summary

The Registrar Accreditation Agreement (RAA) is the contract that governs the relationship between ICANN and its accredited registrars (a directory of accredited registrars can be found at <http://www.internic.net/regist.html>). Its provisions also may have impacts on registrants and other third parties involved in the domain name system. In June 2013, the ICANN Board approved a new

2013 RAA (the provisions of which can be found at <http://www.icann.org/en/resources/registrars/raa/approved-with-specs-27jun13-en.pdf>). In initiating negotiations for the 2013 RAA between ICANN and the Registrars Stakeholder Group in October 2011, the ICANN Board had also requested an Issue Report from the GNSO that, upon the conclusion of the RAA negotiations, would start a GNSO Policy Development Process (PDP) to address remaining issues not dealt with in the RAA negotiations that would be suited to a PDP. The GNSO Council approved the charter for this effort at its meeting on 31 October 2013 and a Working Group was formed.

The WG published its Initial Report for public comment on 5 May: <https://www.icann.org/public-comments/ppsai-initial-2015-05-05-en>. Due to the unusually large volume of comments received (including over 11,000 public comments and almost 150 survey responses), the WG extended its timeline in order to carefully and thoroughly consider all the input received. Having completed its review of all the comments, the WG completed and sent its Final Report to the GNSO Council on 7 December 2015. On 21 January 2016, the GNSO Council voted unanimously to approve all the recommendations contained in the WG's Final Report, all of which attained Full Consensus among the WG. Consonant with the requirements of the ICANN Bylaws, a public comment forum was opened on the final recommendations from 5 February to 16 March (<https://www.icann.org/public-comments/ppsai-recommendations-2016-02-05-en>), the GNSO Council approved the transmission of a Recommendations Report to the ICANN Board on 18 February, and notification provided to the GAC on 19 February.

In May 2016, the ICANN Board [acknowledged](#) receipt of the GNSO's recommendations, and requested more time to consider them, including time for the provision and consideration of GAC advice, if any. The GAC hosted a session at ICANN56 on the topic and in its [Helsinki Communique](#) advised the ICANN Board to 'direct the Implementation Review Team (IRT) to ensure that the GAC concerns are effectively addressed in the implementation phase to the greatest extent possible'. On 9 August, the Board approved the PDP recommendations and acknowledged the GAC's advice, which it will consider in order to provide further input to the Implementation Review Team (IRT) that is to be formed.

The IRT has been formed and commenced meetings in October. Approximately 40 volunteers have signed up for the IRT, including multiple volunteers from the GAC's PSWG.

[In December, the ICANN Board adopted](#) a scorecard, [GAC Advice—Helsinki Communique: Actions and Updates](#). In this scorecard, the Board:

- Accepted the GAC's advice with respect to this program and said that it will continue to encourage dialogue on constructive ways to address GAC concerns as the policy implementation continues;
- Noted that members of the PSWG have joined the IRT, and encouraged the IRT to continue to work with the PSWG to address the concerns expressed by the GAC regarding accreditation of privacy/proxy service providers; and
- Said that it will use the existing processes in ICANN's Bylaws and the Board-GAC Consultation Process to address any additional advice from the GAC regarding accreditation of privacy/proxy service providers. The Board also noted that ICANN's existing Consensus Policy Implementation Framework allows for new policy issues that emerge during implementation to be referred back to the appropriate policy making body, in this case, the GNSO.

Engagement Opportunity Status



This project is now in the implementation phase. The GAC is encouraged to participate in the Implementation Review Team, particularly as the Public Safety Working Group works to develop a proposed framework for accredited Privacy and Proxy Service Providers' responses to law enforcement requests. Pursuant to the ICANN Bylaws, any GAC advice that is timely provided will be taken duly into account by the Board.

Additional Information

Implementation Review Team wiki page

<https://community.icann.org/display/IRT/Privacy+and+Proxy+Services+Accreditation+Implementation>

WG Charter

<http://gnso.icann.org/en/drafts/raa-pp-charter-22oct13-en.pdf>

WG Workspace

<https://community.icann.org/x/9iCfAg>

WG Initial Report

<http://gnso.icann.org/en/issues/raa/ppsai-initial-05may15-en.pdf>

WG Final Report

<http://gnso.icann.org/en/issues/raa/ppsai-final-07dec15-en.pdf>

GNSO Council resolution approving the Final Report

<http://gnso.icann.org/en/council/resolutions#201601>

GNSO Council Recommendations Report to the ICANN Board

<http://gnso.icann.org/en/drafts/council-board-ppsai-recommendations-09feb16-en.pdf>

ICANN Board notification to the GAC

<https://gacweb.icann.org/download/attachments/27492514/2016-02-19-Steve-Crocker-to-Thomas-Schneider-GNSO-PDP.pdf?version=1&modificationDate=1456046942000&api=v2>

ICANN Board resolution of May 2016: <https://www.icann.org/resources/board-material/resolutions-2016-05-15-en#2.a>

GAC Helsinki Communique:

https://gacweb.icann.org/download/attachments/27132037/20160630_GAC%20ICANN%2056%20Communique_FINAL%20%5B1%5D.pdf?version=1&modificationDate=1469016353728&api=v2

ICANN Board resolution of August 2016: <https://www.icann.org/resources/board-material/resolutions-2016-08-09-en#2.e>

ICANN Board resolution of December 2016: <https://www.icann.org/resources/board-material/resolutions-2016-12-13-en#1.d>

Policy Development Process (PDP) Update

'Thick' WHOIS Policy Development Process

7 February 2018

Upcoming dates

The Thick WHOIS Transition for .COM, .NET and .JOBS policy implementation effective dates are 1 May 2018 for new registration and 1 February 2019 for the completion of migrating existing registration data from Thin to Thick. Contractual Compliance enforcement for these dates, will be deferred 180 days due to the 29 October 2017 ICANN Board Resolution.

Summary

ICANN specifies WHOIS service requirements through its agreements with gTLD registries and registrars. Registries have historically complied with their WHOIS obligations under two different models, characterized as "Thin" and "Thick" WHOIS registries. In a Thin registration model the Registry only collects and publishes the minimal information associated with the domain name from the registrar (such as DNS technical information). All of the registrant's contact information is maintained by the registrar, which publishes it via their own WHOIS services. In a Thick registration model the registry collects both sets of data (domain name and registrant) from the registrar and in turn publishes that data via WHOIS.

The ICANN organization and the Thick Whois IRT have identified two steps for the Thick Whois Policy recommendations and agreed that their implementations could be decoupled:

- Consistent Labeling and Display of WHOIS output for all gTLDs
- Transition from Thin to Thick for .COM, .NET and .JOBS

Both policies were published on 1 February 2017 consisting of three effective dates:

- Consistent Labeling and Display of Whois output for all gTLDs by 1 August 2017
- Transition from Thin to Thick for .COM, .NET and .JOBS (for new registrations) by 1 May 2018
- Transition from Thin to Thick for .COM, .NET and .JOBS (for existing registrations) by 1 February 2019

The Consistent Labelling and Display of RDDS Output for All gTLDs policy has completed implementation with the policy effective date of 1 August 2017.

For .COM and .NET, Verisign, the registry operator, has proposed changes to its Registry-Registrar Agreement (RRA) to accept Thick WHOIS data. However, Verisign and RrSG hit an impasse when they could not agree on RRA proposed by Verisign. During its meeting on 29 October 2017, the ICANN Board adopted a resolution to defer enforcement of the policy (see <https://www.icann.org/resources/board-material/resolutions-2017-10-29-en#2.b>). [This](#)

effectively allows additional 180 days for implementation before enforcement takes effect for the Thin to Thick Transition policy.

GAC Engagement Opportunity Status



Following the publication of the policies, the Implementation Review Team is working with the ICANN organization on the implementation of the policies.

Additional Information

- Thick Whois Transition Policy for .COM, .NET and .JOBS: <https://www.icann.org/resources/pages/thick-whois-transition-policy-2017-02-01-en>
- Registry Registration Data Directory Services Consistent Labeling and Display Policy: <https://www.icann.org/resources/pages/rdds-labeling-policy-2017-02-01-en>
- PDP Documentation: <http://gns0.icann.org/en/group-activities/thick-whois.htm>
- PDP WG Final Report: <http://gns0.icann.org/en/issues/whois/thick-final-21oct13-en.pdf>
- Thick Whois Implementation: <https://www.icann.org/resources/pages/thick-whois-2016-06-27-en>
- Thick Whois IRT Workspace: <https://community.icann.org/display/TWCPI>
- Public Comment period on Consistent Labeling and Display implementation proposal: <https://www.icann.org/public-comments/rdds-output-2015-12-03-en>
- Public Comment period on Transition from thin to thick for .COM, .NET and .JOBS <https://www.icann.org/public-comments/proposed-implementation-gns0-thick-rdds-whois-transition-2016-10-26-en>

Early Engagement Policy Document - Translation and Transliteration

Policy Development Process (PDP) Update Translation and Transliteration Of Contact Information (T/T)

April 2018

UPCOMING IMPORTANT DATES

As of April 2018, ICANN org and the Implementation Review Team are preparing a draft T/T policy document. This document is based on the entirety of the IRT's input received during the course of the implementation.

The implementation's projected effective date is to be determined. There are a number of technical and logistical/coordination issues that need to be considered before deciding on a policy effective date, such as the roll-out of the Registration Data Access Protocol (RDAP) and work within the Next-Generation gTLD Registration Directory Services (RDS) to replace WHOIS PDP.

SUMMARY

The Policy Development Process (PDP) on the translation and transliteration had its inaugural meeting on 19 December 2013. It focused its work the following issues:

1. Whether it is desirable to translate contact information to a single common language or transliterate contact information to a single common script.
2. Who should decide which party(s) should bear the burden of translating contact information to a single common language or transliterating contact information to a single common script.

The Working Group completed its [Final Report](#), which was [approved](#) by the GNSO Council on 24 June. In its Final Report, the Working Group does not recommend to mandate the translation/transliteration of contact information data. Instead the Group recommends that registrants are able to submit contact data in any language/script supported by their registrar; ideally the registrant's native one. The Group expressed in its Final Report that data submitted in a script native to the registrant is most likely to be

accurate and that the costs of translating and/or transliterating all contact information data would be disproportionate to any potential benefits. On 28 September, the ICANN Board [adopted the recommendations](#).

ENGAGEMENT OPPORTUNITY STATUS



Staff has formed an Implementation Review Team, which held its kickoff call on 19 July 2016. The IRT meets once every 2 to 3 weeks. Rubens Kuhl currently serves as the GNSO Council liaison to the IRT.

ADDITIONAL INFORMATION

- Translation and Transliteration Community
Wiki: <https://community.icann.org/display/gnsottcii/Translation+and+Transliteration+of+Contact+Information+IRT+Home>
- Final Report
<http://gns0.icann.org/en/issues/gtlds/translation-transliteration-contact-final-12jun15-en.pdf>
- ICANN Board resolution
<https://www.icann.org/resources/board-material/resolutions-2015-09-28-en>
- GNSO Council Resolution
<http://gns0.icann.org/en/council/resolutions#20150624-3>
- Wiki Space
<https://community.icann.org/x/FTR-Ag>