

# ICANN | GNSO

Generic Names Supporting Organization

## Policy Briefing ICANN68 Edition

The GNSO Background Briefings are produced by ICANN's Policy staff supporting the GNSO. These are drafted specifically in preparation for ICANN meetings to provide the Community with concise background information on all relevant GNSO policy efforts.

For more information on the GNSO @ ICANN68:

 [gnso.ICANN.org/ICANNmeeting](https://gnso.icann.org/ICANNmeeting)  [@ICANN\\_GNSO](https://twitter.com/ICANN_GNSO)

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# Welcome to ICANN68 from the GNSO Chair

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Dear Colleagues:

The Generic Names Supporting Organization (GNSO) Council and GNSO community welcome your participation in the ICANN68 Virtual Policy Forum. As you are likely aware, this year's Policy Forum will take place virtually as a result of concerns over the spread of COVID-19 (coronavirus). The meeting will have a modified format designed with online participants in mind. For the GNSO, this will mean focusing sessions on two key priorities: the work of the GNSO Council and ongoing Policy Development Processes (PDPs). To assist with your preparation for the meeting, I would like to highlight a few GNSO initiatives that will be on the agenda for ICANN68 as well as ongoing work that may interest you.

During ICANN68, GNSO working groups will hold sessions aimed at making progress on policy development efforts. The New gTLD Subsequent Procedures PDP Working Group is currently refining a set of draft final recommendations, taking into consideration the working group's review of Public Comments on the Initial Report and Supplemental Initial Reports and additional deliberations that have taken place since the publication of these reports. It plans to publish a draft Final Report and open a public comment around ICANN68, and looks forward to engaging with the community on its draft final recommendations. The Review of All Rights Protection Mechanisms (RPMs) in All gTLDs PDP Working Group has started reviewing the public comments received from fifty-five (55) contributors on its Phase 1 Initial Report. Two sub teams were formed to conduct the concurrent review, using a public comment review tool developed by staff to analyze all the input. The working group is expected to provide an update on its public comment review progress during its public session at ICANN68.

Many of you are closely following the work of the Expedited Policy Development Process (EPDP) on the Temporary Specification for Generic Top-Level Domain (gTLD) Registration Data, which has been in Phase 2 of its work since May 2019. The Team's Phase 2 efforts include discussion of a Standardized System for Access/Disclosure (SSAD) to nonpublic gTLD registration data, as well as additional topics held over from Phase 1 of the Team's work. The EPDP Team is currently reviewing community input on the Phase 2 Initial Report and will consider these comments when developing final responses to charter questions, final recommendations, and implementation guidance in its Final Report. Next, the EPDP Team will finalize its Final Report and submit it to the GNSO Council for its consideration.

The EPDP Team is not currently planning to meet during ICANN68, although the work plan is subject to change. Those interested in the implementation of the EPDP Phase 1 recommendations are welcome to join the session of the Implementation Review Team (IRT) as it continues to discuss the draft gTLD Registration Data Policy.

At ICANN68, the GNSO Council will hold its monthly Council meeting on Wednesday, 24 June. Other highlights for the GNSO community include joint sessions with the ICANN Board and the Country Code Names Supporting Organization (ccNSO).

Progress continues on PDP 3.0, a Council initiative aimed at introducing incremental improvements to enhance the efficiency and effectiveness of the PDP working groups, as well as to empower the GNSO Council to better serve in its role as the manager of the policy development process. The GNSO Council is in the process of deploying the fourteen (14) PDP 3.0 improvements based on their respective time frames.

The most recent development in PDP 3.0 is the publication of the [Consensus Playbook](#), which aims to provide the community with practical tools and best practices for building consensus, bridging differences, and breaking deadlocks within ICANN processes. The Consensus Playbook, developed with community-wide applicability in mind, was produced by an external vendor drawing on engagement with leaders across the community. The Consensus Playbook serves as a valuable resource for GNSO PDP working groups as well as other ICANN community initiatives.

As a Chartering Organization for the Cross-Community Working Group on New Generic Top-Level Domains Auction Proceeds, the GNSO looks forward to receiving the CCWG's Final Report, which the CCWG expects to deliver to the Chartering Organizations prior to ICANN68. The GNSO Council will duly consider the Final Report and decide whether to adopt the recommendations contained in it.

While I regret that we will not be able to collaborate in person at ICANN68, I look forward to a productive week and encourage you to engage actively in this virtual meeting. I look forward to seeing you all on Zoom.

**Keith Drazek**  
**GNSO Chair**

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# ICANN68 at a Glance

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ICANN68 is being held as a Virtual Policy Forum. ICANN68 will include four days of sessions and will take place online only. Given that this is a virtual meeting, the format is modified from the traditional Policy Forum structure. There will be time dedicated to Supporting Organization (SO) and Advisory Committee (AC) work and cross-community interaction through plenary sessions. GNSO work will focus on Policy Development Process (PDP) Working Groups meetings, as well as sessions for Stakeholder Groups (SG) and Constituencies (C). The GNSO Council Public Meeting is scheduled to take place on Wednesday, 24 June 2020 (Day 3).

The GNSO Policy Support Team has developed this briefing document to help community members prepare for ICANN68. It provides an overview of the status of GNSO PDP working groups and teams, as well as information about other GNSO policy-related activities, including GNSO co-chartered Cross-Community Working Group (CCWG) and PDP Implementation Review Teams (IRTs). The document includes links for additional background reading that will help you prepare for sessions and support active participation by all attendees.

Newcomers to ICANN and the GNSO may be interested in online learning opportunities that will further help them make the most of the upcoming meeting. We highly recommend taking the Get to Know the GNSO course on **ICANN Learn**. The course will make it easier to navigate through the structure and content of this Policy Briefing with a better understanding of PDPs. All are encouraged to enroll.

Please note that any reference to meeting times in this document is provisional. Please consult the ICANN meeting schedule for the latest information.

## **ICANN68 MEETING INFORMATION**

- Meeting page: <https://meetings.icann.org/en/remot68>
- Schedule: <https://schedule.icann.org/>
- Register for ICANN68: <https://registration.icann.org/>
- General remote participation info: <https://meetings.icann.org/en/remote-participation>
- GNSO session remote participation details: <http://go.icann.org/gnsoremote>
- Expected standard of behavior: <https://go.icann.org/2ChDUjG>

## **GNSO RELATED INFORMATION**

- GNSO one-stop shop for ICANN68: <https://gnso.icann.org/en/icannmeeting>
- Project list: <https://gnso.icann.org/en/council/project>

If you have any questions about or suggestions for this Policy Briefing or GNSO policy activities, please contact us at [policy-staff@ICANN.org](mailto:policy-staff@ICANN.org). We look forward to a productive meeting.

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# Register for the Pre-ICANN68 GNSO Policy Webinar

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The Generic Names Supporting Organization (GNSO) Policy Support Team is pleased to announce a Pre-ICANN68 GNSO Policy webinar. It will be held on Wednesday, 17 June for 90 minutes, at 12:00-13:30 UTC.

**PLEASE REGISTER FOR THE GNSO POLICY WEBINAR HERE:**

<https://meetings.icann.org/en/remote68-prep-week>

The goal of the webinar is to enhance your preparation for ICANN68 and facilitate your engagement in ICANN's policy development activities. The leaders of major GNSO PDP working groups will provide an in-depth review of their topics, projected timelines, current challenges, and what to expect at ICANN68.

This webinar will offer participants an opportunity to ask questions about policy development work. A question-and-answer exchange will follow each working group presentation. To optimize your participation at the webinar, read the Pre-ICANN68 GNSO Policy Briefing and bring your questions!

This webinar will complement the Policy Briefing webinar, which provides a high-level overview of the activities of all Supporting Organizations (SOs) and Advisory Committees (ACs).

The GNSO Policy Development Support Team looks forward to your participation!

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# Expedited Policy Development Process: Temporary Specification for gTLD Registration Data - Phase 2

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## WHAT CAN I EXPECT AT ICANN68 IN RELATION TO THIS TOPIC?

Under its current work plan, the Expedited Policy Development Process (EPDP) Team is not planning to meet during ICANN68. Please note the work plan is subject to change; however, at this time, no meetings are planned.

## WHAT IS THIS ABOUT?

On 17 May 2018, the ICANN Board approved the Temporary Specification for gTLD Registration Data. During Phase 1 of its work, the EPDP Team discussed whether to adopt the Temporary Specification as is, or with modifications.

Phase 1 of the EPDP concluded in May 2019, when the ICANN Board **adopted** the EPDP Team's Phase 1 Final Report, with the exception of parts of two recommendations. In conjunction with the adoption of the Final Report, the GNSO Council provided the non-objection for the EPDP Team to commence its work on Phase 2 of the charter.

## WHAT IS THE SCOPE OF THE EFFORTS?

Phase 2 of the EPDP Team's work includes deliberation on the following items:

- A system for Standardized Access/Disclosure (SSAD) to nonpublic registration data.
- Issues noted in the **Annex to the Temporary Specification for gTLD Registration Data** ("Important Issues for Further Community Action")
- Issues deferred from Phase 1, such as legal vs. natural persons, redaction of city field, etc.

For further details, please see [here](#).

## WHY IS THIS IMPORTANT?

The EPDP Team has been tasked with working on issues related to WHOIS registration data that the ICANN community has been discussing and trying to resolve for over 10 years.

## WHAT IS THE CURRENT STATUS OF THIS PROJECT?

On 7 February 2020, the EPDP Team published its **Phase 2 Initial Report**, which included preliminary recommendations on a SSAD to nonpublic registration data.

On 26 March 2020, it published an **Addendum to its Initial Report**, which included preliminary recommendations and conclusions on issues deferred from Phase 1, such as legal vs. natural persons, redaction of city field, etc. The EPDP Team is now carefully reviewing community input and will consider it when developing final responses to charter questions, final recommendations, and implementation guidance in its Final Report.

#### **WHAT ARE THE EXPECTED NEXT STEPS?**

The EPDP Team will finalize its Final Report and submit it to the GNSO Council for its consideration. Following approval by the GNSO, the GNSO Council will submit the Final Report to the ICANN Board for its consideration.

#### **HOW CAN I GET INVOLVED?**

You can become an observer of the EPDP Team mailing list on a read-only basis. Sign up here: <https://goo.gl/forms/iZg5JWHOnERsoEMI2>. The names of mailing list observers will be published on the **EPDP workspace**.

While participation on EPDP Team conference calls is restricted to appointed members and liaisons only, observers and other nonmembers are able to attend the weekly calls as an observer.

#### **MORE INFORMATION**

- EPDP Phase 2 Initial Report: <https://go.icann.org/2Tk0VOr>
- EPDP Phase 2 Addendum to Initial Report: <https://go.icann.org/2XcYxtN>
- EPDP Phase 1 Initial Report: <https://go.icann.org/2E6DEbh>
- EPDP Phase 1 Final Report: <https://go.icann.org/2TNA63g>
- EPDP webpage: <https://go.icann.org/2O8UTP6>
- EPDP workspace: <https://go.icann.org/2LKujuF>
- EPDP Charter: <https://go.icann.org/2MsBAAx>

**STAFF RESPONSIBLE:** Caitlin Tubergen, Marika Konings (consultant), Berry Cobb (consultant)

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# Policy Development Process: New Generic Top-Level Domain Subsequent Procedures

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## WHAT CAN I EXPECT AT ICANN68 IN RELATION TO THIS TOPIC?

The New Generic Top-Level Domain (gTLD) Subsequent Procedures Policy Development Process (PDP) Working Group is set to meet on Tuesday, 23 June 2020 from 00:30-02:00 UTC. The working group also expects to meet at one of its normally rotating times on Thursday, 25 June, where it will at a minimum allow observers. The working group will continue reviewing draft final recommendations and seek resolution for outstanding topics.

## WHAT IS THIS ABOUT?

The PDP on New Generic Top-Level Domain (gTLD) Subsequent Procedures was initiated in December 2015 and chartered in January 2016. It aims to determine what, if any, changes need to be made to the existing policy recommendations from the 2007 **Final Report on the Introduction of New Generic Top-Level Domains**, such as:

- Clarifying, amending, or overriding existing policy principles, recommendations, and implementation guidance.
- Developing new policy recommendations.
- Supplementing or developing new implementation guidance.

It should be noted that the existing policy recommendations 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.”<sup>1</sup> Essentially, this means that these recommendations will remain in place unless the working group determines that changes are needed.

## WHY IS THIS IMPORTANT?

The New gTLD Program marked a seminal moment in ICANN’s history. In spite of great interest and over 1,000 successful TLD delegations, changes to existing policies and implementation guidance might be needed for future gTLD launches. The **Final Issue Report** and the working group **charter** identified a number of subjects that require analysis and potential policy development.

<sup>1</sup>GNSO Summary of Policy Recommendations: <http://gns0.icann.org/issues/new-gtlds/summary-principles-recommendations-implementation-guidelines-22oct08.doc.pdf>

### **WHAT IS THE CURRENT STATUS OF THE PROJECT?**

The working group started its work on 22 February 2016 and over the course of several years, has convened several subgroups and undertaken extensive deliberations on the long list of topics in this working group’s charter. This work has included numerous opportunities for community input, including the publication of its **Initial Report** for Public Comment on 3 July 2018, a **Supplemental Initial Report** on October 2018, and an additional report from the PDP’s Work Track 5, devoted solely to the issue of geographic names at the top-level.

The working group reviewed all of the community input received in detail and has spent the majority of 2020 refining its draft final recommendations to be included in a draft Final Report. This has included seeking resolution on topics where open issues remain, such as closed generics, string contention resolution mechanisms, and a predictability framework.

### **WHAT ARE THE EXPECTED NEXT STEPS?**

The working group is devoting nearly all of its time to the task of agreeing on draft final recommendations and in limited circumstances, focused questions where additional public input appears to be needed. The working group will package the draft final recommendations and questions into a draft Final Report, which will be published for public comment. Because the majority of the content has been put out for public input before, and in some cases multiple times, the public comment period will seek to draw attention to new aspects and solicit new information, rather than requiring commenters to argue for or against draft recommendations again. These draft final recommendations and questions will form the basis for discussions at ICANN68.

After the public comment period concludes, the working group will turn its attention to evaluating input received and making adjustments as necessary. The working group is expected to deliver its Final Report to the GNSO Council no later than the end of December in 2020.

### **HOW CAN I GET INVOLVED?**

This working group is open to all participants. If you are interested in joining, please email [gnso-secs@icann.org](mailto:gnso-secs@icann.org). As the working group has already been in operation for a substantial amount of time and is transitioning toward drafting final recommendations, newcomers are expected to catch up on the discussions to date and to not reopen previously closed topics unless new information is presented.

#### **MORE INFORMATION**

- Working Group Initial Report: <https://go.icann.org/2Q2pnjd>
- Working Group Supplemental Initial Report: <https://go.icann.org/2BsFcuH>
- Work Track 5 Final Report: <https://go.icann.org/399nef1>
- Work Track 5 Supplemental Initial Report: <https://go.icann.org/2SxaXgA>
- PDP webpage: <http://gns0.icann.org/en/group-activities/active/new-gtld-subsequent-procedures>
- Working Group workspace: <https://community.icann.org/x/RgV1Aw>
- Working Group Charter: <https://go.icann.org/2G7BdUf>
- Final Issue Report: <https://go.icann.org/2Eoutkv>

#### **BACKGROUND**

While the application submission period for the initial new gTLD round closed in June 2012, the GNSO Council continues to play a role in evaluating the first round and proposing policy recommendations for changes to subsequent rounds, if necessary. A **discussion group** was created to begin the evaluation process and identify areas for future GNSO policy development. Upon considering the deliverables of the discussion group, the GNSO Council requested a Preliminary Issue Report to be delivered by the ICANN organization. After incorporating public comments on its Preliminary Issue Report, staff prepared and delivered the Final Issue Report. Subsequently, the GNSO Council initiated the PDP and adopted the working group charter.

**STAFF RESPONSIBLE:** Steve Chan, Emily Barabas, Julie Hedlund

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# Policy Development Process: Review of All Rights Protection Mechanisms in All Generic Top-Level Domains

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## **WHAT CAN I EXPECT AT ICANN68 IN RELATION TO THIS TOPIC?**

The Review of All Rights Mechanisms (RPMs) in All Generic Top-Level Domains (gTLDs) Policy Development Process (PDP) Working Group will be holding one open meeting on Tuesday, 23 June 2020 from 02:00-03:30 UTC. Please check the ICANN68 meeting schedule for confirmed times. The working group is expected to focus on reviewing the public comments on its Phase 1 Initial Report. All community members are welcome to attend the open session. The working group also expects to hold a regular meeting during the week of ICANN68 to continue advancing its work.

## **WHAT IS THIS PDP ABOUT?**

This PDP is being conducted in two phases. Phase 1 covers all the RPMs applicable to generic top-level domains (gTLDs) launched under the 2012 New gTLD Program. These RPMs include: Trademark Post-Delegation Dispute Resolution Procedure (TM-PDDRP); Trademark Clearinghouse (TMCH); Sunrise and Trademark Claims services that are offered through the TMCH; and the Uniform Rapid Suspension (URS) dispute resolution procedure. Phase 2 will focus on reviewing the Uniform Dispute Resolution Policy (UDRP), which has been an ICANN Consensus Policy since 1999. The working group is currently in Phase 1 and hopes to complete this stage of work by mid-October 2020.

## **WHY IS THIS IMPORTANT?**

Community feedback on the RPMs developed for the 2012 New gTLD Program indicated a need to review their application and scope, especially if there is to be further expansion of the gTLD space. The 2012 New gTLD Program RPMs are mechanisms that have now been in use for several years. The UDRP is a long-standing Consensus Policy that has never undergone any substantial review. By the conclusion of both phases of this PDP, the working group is expected to have considered the overarching issue as to whether all the RPMs collectively fulfill the purposes for which they were created, or whether additional policy recommendations are needed. The outcome of this PDP is also intended to create a coherent and uniform mechanism for future reviews of all RPMs.

### **WHAT IS THE CURRENT STATUS OF THIS PROJECT?**

The Generic Names Supporting Organization (GNSO) Council initiated the PDP on 18 February 2016 and chartered the working group in March 2016.

The working group began its Phase 1 work with reviewing the TM-PDDRP, which was completed in late 2016. From October 2018 to October 2019, the working group sequentially completed its initial review of the URS dispute resolution procedure, Sunrise and Trademark Claims services, and the structure and scope of the TMCH. At the ICANN67 meeting in March 2020, the working group completed the review of the draft Phase 1 Initial Report.

The Phase 1 Initial Report was published on 18 March 2020 for **public comment**, which was closed on 4 May 2020. From late May 2020, the working group started reviewing the public comments received from fifty-five (55) contributors in order to finalize its Phase 1 recommendations. Two sub teams were formed to conduct concurrent analysis of the extensive comments, using a **public comment review tool** developed by support staff. The working group is expected to provide an update on its public comment review progress during its public session at ICANN68.

### **WHAT ARE THE EXPECTED NEXT STEPS?**

The working group's review of the Public Comments may lead to its consensus to:

- Amend, add, and/or remove its preliminary recommendation published in this Initial Report;
- Make final consensus recommendations on any of the proposals submitted by individual working group members that are published in this Initial Report.

The working group aims to deliver its Final Report on Phase 1 recommendations to the GNSO Council in mid-October 2020. It will continue coordinating its timelines and work with other related efforts, such as the New gTLD Subsequent Procedures PDP, and the relevant recommendations from the Competition, Consumer Trust, and Consumer Choice Review.

### **HOW CAN I GET INVOLVED?**

The working group is open to all. You may join as either a member (with full posting rights to the mailing list and the ability to participate in all meetings) or as an observer (with read-only status for the mailing list). Please email the GNSO Secretariat at [gnso-secs@icann.org](mailto:gnso-secs@icann.org) if you wish to join the group.

As the working group has already been in operation for a substantial amount of time and is transitioning toward developing its Phase 1 Final Report, newcomers are expected to catch up on the discussions to date and to not reopen previously closed topics unless new information is presented.

### **MORE INFORMATION**

- PDP webpage: <http://gnso.icann.org/en/group-activities/active/rpm>
- Working Group workspace: <https://community.icann.org/x/wCWAaw>
- Working Group Charter: <https://gnso.icann.org/en/drafts/rpm-charter-15mar16-en.pdf>
- Final Issue Report: <https://go.icann.org/2BvPivt>

### **BACKGROUND**

In October 2011, prior to the launch of the 2012 New gTLD Program, ICANN organization published a Final Issue Report on the current state of the UDRP. The recommended course of action at the time was for the GNSO Council to hold off from initiating a PDP until after the new URS had been in operation for at least 18 months. The GNSO Council followed this recommended course of action and staff published a new Preliminary Issue Report in September 2015 that covered all existing RPMs. The Final Issue Report that led to this current PDP was published in January 2016 and outlined the two-phased approach that was eventually adopted by the GNSO Council.

**STAFF RESPONSIBLE:** Mary Wong, Julie Hedlund, Ariel Liang

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# Policy Development Process: International Governmental Organization-International Non-Governmental Organization Access to Curative Rights Protection Mechanisms

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## **WHAT CAN I EXPECT AT ICANN68 IN RELATION TO THIS TOPIC?**

The GNSO Council has voted to adopt recommendations 1-4 of the International Governmental Organization and International Non-Governmental Organization (IGO-INGO) Access to Curative Rights Protection Mechanisms Policy Development Process Final Report, but elected to refer recommendation 5 to the Review of All Rights Protection Mechanisms (RPMs) in All gTLDs Policy Development Process (PDP). In January of 2020, the GNSO Council adopted an Addendum to the RPMs charter to integrate consideration of recommendation 5. This new work track is in its initiation phase and will not be meeting at ICANN68.

## **WHAT IS THIS ABOUT?**

The original and concluded PDP was initiated in June 2014 by the GNSO Council to consider whether existing curative rights mechanisms at the second-level of the Domain Name System (DNS), namely the Uniform Dispute Resolution Policy (UDRP) and the Uniform Rapid Suspension (URS) dispute resolution procedure, should be modified to address the needs of International Governmental Organizations (IGOs) and International Non-Governmental Organizations (INGOs). IGOs and INGOs have highlighted certain difficulties they face in using these mechanisms to protect their names and acronyms. Similarly, the new work track will focus on curative rights protection mechanisms for IGOs that, to the extent possible, are consistent with the original PDP's recommendations 1-4.

## **WHY IS THIS IMPORTANT?**

Protecting the names and acronyms of IGOs and INGOs at the top-level and second-level of the DNS has been a long-standing issue over the course of the New gTLD Program. The GNSO had previously recommended certain protective measures to the ICANN Board. However, those recommendations did not address whether existing domain name dispute resolution procedures provided adequate protection for IGO and INGO names and acronyms. The GNSO Council had tasked the working group to consider whether the UDRP and URS should be amended to resolve the problems faced by IGOs and INGOs (and if so, in what way), or if a separate, narrowly tailored dispute resolution procedure should be developed to apply only to IGOs and INGOs. The new work track will continue this effort, with a more limited scope on just IGOs.

### **WHAT IS THE CURRENT STATUS OF THIS PROJECT?**

The original and concluded PDP working group submitted its Final Report to the GNSO Council on 9 July 2018. The GNSO Council resolved to accept the Final Report on 19 July 2018, though it did not take final action on the report at that time. The Council noted that it would seek to consider the topic of curative rights protections for IGOs in the broader context of the appropriate overall scope of protection for all IGO identifiers.

In the ensuing period of time, the GNSO Council considered how it would proceed with the Final Report, held a question and answer webinar to review the recommendations, and debated about the best path forward through 2018 and early 2019.

Based on discussions and consultation with the Governmental Advisory Committee (GAC), the Council believed that it had thoroughly considered the available options. On 18 April 2019, the Council resolved to approve recommendations 1-4 of the Final Report and refer recommendation 5 to be considered by the Review of All RPMs in All gTLDs PDP as part of its Phase 2 work.

On 16 May 2019, the GNSO Council confirmed the transmission of the Recommendations Report (relating to recommendations 1-4) to the ICANN Board. Shortly afterward, the GAC sent **a letter** to the GNSO Council, noting that the approval of recommendations 1-4 and referring recommendation 5 to the Review of All RPMs in All gTLDs PDP is inconsistent with GAC Advice. ICANN organization conducted a **Public Comment** consultation process for recommendations 1-4 from 11 July to 20 August 2019.

Separately, a small team of GNSO Councilors met with a team of GAC members at both ICANN65 and ICANN66 in 2019 to discuss possible next steps for recommendation 5. The GNSO Council agreed to prepare a draft Addendum to the charter for the Review of All RPMs in All gTLDs PDP and consult with the GAC prior to adoption. After engaging in dialogue with the GAC and IGOs, the GNSO Council adopted the **Addendum** to the charter in January of 2020 to initiate a separate IGO work track.

The GNSO Council has prepared an Expression of Interest document for the IGO Work Track Chair and a call for volunteers for the various community groups to assign members. However, circulating these two documents has been deferred due to the GNSO Council's concerns about community capacity to initiate new substantive work.

**WHAT ARE THE EXPECTED NEXT STEPS?**

The ICANN Board is now considering recommendations 1-4, taking into account public comments received from the public consultation process.

With respect to recommendation 5, the GNSO Council will continue to consider when it is most appropriate to initiate the work track focusing on the deliberation of IGO issues. As noted, the initiation of the work track will require issuing a call for members and observers and conducting an Expressions of Interest process to identify a single work track chair.

**HOW CAN I GET INVOLVED?**

The working group has concluded its Final Report and the GNSO Council has taken action on the recommendations. Therefore, the working group is no longer meeting at this stage for recommendations 1-4.

In respect to recommendation 5, interested parties should coordinate with their respective Stakeholder Group (SG), Constituency, Supporting Organization (SO), or Advisory Committee (AC) when the call for members and observers is issued for the IGO work track.

### **MORE INFORMATION**

- Addendum to the charter for the Review of All RPMs in All gTLDs PDP: <https://go.icann.org/2vTyl8e>
- Working Group Initial Report containing the preliminary recommendations: <https://go.icann.org/2o1UbEZ>
- Public Comment proceeding for the working group Initial Report: <https://go.icann.org/2C0tY2u>
- Working Group Final Report: <https://gns0.icann.org/en/issues/igo-ingo-crp-access-final-17jul18-en.pdf>
- Working Group Recommendations Report: <https://gns0.icann.org/sites/default/files/file/field-file-attach/council-recommendations-pdp-igo-ingo-crp-access-final-16may19-en.pdf>
- Public Comment proceeding for the final policy recommendations: <https://www.icann.org/public-comments/igo-ingo-crp-recommendations-2019-07-11-en>
- PDP webpage: <http://gns0.icann.org/en/group-activities/active/igo-ingo-crp-access>
- Working Group workspace: <https://community.icann.org/x/37rhAg>
- Working Group Charter: <https://gns0.icann.org/en/drafts/igo-ingo-crp-access-charter-24jun14-en.pdf>

### **BACKGROUND**

IGOs and INGOs face certain challenges in fully using the UDRP and URS for a number of reasons. IGOs see the Mutual Jurisdiction requirement for both processes as jeopardizing their jurisdictional immunity status. For both IGOs and INGOs, the fact that the UDRP and URS were designed as protective mechanisms for trademark owners means that they cannot use these procedures unless they also own trademarks in their names or acronyms. Both types of organizations are also concerned about the cost involved in using these procedures, which means diverting resources and funds from their primary missions. The GAC has issued advice on the topic which the working group continues to take into account in its deliberations.

**Staff Responsible:** Mary Wong, Steve Chan

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# Implementation Status: Protections for Certain Red Cross Names in All Generic Top-Level Domains

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## WHAT CAN I EXPECT AT ICANN68 IN RELATION TO THIS TOPIC?

The Implementation Review Team (IRT) does not plan to meet at ICANN68.

### WHAT IS THIS ABOUT?

This section of the Policy Briefing should be read together with the following section entitled “Implementation Status: Protection of International Governmental Organization (IGO)-International Non-Governmental Organization (INGO) Identifiers in All Generic Top-Level Domains (gTLDs) Policy Recommendations.”

The Protection of IGO-INGO Identifiers in All gTLDs Policy Development Process (PDP) was completed in November 2013. Although the GNSO Council accepted all the PDP working group recommendations, the ICANN Board to date has approved only those recommendations that are consistent with the Governmental Advisory Committee (GAC) advice received on the subject. These recommendations have been subsequently **implemented** with a policy effective date of 1 August 2018. The remaining recommendations are still under Board consideration. These were the subject of a facilitated dialogue between the GAC and the GNSO at ICANN58 as part of a process to reconcile the GAC advice and the GNSO PDP recommendations.

Following that facilitated discussion, the ICANN Board requested that the GNSO Council consider initiating the GNSO policy amendment process in accordance with the GNSO’s procedures. The GNSO Council agreed to launch the policy amendment process and reconvene the original PDP working group. The working group developed a finite, limited list of specific names of 191 Red Cross Red Crescent National Societies as well as a limited, defined set of variants for these names.

### WHY IS THIS IMPORTANT?

The ICANN Bylaws contain provisions that outline specific steps to be taken by the Board in cases where it disagrees with either GAC advice or GNSO PDP recommendations. In this case, the Board elected not to trigger either of these processes when it only adopted those GNSO PDP recommendations that were consistent with GAC advice in April 2014 and requested additional time to consider the remaining, inconsistent recommendations.

The GNSO Council launched the PDP on the Protection of IGO-INGO Identifiers in All gTLDs in November 2012. The aim is to consider what the appropriate form and scope of protections would be at both the top-level and second-level of the

Domain Name System (DNS) for the Red Cross Red Crescent National Societies, the International Olympic Committee (IOC), and other IGOs and INGOs. All these organizations perform important public interest or humanitarian work. Cybersquatting and the related abuse of domain names which are identical or confusingly similar to their names and acronyms could significantly impact their missions and resources. The GNSO Council approved and the Board adopted part of the PDP outcomes, which included consensus recommendations that a limited list of Red Cross Red Crescent, IOC, IGO, and INGO identifiers be reserved.

For the International Federation of Red Cross Red Crescent Societies, these are “Red Cross,” “Red Crescent,” “Red Crystal,” and “Red Lion and Sun” at the top-level and second-level. For IGOs, only their full organizational names are reserved at the second-level. The appropriate DNS protections for many of the other identifiers associated with the Red Cross Red Crescent and IGOs – e.g., Red Cross Red Crescent National Society names, the names and acronyms of the International Red Cross Red Crescent Movement, and IGO acronyms – have yet to be finalized. The facilitated dialogue that took place between representatives of the GAC and the GNSO at ICANN58 was an attempt to reconcile the remaining inconsistencies between GAC advice and the GNSO PDP recommendations.

The GNSO Council’s vote in May 2017 initiated the policy amendment process only for specific names associated with the Red Cross. Discussion over IGO acronyms is ongoing.

#### **WHAT IS THE CURRENT STATUS OF THIS PROJECT?**

After the public comment, the **consensus policy language** was revised and published in February 2020 as planned. The implementation is now under way to change the **reserved DNS Labels** from 700 to over 7,000.

#### **WHAT ARE THE EXPECTED NEXT STEPS?**

The implementation will be completed by 1 August 2020.

### MORE INFORMATION

- Protection of IGO and INGO Identifier for All gTLDs Policy: <https://www.icann.org/resources/pages/igo-ingo-protection-policy-2018-01-16-en>
- Public Comment on the “Implementation Plan for the GNSO Consensus Policy Relating to the Protection of Certain Red Cross Names”: <https://go.icann.org/36WVPvf>
- IRT workspace: <https://community.icann.org/x/RJFCaw>
- PDP webpage: <https://gnso.icann.org/en/group-activities/active/igo-ingo>
- Working group workspace: <https://community.icann.org/x/2YJEAg>
- ICANN Board resolution of April 2014 adopting the PDP recommendations consistent with GAC advice and requesting more time for the remaining recommendations: <https://www.icann.org/resources/board-material/resolutions-2014-04-30-en - 2.a>
- GAC webpage listing GAC Communiqué advice relating to IGO protections: <https://gacweb.icann.org/display/GACADV/IGO+Names+and+Acronyms>
- Documents, meetings, and mailing list for GAC-GNSO facilitated dialogue: <https://community.icann.org/x/eoPRAw>
- ICANN Board resolution at ICANN58 requesting that the GNSO Council consider amending the adopted PDP recommendations pertaining to Red Cross names: <https://www.icann.org/resources/board-material/resolutions-2017-03-16-en#2.e.i>
- GNSO PDP Manual: <https://gnso.icann.org/en/council/annex-2-pdp-manual-01sep16-en.pdf>
- GNSO Council resolution initiating the policy amendment process: <https://gnso.icann.org/en/council/resolutions#20170503-071>
- ICANN Board resolution for Adoption of GNSO Consensus Policy relating to Certain Red Cross and Red Crescent Names at the Second Level of the Domain Name System: <https://www.icann.org/resources/board-material/resolutions-2019-01-27-en#2.d>

**Staff Responsible:** Dennis Chang

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# Implementation Status: Protection of International Governmental Organization-International Non-Governmental Organization Identifiers in All Generic Top-Level Domains Policy Recommendations

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## WHAT CAN I EXPECT AT ICANN68 IN RELATION TO THIS TOPIC?

The Implementation Review Team (IRT) does not plan to meet at ICANN68.

### WHAT IS THIS ABOUT?

This section of the Policy Briefing should be read together with the previous section entitled “Implementation Status: Protections for Certain Red Cross Names in All Generic Top-Level Domains (gTLDs).”

The Policy Development Process (PDP) on the Protection of International Governmental Organization (IGO)-International Non-Governmental Organization (INGO) Identifiers in All Generic Top-Level Domains (gTLDs) was initiated to develop policy recommendations for the provision of protection for identifiers (e.g., names or acronyms) of certain IGOs and INGOs. These include the Red Cross and Red Crescent (RCRC) Movement, and the International Olympic Committee (IOC).

The PDP working group completed its work in November 2013 and all of its consensus recommendations were **approved** by the Generic Names Supporting Organization (GNSO) Council. In April 2014, the ICANN Board **adopted** the PDP recommendations that were “not inconsistent” with GAC advice received on the topic, and requested more time to consider the remaining inconsistent recommendations. The adopted recommendations relate to protection at the top- and second-level for specific RCRC, IOC, and IGO full names (with an Exception Procedure to be designed for the affected organizations), and a 90-day claims notification process at the second-level for certain INGO full names.

This project covers only the implementation status of the recommendations that were adopted by the ICANN Board in April 2014. It is not concerned with the ongoing policy amendment process for the remaining inconsistent recommendations (e.g., IGO acronyms and remaining names of the RCRC) or the deliberations of the ongoing PDP Working Group on IGO-INGO Curative Rights Protections.

### **WHY IS THIS IMPORTANT?**

Throughout the development of the 2012 New gTLD Program, issues related to whether certain international organizations (e.g., IGOs, the RCRC, and the IOC) should receive special protection for their names at the top- and second-level in the Domain Name System have been raised. In the PDP launched by the GNSO Council, the scope of organizations was expanded to also consider INGOs (other than the RCRC and IOC). All these organizations perform important public interest or humanitarian work. They have reported that cybersquatting and related abuse of domain names (e.g., domain names that are identical or confusingly similar to the organizations' names and acronyms) could significantly impact their missions and resources.

### **WHAT IS THE CURRENT STATUS OF THIS PROJECT?**

On 16 January 2018, the implementation of the Consensus Policy for the Protection of Certain Specific IGO and INGO Identifiers for All gTLDs was published. As of 1 August 2018, implementation has been completed for the portion of the policy that provides protection by reserving full names for certain specific names of IGOs, the IOC, and the RCRC. For INGOs, the implementation period will be 12 months from the release of the INGO Claims Systems Specification which is currently under development by the ICANN organization.

In January 2019, the ICANN Board adopted the policy recommendation proposed by the Reconvened PDP Working Group on the Protections of the Specific Red Cross Red Crescent Names in All gTLDs. This IRT has increased its work scope to include that additional implementation work. This work is now reported under another project: Protection of Certain Red Cross Identifiers in All gTLDs (please reference the prior section in this Policy Briefing).

### **WHAT ARE THE EXPECTED NEXT STEPS?**

In coordination with the IRT, ICANN org's Global Domains Division (GDD) is working with the affected parties that require protection to implement the policy via claims notification and the reservation of the specific Red Cross Red Crescent names.

### **HOW CAN I GET INVOLVED?**

If you wish to join the IRT, please contact the GNSO Secretariat at [gnso-secs@icann.org](mailto:gnso-secs@icann.org). As the IRT has already been in operation for a substantial amount of time and has progressed in its deliberations, newcomers are expected to catch up on the discussions to date and to not reopen previously closed topics unless new information is presented.

#### **MORE INFORMATION**

- Announcement of the Implementation of the Consensus Policy: <https://www.icann.org/news/announcement-2018-01-16-en>
- Published Policy: <https://www.icann.org/resources/pages/igo-ingo-protection-policy-2018-01-16-en>
- Public Comment proceeding on the Proposed Implementation of GNSO Consensus Policy Recommendations for the Protection of IGO and INGO Identifier in All gTLDs: <https://www.icann.org/public-comments/igo-ingo-protection-2017-05-17-en>
- PDP webpage: <http://gnso.icann.org/en/group-activities/active/igo-ingo>
- IRT workspace: <https://community.icann.org/x/RJFCaw>

**Staff Responsible:** Dennis Chang (GDD)

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# Implementation Status: Registration Data Policy for gTLDs (Expedited Policy Development Process Phase 1 Implementation)

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## WHAT CAN I EXPECT AT ICANN68 IN RELATION TO THIS TOPIC?

The Implementation Review Team (IRT) will conduct one working session to plan for the Stage 2 policy at ICANN68, on Monday, 22 June 2020 at 00:30-01:30 UTC. Please check the ICANN68 meeting schedule for confirmed times.

## WHAT IS THIS ABOUT?

The ICANN Board adopted the **Temporary Specification for Generic Top-Level Domain (gTLD) Registration Data** on 17 May 2018 in accordance with the procedures for establishing policies in ICANN's agreements with registry operators and registrars. The Temporary Specification provides modifications to existing requirements in the Registrar Accreditation Agreement (RAA) and Registry Agreement (RA) in order to comply with the European Union's General Data Protection Regulation (GDPR). From its effective date of 25 May 2018, the Temporary Specification can only remain in force for up to one year and will expire on 20 May 2019.

On 19 July 2018, the GNSO Council initiated an Expedited Policy Development Process (EPDP) on the Temporary Specification for gTLD Registration Data and chartered the EPDP Team.

On 4 March 2019, the GNSO Council adopted the EPDP Team's Phase 1 Final Report and submitted it to the Board for their consideration. The Board has conducted a Public Comment and passed a resolution on 15 May 2019 to authorize the implementation of most of the EPDP Phase 1 recommendations, except for parts of two recommendations.

Working in advance of the Board resolution, the IRT produced the concept of three stages of the policy implementation.

- **Stage 1:** Effective 20 May 2019, contracted parties must continue to implement measures consistent with the Temporary Specification for gTLD Registration Data, as adopted by the Board on 17 May 2018.
- **Stage 2:** This stage will begin after the ICANN organization publishes a Registration Data Policy as a Consensus Policy and formally notifies the contracted parties. During this stage, contracted parties may implement the Interim Policy, the Registration Data Policy, or elements of both as they prepare for the effective date of the Registration Data Policy. The timing of this milestone is to be determined.
- **Stage 3:** Contracted parties must comply with the Registration Data Policy as of its effective date, which the EPDP Team recommended to be 29 February 2020.

The Stage 1 interim Consensus Policy named **Interim Registration Data Policy for gTLDs** was published on 17 May 2019.

#### **WHY IS THIS IMPORTANT?**

The Temporary Specification provides modifications to existing requirements in the RAA and RA in order to comply with GDPR. The recommendations from the EPDP Team provide community consensus views on the requirements that are now needed to be implemented as a consensus policy.

#### **WHAT IS THE CURRENT STATUS OF THIS PROJECT?**

The IRT is now working on the implementation plan for Stage 2. The process steps include drafting the complete gTLD Registration Data Policy and agreeing on a timeline that can be shared for Public Comment (including the anticipated implementation time for the contracted parties). The IRT has been focusing efforts on the: 1) deliberations to resolve conflicting interpretations of some of the recommendations; 2) evaluation of the requirements set by the policy language for technical feasibility; 3) projection of the scope and time for the tasks to be implemented; and 4) assessment of the critical path to define a realistic implementation timeline.

### **WHAT ARE THE EXPECTED NEXT STEPS?**

On 22 June 2020, the IRT will conduct a public session as part of the ICANN68. When the implementation plan is produced, it will be published for Public Comment.

### **HOW CAN I GET INVOLVED?**

One can join the IRT by following the instruction in the “**call for IRT**” announcement. The first IRT meeting was held on 29 May 2019. The IRT is expected to meet every other week via teleconference and in person at ICANN Public Meetings.

One can also choose to become an observer of the IRT mailing list on a read-only basis. The names of IRT mailing list observers are published on the **IRT workspace**.

### **MORE INFORMATION**

- EPDP Phase 1 Final Report: <https://go.icann.org/2TNA63g>
- ICANN Board resolution of 17 May 2019 adopting 27 of the 29 recommendations included in the EPDP Team’s Phase 1 Final Report: <https://www.icann.org/resources/board-material/resolutions-2019-05-15-en#1.b>
- IRT workspace: <https://community.icann.org/display/RDPIRT>
- Interim Registration Data Policy for gTLDs: <https://www.icann.org/resources/pages/interim-registration-data-policy-en>
- Call for Volunteers: Implementation Review Team for Registration Data Policy Implementation: <https://www.icann.org/news/announcement-2019-05-20-en>

**Staff Responsible:** Dennis Chang (GDD)

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# Implementation Status: Privacy and Proxy Services Accreditation Issues Policy Recommendations

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## **WHAT CAN I EXPECT AT ICANN68 IN RELATION TO THIS TOPIC?**

The ICANN organization, in consultation with the Privacy Proxy Services Accreditation Issues Implementation Review Team (PPSAI IRT), has paused the implementation of the Privacy and Proxy Service Provider Accreditation Program (PP Accreditation Program). The implementation is pending completion of the Temporary Specification for gTLD Registration Data Expedited Policy Development Process (EPDP) Phase 2 work on a potential standardized access model for nonpublic gTLD registration data. No work will take place during the ICANN68.

## **WHAT IS THIS ABOUT?**

A privacy service allows domain name registration in the registrant's name, but all other contact details displayed in the publicly accessible Registration Data Directory Service (RDDS) are those given by the privacy service provider, not by the registrant. A proxy service allows the registered name holder to license the use of the domain to a customer who actually uses the domain, while contact information displayed in the RDDS system is that of the proxy service provider.

The ICANN org is implementing a new Privacy Proxy Accreditation Program, pursuant to policy recommendations that were developed by the Generic Names Supporting Organization (GNSO) PPSAI PDP Working Group, adopted by the GNSO Council in January 2016, and adopted by the ICANN Board in August 2016.

## **WHY IS THIS IMPORTANT?**

The 2013 Registrar Accreditation Agreement (RAA) contains a temporary specification that governs registrars' obligations with respect to privacy and proxy services. This temporary specification will expire on 31 January 2021 or when ICANN implements a privacy and proxy accreditation program, whichever occurs first. This extension is based on a [23 May 2019 agreement](#) with the Registrar Stakeholder Group.

## **WHAT IS THE CURRENT STATUS OF THIS PROJECT?**

The IRT is currently paused, pending completion of the EPDP Phase 2 work on a potential standardized access model for nonpublic gTLD registration Data.

### **WHAT ARE THE EXPECTED NEXT STEPS?**

ICANN org will continue to monitor the EPDP Phase 1 Implementation, including information stemming from the ongoing EPDP Phase 1 Recommendation 27 analysis and Phase 2 policy development work. Following the completion of the implementation of the EPDP Phase 1 policy recommendations, ICANN org will reevaluate if it is prudent to resume some implementation work for the PP Accreditation Program or continue the pause until the completion of EPDP Phase 2.

After completion of relevant EPDP work, ICANN org will reassess draft PP IRT materials in consultation with PP IRT, to determine how to proceed with implementation of the PP Accreditation Program.

The project timeline will be revisited and updated quarterly on the ICANN.org [implementation status webpage](#).

### **HOW CAN I GET INVOLVED?**

The PPSAI implementation is currently paused. However, broad community input is encouraged during the Public Comment phase, when available. ICANN Public Comment can be found here: <https://www.icann.org/public-comments>.

### **MORE INFORMATION**

- PPSAI PDP Final Report: <http://gnso.icann.org/en/issues/raa/ppsai-final-07dec15-en.pdf>
- PPSAI PDP webpage: <http://gnso.icann.org/en/group-activities/active/ppsa>
- IRT workspace: <https://community.icann.org/x/VA2sAw>

### **BACKGROUND**

The IRT began meeting in October 2016 and has reviewed the draft Registrar Accreditation Agreement and other associated program materials in preparation for the Public Comment phase.

In proceeding to finalize the draft accreditation program materials for Public Comment, parallel efforts to monitor the EPDP Team’s work by the ICANN org became increasingly apparent. As noted in discussions since ICANN63, there is currently a significant amount of uncertainty around interpreting the data privacy requirements of the General Data Protection Regulation (GDPR) related to this type of proposed accreditation agreement. In its **02 November 2018 message** to the IRT, ICANN org elaborated further on these areas of uncertainty, as well as areas where the IRT could benefit from the work of the EPDP, and continued discussions with the European Data Protection Board. After indicating ICANN org’s decision to pause the IRT on **04 March 2019**, the GNSO Council deferred to ICANN org in a **30 April 2018 message**. In its response on **05 Sept 2019**, ICANN org confirmed that implementation work will remain paused pending the resolution of EPDP Phase 2. ICANN org continues to track the EPDP Team’s work for potential applications in the privacy and proxy context.

**Staff Responsible:** Cyrus Jamnejad (GDD)

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# Implementation Status: Thick WHOIS Policy Recommendations

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## WHAT CAN I EXPECT AT ICANN68 IN RELATION TO THIS TOPIC?

The Implementation Review Team does not plan to meet at ICANN68.

### WHAT IS THIS ABOUT?

ICANN specifies WHOIS service requirements through Registry Agreements (RAs) and the Registrar Accreditation Agreement (RAA) for the generic top-level domain (gTLD) registries. Registries have historically satisfied their WHOIS obligations under two different models, often characterized as “thin” and “thick” WHOIS registries. This description is based on how the two distinct sets of data are maintained.

In a thin registration model, the registry only collects the information associated with the domain name from the registrar. The registry publishes that information and maintains certain status information at the registry level. Registrars maintain data associated with the registrant of the domain and provide it via their own WHOIS services, as required by Section 3.3 of the RAA for those domains they sponsor. In a thick registration model, the registry collects both sets of data (domain name and registrant) from the registrar and publishes that data via WHOIS.

The Generic Names Supporting Organization (GNSO) Council initiated a policy development process (PDP) to consider a possible requirement of thick WHOIS for all gTLDs. The PDP working group finalized its report and submitted it to the GNSO Council on 21 October 2013. The GNSO PDP working group recommends all gTLD registries to provide thick WHOIS services with a consistent labeling and display (CL&D). It would improve the stability of and access to WHOIS data, as well as potentially reduce acquisition and processing cost for consumers of WHOIS data. During its meeting on 31 October 2013, the GNSO Council unanimously adopted the recommendation to require thick WHOIS for all gTLD registries. Following the Public Comment forum and the Governmental Advisory Committee (GAC) notification, the ICANN Board considered and **adopted** the recommendations during its meeting on 7 February 2014.

### WHAT IS THE CURRENT STATUS OF THIS PROJECT?

The CL&D of the Registration Data Directory Service (RDDS) Output for All gTLDs policy has completed implementation by the policy effective date of 1 August 2017.

For the Thick WHOIS Transition Policy for .com, .net, and .jobs, on 7 November 2019, the ICANN Board passed a **Resolution** to defer contractual compliance enforcement. ICANN Contractual Compliance will defer enforcement of the Thick WHOIS Transition Policy until all of the following have occurred:

- The gTLD Registration Data Policy Implementation Review Team (IRT) completes its review and establishes an implementation timeline estimate of the Expedited Policy Development Process (EPDP) Team’s **recommendations** as **adopted** by the ICANN Board on 15 May 2019;
- ICANN org and the IRT provide the GNSO Council with the required information on the impacts of the EPDP Team’s recommendations on existing policies and procedures (including the Thick WHOIS Transition policy); and
- The GNSO Council makes a determination on whether to take action on updates to relevant policies and procedures (which could include additional policy work, guidance, or other actions to be determined) impacting the Thick WHOIS Transition Policy.

For avoidance of doubt, the **Thick WHOIS Transition Policy for .COM .NET and .JOB** has been in effect since 1 February 2019. The board resolution pertains to the compliance enforcement action only.

#### **MORE INFORMATION**

- PDP webpage: <http://gns0.icann.org/en/group-activities/active/thick-whois>
- IRT workspace: <https://community.icann.org/x/t77hAg>
- Public Comment proceeding on CL&D Policy Proposal: <https://www.icann.org/public-comments/rdds-output-2015-12-03-en>
- Public Comment proceeding 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>
- 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 CL&D Policy: <https://www.icann.org/resources/pages/rdds-labeling-policy-2017-02-01-en>

**Staff Responsible:** Dennis Chang (GDD)

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# Implementation Status: Translation and Transliteration of Contact Information Recommendations

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## WHAT CAN I EXPECT AT ICANN68 IN RELATION TO THIS TOPIC?

The Implementation Review Team (IRT) will not meet at ICANN68.

### WHAT IS THIS ABOUT?

The continued internationalization of the Domain Name System (DNS) means registrations from registrants unfamiliar with Latin script are increasing. In October 2012, the Generic Names Supporting Organization (GNSO) Council requested an **Issue Report** to address whether it is desirable to translate or transliterate registration directory service contact information into one common language or script. In December 2013, the Translation and Transliteration of Contact Information Policy Development Process (PDP) Working Group was formed to provide an answer to this question. The working group was also tasked with determining who would carry the burden if mandatory translation or transliteration of contact information were recommended.

In its **Final Report**, the PDP working group did not recommend mandating the translation or transliteration of contact information data. Instead, it recommended that registrants submit contact data in any language and script supported by their registrar, ideally the registrant's native one. The working group also expressed that data submitted in a script and language native to the registrant is most likely to be accurate and that the costs of translating or transliterating all contact information data would be disproportionate to any potential benefits.

### WHAT IS THE CURRENT STATUS OF THIS PROJECT? WHAT ARE THE EXPECTED NEXT STEPS?

The ICANN Board **adopted** the recommendations of the PDP working group in September 2015.

Since commencing implementation work in July 2016, the IRT and GDD have produced a **preliminary policy document**. Due to complexities emerging from the IRT's discussions and work in other areas related to registration data directory services (RDDS)—in particular the **Temporary Specification for gTLD Registration Data Expedited Policy Development Process** (EPDP)—the implementation's projected announcement and effective dates are to be determined.

Given the implementation's relationship to the evolution of registration data policies and procedures, the PDP working group's Recommendations are being assessed per Recommendation 27 of the EPDP Phase 1 Team's **Final Report** to ensure policy and implementation consistency across the many work streams in this area.

#### **HOW CAN I GET INVOLVED?**

The IRT is composed of members of the working group. Newcomers and interested parties are welcome to join as observers. To become an observer, send an email indicating your interest to the GNSO Secretariat at [gnso-secs@icann.org](mailto:gnso-secs@icann.org). As the IRT has already been in operation for a substantial amount of time and has progressed in its deliberations, newcomers are expected to catch up on the discussions to date and to not reopen previously closed topics unless new information is presented.

#### **MORE INFORMATION**

- Working Group Final Report: <https://go.icann.org/2GcQCCP>
- ICANN Board resolution adopting the recommendations contained in the PDP Working Group Final Report: <https://www.icann.org/resources/board-material/resolutions-2015-09-28-en#1.b>
- IRT workspace: <https://community.icann.org/x/0SeOAw>

**Staff Responsible:** Brian Aitchison (Global Domains Division - GDD)

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# Cross-Community Working Group: New Generic Top-Level Domains Auction Proceeds

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## WHAT CAN I EXPECT AT ICANN68 IN RELATION TO THIS TOPIC?

The Cross-Community Working Group (CCWG) is in the final stages of preparing its Final Report and will not be meeting during ICANN68.

### WHAT IS THIS ABOUT?

The New Generic Top-Level Domain (gTLD) Program established auctions as a last resort to resolve the competition sets between identical or similar terms (strings) for new gTLDs, an issue known as string contention. Ninety percent of contention sets scheduled for auction have been resolved through other means before reaching an auction conducted by Power Auctions, ICANN's authorized auction service provider. However, it was recognized from the outset that significant funds could accrue as a result of several successful auctions. The proceeds derived from such auctions have been reserved and earmarked within ICANN until such time as the ICANN Board authorizes a plan for the appropriate use of the funds. These proceeds are considered as an exceptional, one-time source of revenue.

All ICANN Supporting Organizations (SOs) and Advisory Committees (ACs) have chartered the CCWG to propose a mechanism to allocate the new gTLD Auction Proceeds. Following approval by the Chartering Organizations, the CCWG will submit its proposals to the ICANN Board for consideration.

### WHY IS THIS IMPORTANT?

The new gTLD Auction Proceeds, derived from these last resort auctions, are distinct and ring-fenced funds. The Auction Proceeds are a single revenue source derived from all new gTLD Auction Proceeds round 1. The proceeds, net of direct auction costs, are fully segregated in separate bank and investment accounts. The proceeds are invested conservatively with any interest accruing to the proceeds. Since June 2014, 17 contention sets have been resolved via ICANN auctions. The total net proceeds to date are \$208 million.<sup>2</sup> Details of the proceeds can be found [here](#). It is important to keep in mind that approximately 90 percent of contention sets scheduled for auction are resolved prior to the auction. The total amount of funding resulting from auctions will not be known until all relevant applications have resolved contention.

<sup>2</sup> Of the \$233.5 million USD in proceeds, \$133 million USD are proceeds from the .web auction. The resolution of the .web contention set is being challenged through ICANN's accountability mechanisms. \$36 million USD was allocated to the ICANN reserve fund. As of 30 June 2019, the net return on investment was \$10.5 million USD. Therefore, the total net auction proceeds as of 30 June 2019 are \$208 million USD, of which \$133 million USD are proceeds from the .web auction.

### **WHAT IS THE CURRENT STATUS OF THIS PROJECT?**

The CCWG is in the final stages of preparing its Final Report, which will then be submitted to the Chartering Organizations for their consideration. Following approval by the Chartering Organizations, the recommendations will be submitted to the ICANN Board for approval. The Final Report will set out the core issues that the CCWG addressed in carrying out its charter since its inception in January 2017. It will include responses to questions posed in the CCWG's charter, a series of recommendations, as well as guidance to be considered in the implementation phase. The Final Report will also record the CCWG's discussions regarding options around a mechanism(s) to allocate the new gTLD Auction Proceeds in accordance with ICANN's mission and Bylaws.

The Final Report will discuss three possible mechanisms for allocation of auction proceeds, and make a recommendation about which of these mechanisms are considered the most suitable:

- Mechanism A: An internal department dedicated to the allocation of auction proceeds is created within the ICANN organization.
- Mechanism B: An internal department dedicated to the allocation of auction proceeds is created within the ICANN organization which collaborates with an existing nonprofit.
- Mechanism C: A new charitable structure (ICANN Foundation) is created which is functionally separate from ICANN org, which would be responsible for the allocation of auction proceeds.

The latest draft of the Final Report includes the following recommendation regarding the mechanisms, although it is important to note that the content of the recommendation could change up until publication of the Final Report:

*“The CCWG recommends that the Board select either mechanism A or mechanism B for the allocation of auction proceeds, taking into account the preference expressed by CCWG members for mechanism A.*

*As part of its selection process, the ICANN Board is expected to apply the criteria outlined by the CCWG in section 4.5 of this proposed Final Report for which additional internal and/or external input may be required (such as providing a reliable cost estimate). The ICANN Board is expected to share the outcome of its consideration with the CCWG Chartering Organizations and, if deemed necessary, involve the Chartering Organizations and/or CCWG implementation team in any deliberations that would benefit from Chartering Organization and/or CCWG implementation team input.*

*The CCWG strongly encourages the ICANN Board to conduct a feasibility assessment which provides further analysis of the recommended mechanisms, including costs associated with each mechanism, so that the Board can take an informed decision about supporting the most appropriate mechanism.”*

Other recommendations in the report focus on the following subjects:

- The establishment of an Independent Projects Evaluation Panel to consider and select projects to receive funding, regardless of the mechanism chosen.
- Objectives of fund allocation.
- Safeguards, conflict of interest provisions, and auditing requirements.
- Existing ICANN accountability mechanisms cannot be used to challenge decisions on individual applications.
- Timeframe for the disbursement of funds and the staging of disbursement in “tranches.”
- Review of the mechanism.

The Final Report takes into account feedback received through a **public comment period** on the **proposed Final Report**, which was held from 23 December 2019 through 14 February 2020, as well as subsequent CCWG deliberations.

#### **WHAT ARE THE EXPECTED NEXT STEPS?**

The CCWG will submit its Final Report to Chartering Organizations for their consideration. Following approval by the Chartering Organizations, the recommendations will be submitted to the ICANN Board for approval.

#### **HOW CAN I GET INVOLVED?**

Noting that the work of this group is nearly complete, anyone interested can join this effort at any time as a participant or observer. Please complete the **registration form** or email the Generic Names Supporting Organization (GNSO) Secretariat at [gnso-secs@icann.org](mailto:gnso-secs@icann.org). If another Public Comment period is held on the proposed Final Report, everyone is invited to provide input (see <https://www.icann.org/public-comments> for further details).

As the CCWG has already been in operation for a substantial amount of time and will soon complete its deliberations, newcomers are expected to catch up on the discussions to date and to not reopen previously closed topics unless new information is presented.

#### **MORE INFORMATION:**

- CCWG Proposed Final Report: <https://go.icann.org/2GWNcWW>
- Public Comment proceeding for the Proposed Final Report: <https://go.icann.org/20tUCVO>
- CCWG Initial Report: <https://go.icann.org/2GGoknr>
- New gTLD Auction Proceeds CCWG workspace, including Charter, background documents and information: <https://community.icann.org/x/yJXDaw>
- CCWG Charter Question templates: <https://community.icann.org/display/CWGONGAP/Charter+Question+Templates>
- CCWG Work Plan: <https://community.icann.org/display/CWGONGAP/Work+Plan>
- CCWG workspace: <https://community.icann.org/x/yJXDaw>

#### **BACKGROUND**

Following a number of sessions on this topic during ICANN53 in Buenos Aires (see <https://buenosaires53.icann.org/en/schedule/mon-soac-high-interest> and <https://buenosaires53.icann.org/en/schedule/wed-cwg-new-gtld-auction>), a **discussion paper** was published in September 2015 to solicit further community input, as well as the proposal to proceed with a CCWG. The feedback received confirmed the support for moving forward with a CCWG. The GNSO Chair at the time reached out to all the ICANN SOs and ACs to ask for volunteers to participate in a drafting team to develop a charter for a CCWG. All ICANN SOs and ACs, apart from the Country Code Supporting Organization (ccNSO), responded to this request and have put forward volunteers to participate. The drafting team commenced its deliberations on Tuesday, 23 February 2016. A draft charter for community discussion was published in advance of ICANN56 and discussed during the **cross-community session** held at ICANN56. Following ICANN56, the drafting team **reviewed all the input** and updated the proposed charter accordingly. On 13 September 2016, **this proposed charter** was shared with all ICANN SOs and ACs with the request to review it and identify pertinent issues that would prevent adoption of the charter. Then a webinar was held on 13 October 2016 to allow for additional time and information to undertake this review. The final proposed charter was submitted to all ICANN SOs and ACs on 17 October 2016, and each ICANN SO and AC confirmed the adoption of the charter. A **call for volunteers** was launched and the CCWG was chartered by all ICANN SOs and ACs to propose the mechanism to allocate the new gTLD Auction Proceeds.

The Chartering Organizations are the Address Supporting Organization (ASO), the At-Large Advisory Committee (ALAC), the ccNSO, the GNSO, the Governmental Advisory Committee (GAC), the Security and Stability Advisory Committee (SSAC), and the Root Server System Advisory Committee (RSSAC). Following approval by the Chartering Organizations, the CCWG will submit its proposal(s) to the ICANN Board for consideration.

On 11 December 2018, the CCWG published its **Initial Report** for Public Comment. A total of thirty-seven (37) community submissions were received in response to the Public Comment forum. The CCWG revised the report taking into account the input received and published a proposed Final Report for public comment in December 2019. Twelve (12) comments were submitted in response to the Public Comment forum. Since February 2020, the CCWG has been meeting regularly and completed its review and analysis of the public comments received in order to finalize the recommendations and responses to the charter questions in the report.

**Staff Responsible:** Emily Barabas, Joke Braeken (ccNSO), Marika Konings (consultant)

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# Scoping Team: Internationalized Domain Names

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## WHAT CAN I EXPECT AT ICANN68 IN RELATION TO THIS TOPIC?

The Internationalized Domain Names (IDN) Scoping Team has delivered its Final Report to the GNSO Council and will not be meeting at ICANN68.

## WHAT IS THIS ABOUT?

The GNSO Council established a scoping team to study the full extent of the impacts from both the IDN Variant Top-Level Domains (TLD) Recommendations and the IDN Guidelines upon existing registry agreements, registrar agreements and future applicants. The scoping team is limited to the tasks of identifying the scope of the issues related to IDNs and making a recommendation to the GNSO Council primarily on the best mechanism(s) for resolution (e.g., policy development, direct engagement with ICANN org, etc.). The scoping team has been instructed to avoid substantive discussion, especially around potential solutions and outcomes. The scoping team met regularly between August 2019 and January 2020.

## WHY IS THIS IMPORTANT?

There is currently no solution available for managing IDN variant gTLDs and as such, the ICANN Board **requested** that the GNSO develop policy as it relates to defining and managing IDN variant gTLDs for current gTLDs as well as for future gTLD applications. The ICANN Board also requested that the GNSO coordinates with the Country Code Names Supporting Organization (ccNSO) to ensure a consistent solution is developed for IDN variant gTLDs and IDN variant ccTLDs.

## WHAT IS THE CURRENT STATUS OF THIS PROJECT?

Most of the scoping team came to agreement on recommending two separate but interconnected work tracks to carry out the GNSO policy work related to IDNs: 1) a Contracted Parties team working directly the ICANN org, focused on **IDN Implementation Guidelines v.4.0** operational issues; and 2) a Policy Development Process (PDP) or an Expedited Policy Development Process (EPDP) team focused on the policy development of the definition and management of **IDN variant TLDs**. The scoping team also recommended that the GNSO Council send at least one liaison with alternate(s) to monitor the ccNSO PDP4 focused on IDN issues, once it has commenced.

The scoping team delivered its **Final Report** to the GNSO Council on 17 January 2020.

**WHAT ARE THE EXPECTED NEXT STEPS?**

The GNSO Council will consider the Final Report and determine if it agrees with the recommended mechanisms for resolving the identified IDN issues. In considering next steps and timing, the GNSO Council will also take into account overall capacity to initiate new work.

**HOW CAN I GET INVOLVED?**

As the scoping team has concluded its work and subsequent steps have not been taken by the GNSO Council, there is currently no opportunity to get involved. If and when subsequent steps are taken by the GNSO Council, there may then be an opportunity to get involved in the future GNSO policy work related to IDNs.

**MORE INFORMATION**

- Scoping Team Final Report: <https://go.icann.org/3bdy2dP>
- Scoping Team workspace: <https://community.icann.org/x/b4HkBg>

**Staff Responsible:** Steve Chan, Ariel Liang

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# Scoping Team: Transfer Policy Review

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## WHAT CAN I EXPECT AT ICANN68 IN RELATION TO THIS TOPIC?

The Transfer Policy Review Scoping Team has completed its work and will not be meeting at ICANN68.

## WHAT IS THIS ABOUT?

On 22 April 2019, the ICANN organization delivered the most recent version of the **Transfer Policy Status Report (TPSR)** to the GNSO Council. It provides details on: 1) the intended purposes of the Transfer Policy (formerly known as the IRTP); 2) an overview of the domain name transfer process; 3) the impact of the Temporary Specification and the Registration Data Access Protocol (RDAP) on the Transfer Policy; 4) metrics related to the Transfer Policy; and 5) a summary of the public comments and survey responses to the published TPSR.

The ICANN org delivered the TPSR pursuant to Recommendation 18 of the Inter-Registrar Transfer Policy (IRTP) Part D Policy Development Process (PDP) Working Group's **Final Report**, which provides, “[t]he Working Group recommends that contracted parties and ICANN should start to gather data and other relevant information that will help inform a future IRTP review team in its efforts.”

The GNSO Operating Procedures do not prescribe specific steps to be taken in response to a Policy Status Report. As this is the first for such review activity, the GNSO Council was able to consider a range of options to determine the best path forward. During its **meeting** on 19 September 2019, the GNSO Council agreed to establish a Transfer Policy Review Scoping Team. The scoping team is tasked with advising the GNSO Council on how to approach further policy work, if any, on the Transfer Policy. Specifically, the scoping team is tasked with providing recommendations on the:

- approach to the review (e.g., by initiating a new PDP);
- composition of the review team or PDP working group; and
- scope of the review and future policy work related to the Transfer Policy.

The scoping team met regularly between December 2019 and March 2020 and delivered its Initial Scoping Document to the GNSO Council on 6 April 2020.

**WHY IS THIS IMPORTANT?**

The TPSR and accompanying Public Comment period indicated several areas of the Transfer Policy may warrant review, and further GNSO policy work may be needed to carry out the review.

**WHAT IS THE CURRENT STATUS OF THIS PROJECT?**

The scoping team provided its **Initial Scoping Paper** to the GNSO Council after ICANN67.

**WHAT ARE THE EXPECTED NEXT STEPS?**

The GNSO Council will review and discuss the scoping team’s recommendations. In considering next steps and timing, the GNSO Council will also take into account overall capacity to initiate new work.

**HOW CAN I GET INVOLVED?**

As the scoping team has completed its work, there is no opportunity to get involved. If and when subsequent steps are taken by the GNSO Council, there may then be an opportunity to get involved in the future GNSO policy work related to the transfer policy.

**MORE INFORMATION**

- Initial Scoping Paper: <https://go.icann.org/3cS0XEw>
- Scoping Team workspace: <https://community.icann.org/x/OoElBw>

**Staff Responsible:** Caitlin Tubergen, Berry Cobb (consultant)

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# Generic Names Supporting Organization Schedule for ICANN68

Please confirm against the [final schedule](#) as changes may occur. For remote participation details, please check this [wiki page](#) created by the Generic Names Supporting Organization (GNSO) Support Team. Live audio streaming, recording, and transcripts will become available after meetings. Unless specified with the symbol [C], sessions published in this table are open to all. At time of publishing, virtual meeting rooms have not yet been finalized, please see the final schedule for further information.

## MONDAY, 22 JUNE 2020

### MEETING

Registration Data Policy Implementation Review Team

Non-Commercial Stakeholder Group (NCSG) Policy Meeting

Intellectual Property Constituency (IPC) Open House

## TUESDAY, 23 JUNE 2020

### MEETING

New gTLD Subsequent Procedures Policy Development Process (PDP) Working Group

Review of all Rights Protection Mechanisms in All gTLDs PDP Working Group

Internet Service Providers and Connectivity Providers Constituency (ISPCP) Open Meeting

Registrar Stakeholder Group (RrSG) Membership Meeting

Commercial Business Users Constituency (BC) Open Meeting

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# Generic Names Supporting Organization Schedule for ICANN68

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## WEDNESDAY, 24 JUNE 2020

### MEETING

Joint Meeting: GNSO Council with ICANN Board

Joint Meeting: GNSO Council with ccNSO Council

GNSO Council Meeting

## THURSDAY, 25 JUNE 2020

### MEETING

NCSG Opening Meeting

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