

Policy Development Process Update

Next Generation Registration Directory Services (RDS) to Replace WHOIS

September 2017

Upcoming important dates

As of 22 September 2017, the WG had reached rough consensus on 41 agreements, subject to further refinement during iterative deliberation (see: <https://community.icann.org/x/p4xlAw>). Further formal and informal input opportunities are expected to occur throughout the WG's deliberations. The WG is expected to receive the input from independent legal counsel to answer questions about the impact of data protection laws on registration data and directory services [previously answered by senior EU privacy experts by the end of September 2017](#). The WG intends to start drafting its Initial Report on phase 1 of the PDP (identifying policy requirements) within the first quarter of 2018.

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. The WG's work plan can be found here: <https://community.icann.org/x/olxlAw>. 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 continuing to deliberate on key concepts and possible requirements for data beyond the MPDS, 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 is obtaining 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

New gTLD Subsequent Procedures

September 2017

UPCOMING IMPORTANT DATES

The Working Group co-chairs are developing a fifth Work Track in the PDP devoted to geographic names at the top level using a shared leadership model with representation from the GAC and other SOs and ACs that have a stake in the issue. Whilst the issue of geographic names is only one of many topics within the PDP WG's charter, the PDP understands this topic is of particular interest. The PD PWG is seeking to publish its Initial Report for public comment in early 2018, where feedback from the GAC and other community organizations is essential to the PDP.

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 currently are meeting every two weeks.

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 begun 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 is now in the midst of considering input received from that outreach, with an eye towards developing preliminary recommendations to integrate into an Initial Report.

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 co-chairs are developing a fifth Work Track in the PDP 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.

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 (PDP) Update

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

September 2017

Upcoming important dates

The Working Group has agreed on a final set of Charter questions and a list of data requirements for its review of the Sunrise and Trademark Claims processes offered through the TMCH. It has submitted a request to the GNSO Council for resources to conduct the extensive data gathering task. The GNSO Council will discuss whether or not to approve the request at its upcoming September meeting. The next step after Council approval is for ICANN staff to work out a detailed cost, budget and resource estimate for submission to ICANN Organization, which will evaluate the availability of the requested resources.

A Working Group Sub Team has completed a preliminary review of possible questions for examining Additional Marketplace RPMs currently being offered on a voluntary basis by some registry operators. The Sunrise, Trademark Claims and Uniform Rapid Suspension (URS) rights protection mechanisms (RPMs) are being reviewed in Phase One of this two-phased PDP. With the agreed need to collect and analyze data, the WG expects to be in Phase One mode through mid-2018.

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 Trademark Clearinghouse (TMCH) and the associated Sunrise and Trademark Claims services, the 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 Working Group's recent completion of a list of data it will require in order to fully review the Phase One RPMs means that its completion date for Phase One is likely to be mid-2018. 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

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

September 2017

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 draft consensus policy language for public comment in late April and is currently finalizing the consensus policy language for implementation. Secondly, on the remaining PDP recommendations that are inconsistent with GAC advice and for which the Board has not yet taken action, there have been no further discussions in relation to IGO acronym protections among the Board, GAC and GNSO representatives who participated in the facilitated discussions at ICANN58, pending the completion of the GNSO's PDP on IGO-INGO Curative Rights (covered elsewhere in this set of briefing papers). That PDP Working Group is expected to hold an open community discussion on its final recommendations at ICANN60.

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. It is currently discussing the scope of the list of limited variants that will be defined for these names. An update will be provided to the GNSO Council by the Working Group Chair at ICANN60.

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.

There have been no further discussions regarding next steps on IGO acronyms protection since the last update in July 2017, pending completion of the GNSO's ongoing PDP Working Group deliberations on curative rights protections for IGOs and INGOs (see separate briefing paper for that status update).

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://gnsso.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://gnsso.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/gnsso-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>
- 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

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

September 2017

Upcoming Important Dates

The Working Group (WG) has 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 (closed on 31 March). The report contains all the WG's preliminary recommendations and a few open questions for which the WG sought community input. The WG has considered new or additional facts, legal arguments and perspectives brought out through the public comments. The WG is preparing its final recommendations to be included in the Final Report that is submitted to the GNSO Council. The WG hopes to complete its Final Report by ICANN60 and welcomes GAC and IGO participation in this final phase of its work.

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.

The WG's preliminary recommendations include:

- (1) No changes proposed to the UDRP or URS;
- (2) For IGOs, standing to file under either procedure may be demonstrated by fulfilling the communications and notification procedure under Article 6^{ter} of the Paris Convention for the Protection of Industrial Property;
- (3) Creation of a Policy Guidance document for the UDRP and URS clarifying –
 - (a) the procedural options available to IGOs in considering whether and how to file a complaint (e.g. via an assignee, agent or licensee)
 - (b) how IGOs may satisfy the standing requirement
 - (c) that the limitation contained in Article 6^{ter}(1)(c) should be taken into account by panelists in relation to questions of bad faith when an IGO files a complaint, and
 - (d) that no changes or specific new process are recommended for INGOs.
- (3) On the question of IGO jurisdictional immunity, while the WG does not recommend any change to the Mutual Jurisdiction clause in the UDRP or URS, it suggests two options for dealing with the initial panel decision in the case where an appeal from that decision is brought by a losing respondent in a national court and the IGO succeeds in pleading jurisdictional immunity in that court. The two options are that –
 - (a) the initial panel decision is vitiated, or
 - (b) the initial panel decision may be brought before an international arbitral tribunal for a de novo review and determination.

Finally, the WG recommended that ICANN investigate the feasibility of providing IGOs and INGOs with access to the UDRP and URS at no or nominal cost, in line with GAC advice on the topic.

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, input from ICANN59, and is considering which of its initial recommendations may need amending based on the community's input. The WG remains aware of and is considering a suggestion made to it at ICANN59, to publish its draft Final Report for a further public comment period prior to submission to the GNSO Council.

Additional Information:

- Public comment announcement and forum: <https://www.icann.org/public-comments/igo-ingo-crp-access-initial-2017-01-20-en>
- Text of WG Initial Report: <https://gnso.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://gnso.icann.org/en/drafts/igo-ingo-crp-access-charter-24jun14-en.pdf>
- Amended Charter provisions: <http://gnso.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>

Policy Development Process (PDP) Update

‘Thick’ WHOIS Policy Development Process

18 September 2017

Upcoming dates

Following the publications of the Thick WHOIS Consensus Policies in February 2017 for the Consistent Labeling and Display of RDDS (WHOIS) Output for All gTLDs and the Thick RDDS (WHOIS) Transition for .COM, .NET and .JOBS, the implementations work began. As of 1 August 2017, Consistent Labeling and Display of WHOIS Output for ALL gTLDs policy has completed its implementation. The Thick WHOIS Transition for .COM, .NET and .JOBS policy continues its implementation toward the current deadlines for new registrations as Thick by 1 May 2018 and for completion of migrating existing registration data from Thin to Thick by 1 February 2019.

On 17 August 2017, the ICANN organization received a request from the RrSG requesting a 120-day extension to the .COM and .NET data migration dates of 1 May 2018 and 1 February 2019, respectively, ICANN is currently considering this request.

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

Recent Developments

The transition from Thin to Thick for .JOBS remains on schedule. On 1 August 2017 .JOBS began accepting Thick data from registrars for existing registrations. All indications at this time are that the registry and their registrars will meet the policy effective deadlines of accepting new registrations as Thick data by 1 May 2018, and complete the transition of any existing registration data from Thin to Thick by 1 February 2019.

Verisign, the registry operator for .COM and .NET, 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. As a result, on 20 June 2017, ICANN received a request from Verisign to defer the start date of 1 August 2017 for accepting Thick WHOIS data from its registrars. Verisign's request to defer starting the data migration was granted by the ICANN organization on 29 June 2017, with a new deadline for the start date of 29 November 2017. The ICANN organization granted the request on the basis that this would not impact the policy effective dates of 1 May 2018 and 1 February 2019.

On 17 August 2017, the ICANN organization received a request from the RrSG requesting a 120-day extension to the .COM and .NET data migration dates of 1 May 2018 and 1 February 2019, respectively, ICANN is currently considering this request.

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://gnso.icann.org/en/group-activities/thick-whois.htm>
- PDP WG Final Report: <http://gnso.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-gnso-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)

September 2017

UPCOMING IMPORTANT DATES

As of September 2017, ICANN org staff supporting the implementation have been preparing a policy document for the IRT's review. This document is based on the entirety of the IRT's input received during the course of the implementation. This document is expected to be ready for IRT review by late September.

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://gnsso.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://gnsso.icann.org/en/council/resolutions#20150624-3>
- Wiki Space
<https://community.icann.org/x/FTR-Ag>

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

September 2017

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 has 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. The PSWG delivered its proposed framework to the IRT in May. The IRT and the PSWG [met to discuss this proposal at ICANN59](#).

The IRT is continuing to refine the draft accreditation policy, the draft accreditation agreement (including the law enforcement authority framework) and other draft program requirements. PSWG members who are part of the IRT are up-to-date and involved in these discussions. It is expected that when the IRT has concluded its refinement of these documents, the documents will be posted for public comment. It is currently estimated that the public comment period could potentially be initiated prior to ICANN60. 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 pace of the IRT's work and 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>