

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

July 2016

Upcoming Important Dates

In January 2016, the GNSO Council voted unanimously to approve the Final Report from the PDP WG. The report contained over twenty policy recommendations that gained Full Consensus within the PDP WG. Subsequently, a Recommendations Report was [approved](#) by the GNSO Council for transmission to the ICANN Board, a public comment forum opened and notification provided to the GAC prior to Board action, in accordance with the ICANN Bylaws. In its recent [Marrakech Communiqué](#), the GAC requested a meeting with the ICANN Board, possibly at ICANN56, to facilitate the GAC's possibly providing timely advice of public policy concerns in relation to the PDP recommendations. At its recent meeting 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 discussed PPSAI during one of its sessions at ICANN56 and provided Advice accordingly including the advice that the ICANN Board 'direct the Implementation Review Team (IRT) to ensure that the GAC concerns are effectively addressed in the implementation phase to the greatest extent possible'. The Board anticipates taking further action on the matter, taking into account the GAC Advice, at the first Board meeting following the ICANN56 Public Meeting in Helsinki, Finland on 29 July 2016.

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. The Board began consideration of the GNSO recommendations at its May 2016 meeting, and will take up the matter again after ICANN56, to allow for the provision of timely GAC advice which happened during ICANN56.

Engagement Opportunity Status



The public comment forum on the final PDP recommendations closed on 16 March. Pursuant to the ICANN Bylaws, any GAC advice that is timely provided will be taken duly into account by the Board.

Additional Information

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 Communique

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